



26 March 2014

Ms Jayne Taylor
ABAC
info@abac.org.au

Dear Ms Taylor,

Re: ABAC Complaint No: 16/14 – XXXX Gold

I refer to your letter of 17 March 2014 and set out below Lion's response to complaint 16/14, for consideration by the ABAC Panel.

The information requested in your letter and additional supporting information is set out below. I can confirm that this Advertisement was pre-vetted internally at Lion and by the Alcohol Advertising Pre-vetting Service (AAPS), receiving full and final approval from both before going into market.

Advertisement Description

The XXXX Island campaign for XXXX GOLD is set on XXXX Island in Queensland. The series of television commercials that form part of the campaign are designed to position the Island as the ultimate destination for a mates trip away – a place where mates can be mates and enjoy the Good Life.

The advertisements follow a casually dressed and relaxed group of mates around the island and show some of the more humorous situations they end up in while hanging out with each other.

The 'Etiquette' execution parodies how 'Rules of Etiquette' are portrayed in more formal settings, with mock examples of how such 'Etiquette' might be applied by mates on XXXX Island. The Advertisement uses a humorous tone to do this, which is in keeping with the overall tone of the series.

The Advertisement begins with an aerial shot of the pristine XXXX Island, followed by the mates playing golf with each other on the beach. One of the mates sinks a hole in one on an offshore platform and begins celebrating his victory in an exaggerated and over the top way, thrusting his fists in the air, cheering, and performing elaborate dance moves on the beach. The voiceover talks to 'bragging being bad form' on the island and his mates walk away in mock disapproval to demonstrate this point. As they exit one of them tosses a golf club – imitating a scene from a frustrated sportsman and again highlighting the 'over the top' mock nature of this segment.

The voiceover then talks about the toilet seat 'staying up' and shows one of the mates staring with disapproval as he discovers the seat left down as he enters the bathroom. This again mocks common everyday etiquette around toilet seats being left up or down, and provides a clearly male view on this for humour.

In the next scene one of the mates is seen resting in a hammock. The other three mates are then seen untying their mate and carrying him across the water at low tide in a playful manner to another

area of the island. He wakes up to realise he has moved positions and falls out of the hammock. He is then seen walking along the beach, not far from where his mates are sitting, dripping wet.

The end of the Advertisement shows the four mates socialising while sharing a beer in the XXXX Island bar. It clearly depicts that they are all having a chat and fun together, and that they are enjoying a good time on XXXX Island. The voiceover alongside this invites others to come to XXXX Island and finishes with quoting the brands' tagline 'Good as Gold' as the XXXX Island and XXXX Gold brand logos are displayed.

Lion's Response to Complaint & ABAC Questions

Lion does not consider that the Advertisement breaches any section of the Alcohol Beverages Advertising Code (ABAC) or any other advertising code.

As noted in further detail below:

- (i) Lion takes its advertising responsibilities extremely seriously and has a strong compliance track record in this regard;
- (ii) Lion has a number of strict internal and external processes against which any proposed advertisement is considered; and
- (iii) The Advertisement was put through each of these processes prior to Lion's decision to broadcast it.

In response to the specific questions raised, Lion comments as follows:

- 1. Does the Advertisement breach Section (a) and (a) (iii) of the Code by failing to present a mature, balanced and responsible approach to the consumption of alcohol and promoting offensive behaviour by depicting men engaging in behaviour that could be characterised as bullying, harassment or "hazing", in particular: a) excluding a man that hit a hole in one and b) moving a man while he was sleeping in a hammock.**

Your letter references Section (a) and (a) (iii) of the ABAC, which states:

Advertisements for alcohol beverages must... present a mature, balanced and responsible approach to the consumption of alcohol beverages and, accordingly – must not promote offensive behaviour, or the excessive consumption, misuse or abuse of alcohol beverages.

The only alcohol consumption or suggestion of alcohol consumption during the Advertisement is during the closing scene which takes place at the end of the day after all activities (including those that are the subject of the complaint) are clearly finished. This scene is depicted as a responsible drinking occasion with four mates sharing a beer together holding one beer each. During all other scenes within the Advertisement there are no indicators or reasons to suggest that alcohol is present, is a part of these activities, or has been consumed. Accordingly, the Advertisement does not promote offensive behaviour, or the excessive consumption, misuse or abuse of alcohol beverages.

Further, as outlined in the Advertisement Description set out above the etiquette activities shown are pitched in a light-hearted way as mock, humorous examples for how 'rules of etiquette' might be applied to XXXX Island.

In applying the test of the *reasonable person* outlined by the ABAC, we do not consider that any of these activities would be classified by a *reasonable person* as promoting behaviour that is violent, aggressive, dangerous, anti-social or illegal.

In considering all other points in Section A of the ABAC, the Advertisement does not show or encourage excessive consumption, does not promote underage drinking (all of the mates are clearly over the age of 25), and only depicts the responsible and moderate consumption of alcohol beverages (in the final scene, after the activities the subject of the complaint have finished).

Lion's Commitment to the ABAC and ASB

As a responsible advertiser, Lion has demonstrated a long-standing commitment to supporting and adhering to the Alcohol Beverages Advertising Code (ABAC) and Advertising Standards Bureau (ASB).

In acknowledgment of Lion's position of support for ABAC and ASB, Lion maintains strict internal and external processes. As well as upholding the standards outlined within these advertising codes, Lion maintains internal best practices which often exceed these requirements.

As part of Lion's marketing approvals process, this Advertisement for XXXX Gold was subject to:

- Review and advice from external creative agencies well-versed and experienced with ABAC and ASB requirements.
- Independent legal review and advice from an external legal team specialising in FMCG (including alcohol) marketing and advertising compliance and interpreting and applying the relevant advertising codes and legislation.
- Review by Lion's internal marketing compliance team to ensure its adherence to Lion's internal best practice policies.
- Review and approval through the AAPs pre-vetting service at both concept and final stages to ensure its compliance with community standards and relevant advertising codes.

I can confirm that each of the above requirements was complied with in relation to the Advertisement, prior to its broadcast.

If you require any further clarification or supporting materials, please do not hesitate to contact me on 02 8284 3818.

Kind regards,

Kelly Johnston
Lion
External Relations Manager, BSW Australia