



CASE REPORT

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| 1. Complaint reference number | 427/06 |
| 2. Advertiser | Jamberoo Action Park |
| 3. Product | Leisure & Sport |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 Advertising to Children Code – Other – section 2.4 |
| 6. Date of determination | Tuesday, 14 November 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features various scenes of young people enjoying the Outback Bay attraction at Jamberoo. They are seen floating on rubber tyres, using waterslides, swimming, playing beach volleyball and riding the created waves into the shore on floats. The final shot shows a young bikini-clad teenage girl on a float.

THE COMPLAINT

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

There is a freeze frame of a young girl (she looks about 13/14) who is on a water slide ride. This freeze frame obviously shows her in bikini swimwear with her small breasts more exposed than should be for a person of such an age. This girl really is quite young and the particular frame is visible on Television for longer than appropriate (sic) due to the freeze frame. It makes me very angry to think that Jamberoo Action Park has made this add so "innocent" while really having ulterior motives. I am not against some sexual adds - providing the people acting in these adds are of an appropriate (sic) age and are directed to an adult age group, however, this is a childrens add and it really is wrong to expose children in such a way.

THE ADVERTISER'S RESPONSE

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

The girl in the frame is not a 13 or 14 year old but a 22 year old woman...She is not over exposed. The modest bikini top is flesh coloured.

Both commercials being aired over the October school holidays were approved by Commercial Advice as suitable for viewing by children.

THE DETERMINATION

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

The Board viewed the advertisement and in particular the last frame several times. The Board considered the complainant's comments that the image of the girl was inappropriate, and considered whether the image contravened section 2.3 of the Code dealing with sex, sexuality and nudity.

The Board considered that the depiction of the woman in the closing frames of the advertisement was not sexual in nature. The Board noted the advertiser's advice that the woman was 22 years in age. The

Board considered that the woman was depicted as a woman and was not depicted in a manner that suggested that she was underage.

The Board agreed that there was no nudity shown, that there was no sexual context to the advertisement and therefore sexuality had not been treated insensitively in view of the audience. The Board found that the advertisement had not breached section 2.3.

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