



Melbourne Centre for Behaviour Change – Submission to the review of alcohol advertising rules in the Free TV Code

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Introduction

The Melbourne Centre for Behaviour Change is an initiative led by University of Melbourne researchers and clinicians who are recognised internationally for their contributions to understanding human behaviour. We harness research to inform sustainable behaviours, policies, and practices that will enhance lives, livelihoods, and environments. Our work focuses on human health and wellbeing, as well as social and environmental sustainability.

The Centre thanks you for the opportunity to submit to the public consultation on the *Review into alcohol advertising restrictions in the Free TV Code* (the Code). The current Free TV Code does not adequately protect Australians from the alcohol industry and other vested interests that seek to safeguard profits by promoting their harmful product to children and adults. We submit the following evidence and trust that this consultation process will be protected from commercial interests.

Key messages:

1. The existing Free TV Code exposes the community to significant harm.
2. Specific weaknesses in the Code include:
 - (i) a permissive approach to alcohol advertising;
 - (ii) a sports programming exemption; and
 - (iii) the exclusion of Broadcast Video on Demand services.
3. These flaws in the Code are unlikely to be addressed by the commercial television industry, which
 - (i) has a significant conflict of interest; and
 - (ii) has sought to weaken regulations, exposing Australians to significantly more alcohol advertising.
4. ACMA should replace the Code by making a new program standard designed to protect the community. The commercial television industry must not be involved in any way in the development of this program standard.

Harms associated with alcohol and alcohol advertising

Alcohol consumption is a major contributor to non-communicable disease and has been causally associated with over 200 health conditions, including liver disease, cardiovascular disease, and seven different types of cancer¹. In addition, alcohol contributes to and exacerbates domestic, family, and sexual violence², with women and children most impacted³. Alcohol is involved in 23%-65% of all police-reported family violence incidents². Over half of male intimate partner homicide offenders were using alcohol at high-risk levels at the time of the homicide⁴.

Alcohol advertising is a key driver of alcohol consumption⁵. The impact of alcohol advertising on young people's drinking behaviours is pervasive. Extensive research shows that exposure to alcohol advertising is associated with positive attitudes towards alcohol, increased intentions to consume alcohol, earlier initiation of drinking, and heavier consumption among children and young people⁶⁻⁹. Despite these harms, research consistently demonstrates that children in Australia are frequently exposed to alcohol advertising across a variety of media channels¹⁰⁻¹³. A recent (2025) study revealed that 70% of Australian children aged 15-17 years had seen alcohol advertising in the previous month, with television the most commonly reported location¹⁴. Research has also shown that young people aged 12 to 17 years report frequent exposure to alcohol advertising on television (17.1% daily)¹⁵. The Code's sports exemption is particularly problematic: approximately 11,000 alcohol advertisements air during sports broadcasts on free-to-air TV annually, with 45% shown during children's viewing hour¹⁶.

The Problem: The current Free TV Code is failing to protect Australians

The aforementioned evidence underscores the importance of effective regulation. Yet the existing Free TV Code permits extensive alcohol advertising, directly contributing to serious harms in the Australian community and failing to protect the Australian population, especially children. It is critical that ACMA recognises alcohol as a unique and harmful commodity and regulates it appropriately to prevent community harm. ACMA is obligated to do so under the *Broadcasting Services Act*, which states that “providers of broadcasting services place a high priority on the protection of children from exposure to program material which may be harmful to them”.

Weaknesses in the Code and opportunities for action

1. *General restrictions:* The Code's general restrictions on alcohol advertising are weak and insufficient. A product that causes death and disease – and that is in the same carcinogen category as tobacco – should not be permitted to be advertised as extensively as it is (8:30pm-5am every day of the week and between 12pm-3pm Monday to Friday on school days).
2. *Sports exemption:* As noted, the sport exemption in the current Code is problematic. This exemption permits alcohol advertising from 6pm Friday to midnight Sunday for a broad category of "sports programs". ACMA's approach should be aligned with the Federal Government's 2024 Rapid Review of Prevention Approaches for family and domestic violence, which recommended that alcohol advertising be restricted during sporting events due to the connection to domestic, family, and sexual violence ⁴.
3. *Lack of regulation for "Broadcast Video on Demand":* Broadcast Video on Demand services, including catch-up and streaming services via Channels 7Plus, 9Now, and 10Play, are not bound by the alcohol advertising rules in the Code, despite the services being operated by the same broadcasters. Commercial broadcasters have been unwilling to extend the Code to cover their Video on Demand services, despite ACMA requesting them to do so in public statements in 2024¹⁷ and 2025¹⁸. This environment requires urgent attention given growing viewer numbers on digital platforms. With the legislative exclusion of Video on Demand services from the Act due to expire in September 2027, the timing of this change is suitable for bringing these services into a new program standard developed by ACMA over the next year.
4. *Unacceptable conflict of interest:* The commercial television industry has made it clear that it relies on advertising revenue and wishes to expand alcohol advertising. This is in conflict with the ACMA's mandate to safeguard the community. For example, Free TV's latest Code revision sought to weaken alcohol advertising regulation by proposing changes that would have permitted approximately 800 additional hours of alcohol advertisements annually. This proposal was appropriately rejected by ACMA¹⁸. Allowing the commercial

television industry to regulate alcohol advertising when it has a clear vested interest is insufficient and entirely inappropriate. ACMA must make a program standard in the interest of the community to ensure appropriate safeguards from harm.

5. *Strong community support:* There is strong community support for action on alcohol advertising. A recent (2026) report indicates that 75% of Australians believe there should be less alcohol advertising on television and 82% support restrictions on alcohol advertising during children's viewing hours, **including during live sports broadcasts**¹⁹.

Conclusion

To protect Australians from the harms associated with alcohol and alcohol advertising, ACMA must introduce a robust program standard that is independent, evidence-based, and free from industry interference. The standard must prioritise and protect public health, not the profits of commercial broadcasters.

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