



## **CASE REPORT**

1. Complaint reference number	199/00
2. Advertiser	Primus Telecommunications (Aust) Pty Ltd (Prank Calls)
3. Product	Telecommunications
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 11 July 2000
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement depicts three elderly men, one of whom is using a telephone and asking, 'Is Mr Wall there? Mrs Wall? Are there any walls? What's holding your roof up?' The three laugh. Another uses the telephone and asks, 'Is your fridge running? Well, you'd better go catch it.' Again, the trio laughs. The third man picks up the telephone and asks, 'Do you live on the Eltham line? Well, you'd better move. There's a train coming.' He hangs up and the group laughs. The advertisement concludes with text and a voiceover: 'With Primus 15-cent local calls, you can make as many calls as you want. Primus Telecom. Put a smile on your dial. Phone 1300 85 85 85.'

## **THE COMPLAINT**

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

*'..... I strongly object to the idea of encouraging nuisance phone calls. I have on occasions been the recipient of such calls which are most disturbing.'*

*'In my opinion, the behaviour used in the organisation's advertisement is socially undesirable due to the non-legitimate use of a telephone service for the harassment of another, unspecified, party.'*

*'..... Anybody that (sic) has been the victim of constant crank phone calls will certainly fail to see the humour of this and even the odd crank call is disturbing to the elderly or disadvantaged.'*

## **THE DETERMINATION**

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

The Board determined, given the contextual humour of the advertisement, that the material within it did not contravene prevailing community standards on Health and Safety and that the advertisement did not breach the Code on these or any other grounds. The Board, accordingly, dismissed the complaint.