



Submission to the

**Changes to Australian Content and Children's Television  
Standards Consultation**

on behalf of

Australian Association of National Advertisers

December 2020

## Introduction

The AANA represents Australia's national advertisers and established the current self-regulatory system for advertising and marketing communications in 1997. Since that time, new codes have been introduced and the existing over-arching codes have been amended to keep pace with the ever evolving advertising, marketing and media industry. The Code of Ethics is the cornerstone of the advertising self-regulatory system and is supplemented by the AANA Code of Advertising and Marketing to Children, Food & Beverages Code and Environmental Claims Code.

The self-regulatory system is underpinned by an independent, transparent and robust complaints handling system which was established by the AANA over a decade ago. The complaints handling system is administered by Ad Standards and complaints are adjudicated by the Community Panel, made up of individuals who are representative of the community and not connected to the advertising industry. The system is recognised and endorsed through inclusion in other self and co-regulatory systems, whose members support the decisions of the Ad Standards. The compliance rate with Ad Standards Community Panel determinations is currently 97 per cent as an overall average during its history.

## Consultation issues

The AANA welcomes the opportunity to participate in this consultation on the Australian Content Standard (ACS) and Children's Television Standards (CTS). The AANA acknowledges and supports the simplification of the ACS and CTS and welcomes future discussion around the potential to remove dual or overlapping obligations for advertisers and marketers. Given the AANA Codes already provide strong community safeguards, it is the AANA's preference that the Australian Content and Children's Television Standards refer directly to those obligations to ensure that the concepts of being responsible, ethical, transparent and upholding community standards remains central to all aspects of advertisers' interaction with consumers, irrespective of the medium of communication.

Our submission will focus on the issues raised in the consultation paper relating to advertising.

## Definition of Children

The AANA supports the ACMA recommendation to update the definition of 'Children' to *'younger than 15 years of age'*. This would align with AANA advertising codes, although the Codes express this slightly differently as *'Children are persons 14 years and under'*.

## Protection of Children and Advertising Content

In addition to the AANA Code of Ethics, the AANA Children's Code and the Food and Beverages Code contain detailed requirements for advertising to children and already provide protection for children across a wider range of issues than referred to in the current Children's Television Standards. In this respect the AANA Codes provide safeguards, and the ability for consumer complaint if necessary, in relation to:

- Prevailing community standards
- Factual presentation
- Placement
- Sexualisation
- Safety
- Social values
- Parental authority
- Qualifying statements

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- Competitions
- Popular personalities
- Premiums
- Alcohol
- Privacy
- Food and Beverages

The AANA Codes place clear and strong obligations on advertisers and marketers to ensure sufficient protections for advertising to children.

The AANA would welcome future discussions with the ACMA and government around the possibility of dealing with advertising content issues using the advertising self-regulatory system. Replacing the current content standards rule with a reference to the AANA Codes will remove the current duplication and allow the rules to be platform neutral.

### **Further Consultation**

The AANA would welcome an opportunity to discuss in more detail with the ACMA the issues raised in the consultation paper. Please contact Megan McEwin at [megan@aana.com.au](mailto:megan@aana.com.au) regarding opportunities for further consultation.