



CASE REPORT

1. Complaint reference number	275/04
2. Advertiser	Testra Corporation Ltd ('Pack more into your night')
3. Product	Telecommunications
4. Type of advertisement	Print
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 12 October 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a print advertisement which features a group of young people packed into a small car with their heads and arms spilling out. The tagline is “Pack more into your night.”

THE COMPLAINT

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

“I find the advertisement offensive for a number of reasons. Young drivers have poor driving records particularly when the car is over loaded. Young people are dying on our roads every day and this does nothing to discourage over loading.”

THE ADVERTISER’S RESPONSE

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

“The car is clearly parked.”

“No dangerous or illegal activity depicted.”

“The advertisement was photographed in “controlled circumstances”.”

“The people packed into the car are posing for a photograph.”

THE DETERMINATION

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

The Board formed the view that the vehicle in the advertisement was in a parking spot and was not being driven with the young people packed into it.

The Board found that the depiction did not contravene the provisions of the Code relating to health and safety.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.