

## Case Report

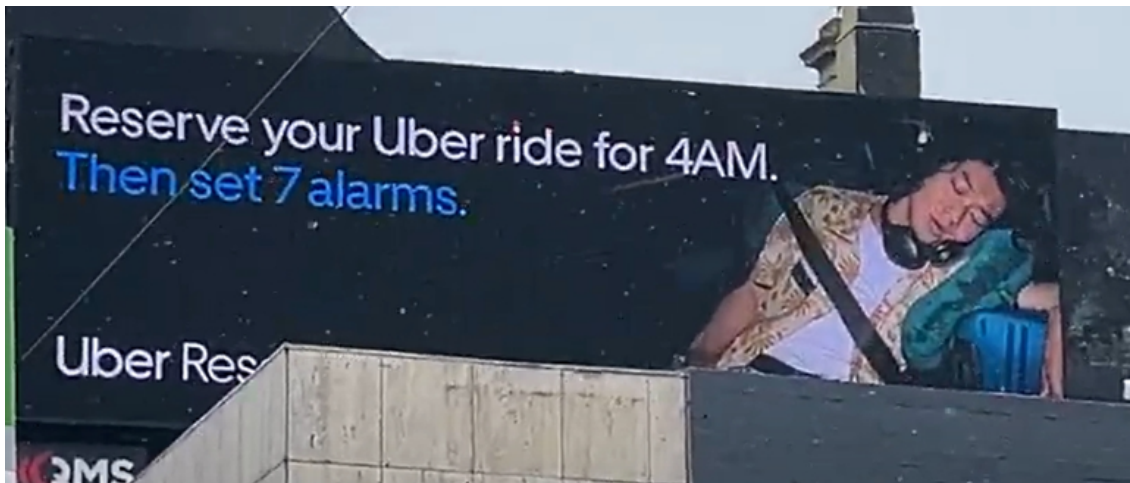
1. Case Number :	0107-24
2. Advertiser :	Uber Australia Pty Ltd
3. Product :	Travel
4. Type of Advertisement/Media :	Billboard
5. Date of Decision:	17-Apr-2024
6. Decision:	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This billboard advertisement features a person who has fallen asleep in the car and the text "Reserve your Uber ride for 4AM. Then set 7 alarms."



### THE COMPLAINT

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

*The person in this advertisement isn't wearing their seat belt properly. I feel as an Uber driver this advertises that this is the correct way of wearing a seat belt. It also shows that this behaviour is ok. When clearly it isn't. If this passenger was involved in*

*a crash they would be seriously hurt. Possibly hitting their head on the seat in front of them.*

#### **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*Advertiser did not provide a response.*

#### **THE DECISION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts someone wearing a seatbelt in an unsafe manner.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

#### **Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Panel considered that the person in the advertisement is clearly depicted as wearing a seatbelt, with the belt seen across their chest and lap.

The Panel noted that the person appears to have leant to the side when they've fallen asleep, causing the seatbelt to be across their upper arm and not over their shoulder.

The Panel considered that if the vehicle were to stop suddenly the seatbelt, although not ideally placed, would still likely prevent the person from being thrown forward and injuring themselves.

Overall, the Panel considered that the use of a seatbelt in this manner in these circumstances would not be against prevailing community standards on health and safety.

#### **Section 2.6 conclusion**

The Panel found that the advertisement did not breach Section 2.6 of the Code.

#### **Conclusion**

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.