



CASE REPORT

1. Complaint reference number	196/07
2. Advertiser	Roofmart Pty Ltd (Mastertruss)
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 10 July 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set on a building site in front of a single storey house in construction. The advertisement consists primarily of two builders discussing the use of steel roof framing. Throughout the advertisement there are various shots of builders working on a roof and walking along the steel scaffolding.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

I was incensed by the background footage showing installers walking on the trusses of the roof with NO fall protection in place. This may be commonplace in the building industry, but surely companies should be prevented from showing footage of this on widely viewed television. I understand that this is not only against the law, but goes against a lot of effort put in by regulators and companies who care for employees as well as disturbing for individuals who may have experienced the nasty consequences of this type of behaviour.

THE ADVERTISER'S RESPONSE

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

I have attached a copy of our ad and the relevant code of practice covering the Prevention of Falls in the Workplace.

As you will see within the ad the building in question is a single storey dwelling (normally 2400mm in height) and the only requirements within the code of practice covers heights in excess of 3000mm to which a harness is required. I would request if this complainant could assist us by providing any relevant codes of practice that cover his perceived issue with this ad.

We are only too willing to address any perceived safety concerns that this complainant may have in respect of this ad, however we believe them to be unfounded. At this point in time the National Association of Steelframed Housing (NASH of which we are members) has on its current platform, discussions regarding safety issues within our industry which we take very seriously.

We believe that no action is required to modify this ad, however we will comply with any changes where deemed necessary by the Advertising Standards Board.

THE DETERMINATION

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

The Board noted the complainant's concern that the advertisement depicted people on the roof of a single storey dwelling without safety equipment. The Board also noted the advertiser's response which indicated that the depictions are of work practices that comply with appropriate safety regulations in steelframe housing industry.

The Board considered the images in the advertisement and considered that the men on the roof appeared to be competent tradesmen, working carefully on the roof and that there were certainly no images of inherently unsafe or skylarking activity. On the basis of the careful work of the men, and the advertiser's assurance that such work without safety harnesses is legal, the Board determined that the advertisement did not depict material that was contrary to prevailing community standards on health and safety and hence did not breach section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.