

Case Report

Case number: 0005-26
Advertiser: Toyota Motor Corporation Australia
Medium: TV - Pay
Decision date: 28-Jan-2026
Decision: Breach
Action: Ad modified

ISSUES CONSIDERED BY THE COMMUNITY PANEL

- FCAI Motor Vehicle Advertising Code - 2(c) Driving practices - breach
- AANA Code of Ethics - 2.6 Health and Safety - breach

AD DESCRIPTION

This Pay - TV ad features several scenes where dogs chase and jump on the back of a Toyota Hilux. In the end the vehicle appears to be carrying a large ball of dogs ready to go to work. A man watching this says, 'Even the dogs know, you don't send a ute to do a Hilux job'.



SUMMARY

Complaint

A complaint was received on the grounds that the ad showed illegal and unsafe transport of animals.

Advertiser response

The advertiser responded that the ad was clearly lighthearted and featured fantastical elements of hyperbole. The humour is evident in elements such as a giant ball of dogs at the end, and the on-screen text 'No dogs were harmed in the making of this ad. A fair few utes were though.'

All relevant rules and guidelines were followed during the filming. The majority of scenes featured prop animals or CGI. The advertiser noted that rules around restraining or tethering dogs did not apply to working dogs. The ad opens with a scene resembling a rural setting and a

dog breed commonly associated with livestock work. A copy of the advertiser's full response is included as Appendix A.

Decisions

The Panel found that the ad was in breach of section 2(c) of the FCAI Code as well as section 2.6 of the AANA Code of Ethics, as the ad depicted unsafe behaviour, and behaviour that could breach state or territory rules if it were to occur on a road or road-related area.

ASSESSMENT AND DECISIONS

Section 2(c) (FCAI Code): Advertisers should ensure that advertisements for motor vehicles do not portray any of the following:

- (c) Driving practices or other actions which would, if they were to take place on a road or road-related area, breach any Commonwealth law or the law of any State or Territory in the relevant jurisdiction in which the advertisement is published or broadcast directly dealing with road safety or traffic regulation.**

[Examples: Illegal use of hand-held mobile phones or not wearing seatbelts in a moving motor vehicle. Motorcyclists or their passengers not wearing an approved safety helmet while the motorcycle is in motion.]

Panel assessment

The Panel considered that state and territory rules typically require animals to be safely transported. The Panel considered that working dogs involved in moving livestock are typically exempt from these rules. However, the Panel considered that the ad does not feature rural or farm settings exclusively, and that the dogs are not shown moving livestock. The Panel considered that this could be interpreted to suggest that exemptions to the rules do not apply.

The Panel acknowledged that the ad concluded with a scene that was clearly fanciful, and that it was impossible to stack dogs in a giant ball as shown in the ad. However, the Panel considered that all the scenes prior to this showed dogs jumping onto a moving vehicle or chasing it down the road to ultimately jump onto the vehicle. The Panel considered that these scenes were not presented as fantastical or unrealistic. The Panel also considered that the impression created in the ad was that the animals are not safely tethered, which appears to be contrary to state and territory rules pertaining to the transport of animals.

On this basis, the Panel concluded that the ad depicted driving practices which would likely breach existing road rules if they were to occur on a road or road-related area

Panel decision

Accordingly, the Panel found that the ad was in breach of section 2(c) of the FCAI Code.

Section 2.6 (AANA Code of Ethics): Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Practice Note states:

UNSAFE PRACTICES Images of unsafe driving, bike riding without helmets or not wearing a seatbelt while driving a motor vehicle are likely to be contrary to prevailing community standards relating to health and safety irrespective of whether such depictions are for the product/service being advertised or are incidental to the product.

In relation to the portrayal of farming, the dangerous use of quad bikes, children riding on tractors or other unsafe practices involving farming machinery will be contrary to prevailing community standards relating to health and safety. Similarly, advertisements depicting unsafe practices or images, such as riding down a hill in a wheelie bin, using a mobile phone while driving or apparently hiding in a chest freezer etc are unacceptable.

Panel assessment

The Panel considered that state and territory rules typically require animals to be safely transported. The Panel considered that working dogs involved in moving livestock are typically exempt from these rules. However, the Panel considered that the ad does not feature rural or farm settings exclusively, and that the dogs are not shown moving livestock. The Panel considered that this could be interpreted to suggest that such exemptions to the rules do not apply.

Acknowledging that the main character does not appear to realise that all the neighbourhood dogs are chasing his vehicle and end up jumping on the back, the Panel considered that the ad opens with the man whistling for his dog to jump on the back of a ute, with no indication that the dog was being tethered. The Panel considered that the overall impression was that the man was driving to get supplies or conduct some general business, and not that he was herding animals or doing something that would justify an untethered animal.

A minority of the Panel considered that reasonable adults would realise that transporting untethered animals is unsafe, and would not do so simply because the man in this ad was doing so. However, the majority felt that the behaviour shown, even if lighthearted and possibly exaggerated, was contrary to community expectations on safety.

Panel decision

The Panel, therefore, found that the ad breached section 2.6 of the AANA Code of Ethics.

OTHER CONSIDERATIONS

The Panel found that the ad did not breach any other section of the advertising codes.

ACTION

Toyota will modify the advertisement.

