



CASE REPORT

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| 1. Complaint reference number | 391/05 |
| 2. Advertiser | Kuta Lines |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 14 February 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement displays various items of surf clothing and special deals for Christmas.

THE COMPLAINT

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

There was a border around the items of surf wear... which appeared to contain a picture of a naked female torso.

THE ADVERTISER'S RESPONSE

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

The filler picture which I believe the complainant is referring to is simply a close-up photo of a flower petal with rain drops and a background of flora.

THE DETERMINATION

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

The Board considered that the advertisement in question did not portray an image of a naked woman. The Board noted that, if the image in question was of a naked woman, the image was so distorted and unclear that it would not be recognisable by most people and therefore would not be considered to be an insensitive or inappropriate portrayal of nudity or a person.

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