

COMPLAINT NUMBER	20/031
COMPLAINANT	C Green
ADVERTISER	Scottys Electrical Services Taupo
ADVERTISEMENT	Out of Home
DATE OF MEETING	17 February 2020
OUTCOME	No Grounds to Proceed

Advertisement: The signage advertising “Scotty’s Electrical Xpertise (Ltd)” shows the wording laid out vertically with the first letter of each word spelling out the word SEX. The advertisement includes the phone number “0800 FOREPLAY.” The company vans repeat the phone number and say “Phone S.E.X”

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

Complainant, C Green, said in part:

The new sign, still directly opposite a school, refers to ‘SEX’ and ‘0800 Foreplay’. Their vans still carry the more offensive messaging.

I trust that your office can do something to have these signs removed from a school area.

Further to the photos sent, you can see images of their vans on their website: <http://www.teamsex.co.nz/> These drive around town with "S.E.X. in huge letters and inappropriate innuendo on their messaging and number plates.

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

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1 (c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant’s concern the advertisements were inappropriate.

The Chair referred to a Precedent Decision, 07/267, which addressed the same advertising campaign and was ruled No Grounds to Proceed. Decision 07/267 said in part:

“The Chairman noted the writing ‘S.E.X.’ on the vehicles was an abbreviation of the company name – Scotty’s Electrical Xpertise. Although he considered the advertisement may cause offense to some, he considered the wording was not salacious and it did not reach the threshold to cause either serious or widespread offence in the light of general prevailing community standards.”

In keeping with the precedent decision, the Chair said the Advertiser was using the initials of the company name to spell out the word SEX if the word was read vertically.

The Chair said the reference to “sex” and “foreplay” in the advertising for an electrical services business was not ideal given there was a school in close proximity of the sign and the advertising on the company vans mean the audience for the advertising is wide. She accepted that some people could be offended. However, the words were not swear words or vulgar words and the message was not indecent, meaning the advertisement did not reach the threshold to cause either serious or widespread offence in the light of general prevailing community standards.”

The Chair said the advertisements had not reached the threshold to breach Principle 1 or Rule 1(c) of the Advertising Standards Code.

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. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.