

<b>COMPLAINT NUMBER</b>	19/049
<b>COMPLAINANT</b>	W Hughes & three others
<b>ADVERTISER</b>	Momentum Life
<b>ADVERTISEMENT</b>	Momentum Life Television
<b>DATE OF MEETING</b>	11 February 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for Momentum Life funeral insurance featured a couple in their own home talking about why they bought funeral insurance. The woman introduces the subject by saying “Now that the kids have left home, we’ve got our privacy back...” While both she and her partner appear to be naked, most of their bodies remain covered, as they go about their household activities. The woman says “I got cover for only \$5.99 a week...”

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complainant, W Hughes, said:** This advert is using 2 people, that give the appearance that they are naked. so it is pornography. It is being shown all thru the day. School holidays have only just finished and so this advert has been on while children are around and potentially watching. This something that I do not want my Grandchildren to be watching . I dont even want to watch it. Since when is nudity ok to watch on tv during daytime hours? I thought it was supposed to be restricted to late evenings? Its a deplorable advert of Momentum Life.

Three other complainants shared similar views.

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c).**

**The Chair** noted the Complainant’s concerns the advertisement gave the appearance the couple were naked, and this was inappropriate viewing for daytime television.

The Chair referred to a Complaints Board Decision, 09/088. This advertisement showed a woman stepping out of her bathrobe into the shower in an advertisement for window adhesives. Her naked back view was briefly visible. In that decision, the Complaints Board said: “...while a female body entering the bath was clear in part of the advertisement, it was not gratuitous and not likely to cause serious or widespread offence...”

The Chair said the above precedent was directly applicable to the complaint before her. The Chair said this advertisement uses humour, mild shock and a play on the word “cover” to convey its message. Although the couple both appear to be naked, they are mostly covered during the advertisement, and at no time is there any explicit nudity. The Chair said the advertisement is not targeted at children and was not playing during children’s programming.

While the Chair acknowledged the offence the advertisement caused the Complainants, she said taking into account the precedent decision, the advertisement did not reach the threshold to cause serious or widespread offence when taking into account generally prevailing community standards.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**

**APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.