



CASE REPORT

1. Complaint reference number	249/05
2. Advertiser	UNiTAB Ltd
3. Product	Gaming
4. Type of advertisement	Outdoor
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 13 September 2005
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement for UNiTAB displays the words: “*The more you practice, the luckier you get*” in large white font against a green background. The UNiTAB logo appears in the lower left-hand corner of the advertisement.

THE COMPLAINT

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

“... this is dangerous in a culture of gambling addiction and sends the wrong message to children that you have to keep gambling to get better at it.”

“To me this is highly immoral and encourages gambling, and is clearly targeted at people who already gamble. It is inviting them to gamble more to increase their chances of winning.”

THE ADVERTISER’S RESPONSE

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

“... we have developed an internal advertising and promotions code of practice that is more tightly focused on promoting responsible gambling and harm minimisation...”

“This billboard is part of an advertising campaign that highlights the skilled-based nature of our products. This is what sets the TAB apart from other forms of gambling... Our customers have the opportunity to research form... track conditions, ratings and the impact of barriers and handicaps. The same type of opportunity is available for Sports-betting where team form, injuries, and home and away record can influence the outcome.”

“The word ‘practice’ generally relates to some sort of skill or talent. In the advertisement, practice relates to making use of that available information to make a more informed betting decision... We do not promote life-changing outcomes through the use of our products. We promote TAB services as a recreational activity where the process of using your skill and making an informed decision can be part of the enjoyment of using our products. This is what the phrase is all about. It does not say ‘The more you bet, the luckier you get’...”

THE DETERMINATION

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

The Board recognised gambling as capable of being addictive and accepted that a gambling addiction

could be classified as an “illness”. As such, the Board was of the view that an advertisement that promoted gambling is potentially an issue that could affect health and safety.

The Board noted the advertiser’s submission that: “*the word ‘practise’ relates to making use of available information to make a more informed betting decision...*”, however, the Board was of the opinion that this intention was far from sufficiently explained in the billboard advertisement. The Board considered that the word “*practise*” used in the context of this advertisement was synonymous with the word “*gamble*”. In effect, the Board was of the view that the majority of people would interpret the advertisement to mean: “*The more you gamble, the luckier you get*”.

The Board determined that this message (whether or not it was intended by the advertiser) is contrary to the prevailing community standards on health and safety.

The Board found that the depiction contravened the provisions of the Code relating to health and safety and, accordingly, the Board upheld the complaint.

THE ADVERTISER’S RESPONSE

The advertiser indicated that the advertisement has been replaced on relevant billboards.