

## CASE REPORT

1. Complaint reference number	366/04
2. Advertiser	Newcastle Permanent Building Society
3. Product	Finance/Investment
4. Type of advertisement	TV
5. Nature of complaint	Other - Miscellaneous
6. Date of determination	Tuesday, 8 February 2005
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a voiceover which states that with most home loan lenders “no” doesn’t always mean “no”. The voiceover states that with Newcastle Permanent’s real-deal home loan “no” actually means “no”. The voiceover further explains the building society’s no application fee, valuation fee or ongoing account keeping fees.

## THE COMPLAINT

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

*“... Rape is still a very real, criminal and social problem in Australia . I find that by using the message to advertise something like home loans trivializes the message. It also brings up memories for people who have been victims.”*

## THE ADVERTISER’S RESPONSE

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

*“From the advertisement’s first words it is clear that the commercial is going to be about mortgages. The remainder of the advertisement similarly makes this point clear. It seems very unlikely that someone could be confused into thinking it is about anything else.”*

## THE DETERMINATION

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

The Board was of the view that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to other.

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