



## **CASE REPORT**

|                               |  |
|-------------------------------|--|
| 1. Complaint reference number | 448/99   |
| 2. Advertiser                 | John Fairfax Holdings Ltd (Fairfax Online)         |
| 3. Product                    | Information Technology                             |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination      | Tuesday, 8 February 2000                           |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement comprises a series of scenes of people discussing the different purposes for which they have used the internet. One scene involves an apparently naked man, with genitalia concealed by the lid of a laptop computer, saying ‘I visited a nudist colony in the Maldives ... and found a weight loss centre in Sunshine’. The advertisement concludes with the words ‘Find and do ... global and local ... at melbournetoday.com.au’ superimposed on the screen and in voiceover.

## **THE COMPLAINT**

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

*“The people of this island nation [the Republic of Maldives] embrace the religion of Islam ... one of the tenets of that faith is a high standard of propriety particularly in matters of physical presentation and the Government, supported by its people, has adopted sensible and strict rules in the matter of dress and attire ... to flippantly suggest ... a nudist colony in the Maldives is in poor taste.”*

## **THE DETERMINATION**

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

While appreciating the nature of the concerns expressed by the complainant/s, the Board was of the view that the material depicted in the advertisement was not such as to constitute discrimination or vilification. It was noted that the various situations were presented in a humorous and non-realistic context and that it would be unlikely for the remark in question to have been taken seriously by the viewing audience. It was also noted that, while the reference may have been factually incorrect, this was not an issue over which the Board had authority pursuant to Section 2 of the Code. The Board therefore determined that the advertisement did not breach the Code on this or any other ground and, accordingly, dismissed the complaint.