

<b>COMPLAINT NUMBER</b>	22/188
<b>ADVERTISER</b>	Madman Entertainment NZ
<b>ADVERTISEMENT</b>	Nude Tuesday, OnDemand Television
<b>DATE OF MEETING</b>	4 July 2022
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Madman Entertainment Three Now OnDemand television advertisement showed a trailer for the film *Nude Tuesday*. The trailer showed a couple attending a new age retreat and showed images of nudity, some of which had been blurred and it included provocative subtitled language.

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

**Complaint:** During the ad break of *Masterchef* we were shocked to see an R16 movie or show “Nude Tuesday” advertised which had some disgusting language in subtitles and not very well blurred out nudity shown. This sort of ad was extremely inappropriate to be shown during a PG family show.

**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 was concerned the advertisement was shown at an inappropriate time given the subtitled language and ineffectual blurring of nudity.

The Chair noted the Complainant had viewed the advertisement while watching *Master Chef NZ* through the OnDemand *Three Now* platform. The Chair confirmed that advertisements are served through the OnDemand platform using the account holder profile information, such as age and gender.

The Chair noted the Media had confirmed the *Nude Tuesday* advertising campaign had run exclusively through the OnDemand platform targeting an adult audience in the 25-54 age demographic. The Chair said this means the advertisement would only have been served to those viewers whose user profiles were registered in line with these criteria. The Chair said viewers with these profiles could expect to be served advertisements based on the registered user’s profile, as in this case with a R16 rated film trailer.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether images of blurred nudity and provocative subtitled language in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair noted the Complainant’s objections to the advertisement but said the placement of the

advertisement served to an adult OnDemand user profile meant it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement had been prepared and placed with the due sense of social responsibility required and said it 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 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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.