



CASE REPORT

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| 1. Complaint reference number | 519/06 |
| 2. Advertiser | Advanced Medical Institute (Star Performance) |
| 3. Product | Professional services |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 16 January 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features the rear view of a male wearing jeans with leags spread apart and the appearance of a belt undone. Between his legs we see a view of a woman in bed looking towards the man, with her hand up and mouth open as if in shock. Text reads "Call the doctors at AMI now for a free consultation over the phone to overcome Erection problems & Premature Ejeculation".

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

My eight year old can read and said "I know what's going on there".

The advertising is quite explicit and alludes to a suggestive nature of increased sexual performance. It's a bit difficult to ask my 5 year old not to look at such explicit advertising.

THE ADVERTISER'S RESPONSE

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

There is nothing explicitly sexual about the ad.

There is no inappropriate display of breasts, or any other sexually explicit body parts displayed.

The ad is designed for adults and I fail to see how a child of 5 or 6 who cannot read could see this ad as anything more than a man in jeans.

The many ads that are displayed for underwear are far more revealing than this ad;

The fact that an adult understands the content of the ad is acceptable - however children could not possible understand or interpret the ad in such a way;

The ad does not breach any of the AANA Advertiser Code of Ethics.

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 considered whether the advertisement breaches Section 2.3 of the Code dealing with sex, sexuality and nudity.

The Board noted the complainants' comments that the advertisement was inappropriate for children.

The Board noted that the advertisement contained no nudity and was not sexually explicit. It agreed that the advertisement was in bad taste. The Board accepted the argument that children were unlikely to understand the advertisement. On balance the Board felt that advertisement did not treat sexuality insensitively enough to warrant the advertisement's removal from billboards.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.