



## **CASE REPORT**

1. Complaint reference number	191/01
2. Advertiser	Australian Unity Health Ltd (Smart Start - 'zipper')
3. Product	Insurance
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 14 August 2001
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement is based in a men's urinal. A young man is using the urinal when a tough-looking character enters. Captions question "Is he in trouble?" Will he need (a) physio (b) dental (c) chiro?" and then state "\$8.50 a week gets him Hospital and all of the above." The tough-looking character leaves, but while seeming relieved the young man encounters trouble in zipping his fly. As he is shown in evident pain, an announcer and caption advise that Australian Unit Hospitals and extras cover is available from \$8.50 per week.

## **THE COMPLAINT**

Comments which the complainants made regarding this advertisement included the following:

*"I am not a prude by any means. I had thought that a similar ad by this company showing a woman in distress over the lack of a toilet roll in a supposedly tropical setting was verging on distasteful. However, this latest one is positively revolting ... I can see no relevance to their product or cause in showing two men urinating. I have never been in a men's urinal and no need to be educated in this area."*

*"Here is yet another example of anonymous writers who seem to be affected by what can only be described as the latest disease of constantly putting down the Male of our society, and who use crime, sexism, racism and any location they choose as a legitimate advertising ploy and I am getting sick and tired of it!"*

*"...the most disgraceful inappropriate ad I have ever seen on television. ..If this kind of vile advertisement needs to be shown then they should show it later in the evening when young adults and students are home from work and university."*

*"Why do they have to take such a disgusting idea to sell a product? What types of advertisements will be shown on television in another 20 years if this kind of smut is acceptable?"*

*"This is gutter tv! As a parent we try to teach our children manners and respect and lead by example, it's a pity television programs and commercials couldn't show a bit more class and help out."*

## **THE DETERMINATION**

The Advertising Standards Board ('the Board') considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics ('the Code').

Accepting the advertiser's explanation that the advertisement's tone was "purposefully quirky and irreverent," the Board determined that while it might concern some viewers, the commercial did not

breach the Code in relation to the portrayal of sex/sexuality/nudity, discrimination/vilification or on any other grounds. Accordingly, the complaint was dismissed.