



CASE REPORT

1. Complaint reference number	303/08
2. Advertiser	Advanced Medical Institute
3. Product	Professional Services
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 13 August 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a rocket capsule at a space agency, and we see an older couple in space suits waiting to take off. As they take their seats in the capsule, the control room is shown about to launch the rocket. At an okay from the couple, and their assurances to each other, the man takes the throttle and attempts to raise the rocket to a firing position. He tries a few times, but each time he fails. A male voice over advises "Trouble getting up? Talk to the doctors at AMI on 1800 311 311."

THE COMPLAINT

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

Tasteless depiction of couple in space shuttle which 'cant get up'- indicating erection problems funny if shown to right group; not funny when attempting to enjoy bike race; regardless of late night time slot!

THE ADVERTISER'S RESPONSE

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

The ad does not breach Section 2 of the Code - I cannot see how this ad breaches any of the issues raised under s2.3 - the ad is not in any way vulgar or sexually explicit. The ad does not use any obscene language or content. We submit that the ad complies with the Standards as set by the AANA.

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 that the advertisement is suggestive of sex in relation to a medical disorder.

The Board considered whether the advertisement treated sex, sexuality and nudity with sensitivity to the appropriate audience and timezone. The Board noted that there is no depiction of people, sexual activity or nudity and that the advertisement relies on implication and innuendo for effect. The Board noted that the advertisement is placed after 8.30pm and considered that it did treat the issue of sexual dysfunction with appropriate sensitivity, including with humour.

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