

<b>COMPLAINT NUMBER</b>	21/288
<b>ADVERTISER</b>	GiGi NZL
<b>ADVERTISEMENT</b>	GiGi NZL, Billboard
<b>DATE OF MEETING</b>	31 May 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Billboard advertisement for the Gigi Adult Department Store shows a close-up image of the top of a woman's cleavage above a zipper. The text on the advertisement says, "GiGi Adult department Store. NZ's BIGGEST Adult Store" and includes the address. The advertisement includes a line of Chinese text which translates as "NZ's Biggest Adult Store".

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

**Complaint:** I have seen this advertisement on a few billboards across Auckland. One being this one pictured on Newton gully and also a billboard as you are going on the northern motorway. I never thought I would be that person to make a complaint but as I have a 6yr old, 3 yr old and also a 2yr old images like this when you are stuck in traffic are not the best for a family car to look at. And when the 6yr old makes a comment it really makes you think. In a world where we are losing our value system I think it's really important to stop with things like this especially for little ones. We shouldn't pit them in a position where they have to have feelings they shouldn't have to feel. I hope this makes sense to whoever is reading this. There is a time and place for everything but I don't think we need advertising for adult entertainment on things that children will see also.

**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 billboard advertisement for an unrestricted audience included an image not appropriate for children.

The Chair carefully reviewed the billboard advertisement and noted it promoted the Gigi Adult Entertainment Store. The advertisement included text referring to the store and the background image is a woman's cleavage in a zipper top.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the image was indecent or whether the use of the image, in this context, was likely to cause serious or widespread offence, in light of generally prevailing community standards.

While acknowledging the genuine concerns of the Complainant, the Chair said the business information used alongside the image in the advertisement was targeting adults. In the

Chair's view children seeing the advertisement were unlikely to understand the nature of the business being advertised.

The Chair said the level of breast cleavage shown in the advertisement was not dissimilar to that portrayed in billboard advertisements for lingerie and despite not including the head and shoulders of the model, the image was not indecent.

The Chair said the advertisement did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaints 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 calendar days of receipt of this decision.