



CASE REPORT

1. Complaint reference number	210/00
2. Advertiser	Hard Rock Cafe Sydney
3. Product	Restaurants
4. Type of advertisement	Radio
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 11 July 2000
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The radio advertisement, against background sounds of a crowd, consists of the announcement: ‘From 4 to 7 p.m. weekdays, it’s rush hour at the Hard Rock Café. And if you buy a drink for yourself, we’ll buy another one for your mate. So meet your mate at the Hard Rock Café, and we’ll shout a round for him. Or her. Or it! Actually, no, sorry. No “its”. Health regulations. But you get the idea! We’ll make you look generous. Until your friend shouts you back, anyway. Rush Hour - it’s the perfect time to meet your mates at the Hard Rock Café.’

THE COMPLAINT

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

‘My point is that there has been a lot of work done by many people and organizations to educate people into not thinking of or referring to transsexuals as “it”, and the ad in question, if allowed to continue to run, will undo a lot of this and put the idea back into peoples (sic) heads that we are “it’s” (sic) rather than people.’

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 that the material within the advertisement did not constitute discrimination or vilification and that the advertisement did not breach the Code on these or any other grounds. The Board, accordingly, dismissed the complaint.