APPENDIX A: ADVERTISER RESPONSE IN FULL

We refer to your letters in relation to the Case Reference Numbers 0005-26 (the Complaint). CAD and agency details are set out in Annexure A of this letter.

Your letters refer to an advertisement by Toyota Motor Corporation Australia Limited (Toyota) featuring the Toyota HiLux (the Advertisement). Toyota takes any complaints relating to its advertisements seriously and responds as follows.

The Advertisement

In the hero film, dozens of dogs - the ultimate symbol of loyalty - abandon their owners' Utes and leap into the tray of the new HiLux in a playful demonstration of the loyalty HiLux inspires. In the story the driver isn't aware of dogs accumulating in the tray of the vehicle until they are revealed at the end. His reaction is nonchalant, like this happens often as a HiLux owner. The tone of the film is light-hearted and deliberately exaggerated.

The Complaints

In your letters, you have advised that the Complaints fall under sections 2.3 and 2.6 of the AANA Advertiser Code of Ethics (AANA Code) and section 2(c) of the FCAI Motor Vehicle Code (FCAI Code). Toyota responds to each of these subsections below.

Toyota's Response to the Complaints

Section 2.3 of AANA Code - Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The Advertisement does not portray violence against animals. We note the following precautions that were taken before and during production to ensure animal welfare and safety:

- All live dogs in the production were trained dogs, including professional animal actors and active working dogs, supplied and managed by professional animal trainers engaged specifically for screen production.
- These dogs regularly work in controlled environments and are trained for on set conditions such as vehicle movement, noise, crew activity). They were accompanied by their owners and/or professional handlers at all times.
- No dogs were harmed. Scenes were carefully choreographed for safety, takes were kept short, dogs were attended to immediately between takes, fresh water was available for the dogs at all times (including within the vehicle for the four key dogs) and hay bales and safety mats were used for any jumping or dynamic action.
- In moving sequences on public roads, the majority of dogs shown were CGI or static props, rather than live animals. Any live dogs present in moving vehicles were securely tethered to approved anchor points within the vehicle tub. In certain sequences, leads and restraints were digitally removed in post-production purely for storytelling purposes.
- Notably, at no time were live dogs filmed unsecured in the back of a moving vehicle on sealed public roads. In some shots, stuffed prop dogs were used to achieve the required visuals safely.
- The Advertisement is intended to be amusing and light-hearted. No displays of aggression are depicted in the Advertisement.

Section 2.6 of AANA Code - Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Advertisement is framed around a comedic premise - the driver is completely unaware that dogs have been leaping from other vehicles and accumulating in the tray until the final reveal. This obliviousness is revealed only at the end, when the dogs are shown piled in the back.

The scenes depicted are exaggerated and clearly impossible, including:

- the unrealistic number of dogs “piling” into a single ute tray
- coordinated behaviour that cannot occur in real life
- dogs leaping from other vehicles in perfectly timed succession

To reinforce the light-hearted tone, the Advertisement concludes with a disclaimer: “No dogs were harmed in the making of this ad. A fair few utes were though.”

This approach is consistent with Practice Note 2.6 of the AANA Code, which states: “Advertisements which feature exaggerated or fantastical elements, which are unlikely to be seen as realistic by the relevant audience, are unlikely to be found to be encouraging or condoning unsafe behaviour.”

The Advertisement’s use of hyperbole makes it clear that it is not a depiction of real life practices or a suggestion that such behaviour should be or could be imitated.

Clause 2(c) of the FCAI Code - Advertisers should ensure that advertisements for motor vehicles do not portray... driving practices or other actions which would, if they were to take place on a road or road related area, breach any Commonwealth law or the law of any State or Territory in the relevant jurisdiction in which the advertisement is published or broadcast directly dealing with road safety or traffic regulation.

At all times, driving practices were conducted in a controlled manner with safety as the primary consideration. The following measures were implemented and considered:

- All filming was undertaken with appropriate permissions and permits in place.
- Relevant local council approvals and filming permits were obtained for public-road filming. Traffic management, safety controls and crowd management protocols were implemented as required.
- The majority of driving scenes were filmed on private property.
- Laws directly dealing with road safety or traffic regulation (e.g. the State and Territory road rules) do not specifically regulate the practice of dogs travelling on the trays of utes. This is addressed under various state and territory animal welfare laws which also include specific exemptions for working dogs . The opening scene reflects a rural context, showing a dog breed commonly associated with livestock work jumping into the tray as part of the creative setup for the humorous storyline.

Importantly, as clarified above, the Advertisement’s intent is humorous and exaggerated. It is not intended to encourage real life behaviour.

Toyota is of the view that the other parts of Section 2 of the AANA Code and other clauses of the FCAI Code are not relevant to the Advertisement. As the concepts covered by those parts and other codes do not arise in the Complaint.

If you require any further assistance or information, please do not hesitate to contact me.

[1] For example, section 15A of the Prevention of Cruelty to Animals Act 1986 (Vic) provides an exemption for working dogs, and similar exemptions exist in other jurisdictions.

Note: We apologise for the inconvenience, however we are unable to attach the video file as we cannot get this down to the 20mb limit. Please review on secure link here:

<https://lion.box.com/s/r6mlappklcs0za8d4srht96jtwklrtzn> (available until 31 Jan) or on the Toyota Australia YouTube channel here: <https://youtu.be/fkqF11mxt6Q?si=-6iDvGBeLupL03NX>