



## **CASE REPORT**

1. Complaint reference number	161/06
2. Advertiser	Nissan Motor Co Aust Pty Ltd (Tilda)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 9 May 2006
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement features actress Kim Cattrall driving a Nissan Tiida and making noises to express her satisfaction as she enjoys its driving capabilities. Inside shots of the car's features are shown as she zips along a street. She notices a sign warning of an approaching "hump" in the road, and giggles as she goes over it. We then see her fan herself with her hand as if excited. A male voiceover announces "The all-new Nissan Tiida. It makes you feel really, really, really good inside".

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*... a woman...pleasures herself as she rides over a speed HUMP... I have 2 Young Boys, one of the Boys asked me what that means. They are 9 and 7 years of Age. If you reversed the situation into a male context I am sure you would be getting a lot more complaints. (complainant's capitalisation)*

*There are far too many ads with sex being the motivating factor.*

*I found that seeing a woman having an orgasm by driving her car, inappropriate.*

*...she orgasms as she drives over the "hump" – a blatant synonym for sexual intercourse. I have never seen an ad so blatantly pornographic in its suggestions.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*The TVC is meant to represent that the Tiida will "quicken your pulse and take your breath away".*

*Kim Cattrall is a confident independent woman who embraces her sexuality.*

*A pornographic work is thought to be something that is sexually explicit, that is, it depicts or describes sexual conduct in an obscene, indecent and offensive way. Nissan strongly believes that the average person applying contemporary community standards would not find the subject TVC to be in any way pornographic.*

*The TV ad contains no graphic images or nudity and is intended to entertain and surprise the audience.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breached section 2 of the Advertiser Code of Ethics (the "Code"). In particular, the Board considered whether this

advertisement breached section 2.3 of the Code in portraying sex, sexuality or nudity with insensitivity to the relevant audience and relevant programme time zone.

The Board noted that nudity was not relevant and that while the portrayal of sex and sexuality were relevant, their portrayal in this advertisement did not breach prevailing community standards nor did it breach section 2.3 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.