



CASE REPORT

1. Complaint reference number	339/01
2. Advertiser	Nissan Motor Co Aust Pty Ltd (X-Trail 4WD)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Health and safety – section 2.6
6. Date of determination	Tuesday, 12 February 2002
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement portrays a number of sportspeople in action, beginning with the sports of croquet and badminton where the players are depicted as slow-moving and uncoordinated, along with snowboarding, kayaking and skydiving, as a voiceover says, ‘There are sports and there are extreme sports. Just like there are compact four-wheel-drives and there’s the Nissan X-Trail.’ As an (X-Trail 4WD) vehicle is shown negotiating rugged terrain, the voiceover continues, ‘An extreme all-mode, four-wheel-drive system, an extreme interior, and extreme power. The X-Trail. Only Nissan takes the compact four-wheel-drive to the extreme.’ The advertisement concludes with the advertiser’s logo.

THE COMPLAINT

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

‘I am a croquet and mallet sports player and am hurt and angry at the recent denigration of my sport in a Nissan car advertisement.’

‘The manner in which players of my sport have been ridiculed as being idiots is completely unconscionable and very insulting.’

‘The player chosen to represent croquet seemed designed to bring scorn on the sport.’

‘..... the advert vilifies mentally and physically handicapped people’

‘Presumably Nissan is aiming at a demographic more interested in speed and danger than in skill and intelligent strategic planning’

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board noted the number of complaints received but was of the view that the portrayal of people within the advertisement did not constitute discrimination or vilification. The Board determined that the material within the advertisement did not breach the Code on these or any other grounds and, accordingly, dismissed the complaint.

The Board noted in passing that the advertiser had modified the advertisement, deleting the sequences depicting croquet and badminton.