



**Submission to the
*Review of alcohol
advertising
restrictions in the
Free TV Code***

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1. Summary of recommendations

Alcohol Change Victoria (ACV) is a cross-sector coalition of leading research, treatment, and health organisations united in their call for action on alcohol harms. We welcome the opportunity to contribute to the Australian Communications and Media Authority's (ACMA) review of alcohol advertising rules in the *Commercial Television Industry Code of Practice 2015* (Free TV Code).

To prevent and reduce the harm caused by alcohol advertising, we recommend ACMA develop and implement a program standard for commercial free-to-air broadcasters to replace the Free TV Code, that:

1. Ensures all forms of alcohol advertising are covered by the standard, including low and no-alcohol products, as well as alcohol promoted through sponsorships or when shown on sports players' jerseys and sports stadiums;
2. Limits alcohol advertising to late night times when children are less likely to be watching (e.g. 10.00pm to 5.00am);
3. Prohibits alcohol advertising during all forms of sports programming, including but not limited to live broadcasts, replays, and talk shows; and
4. Includes broadcast video-on-demand services in its remit.

2. Alcohol ads cause harm to communities, including children and young people

Free TV remains a significant part of the Australian media landscape, with over half of all Australian adults watching commercial broadcast television.¹ Sporting events are particularly popular, with ACMA noting these made up many of the most-watched free-to-air TV programs in 2024–25 and remain “one of the few types of content that bring large audiences together at the same time.”² Given this large and attentive audience, regulating how alcohol is advertised on free-to-air TV and especially during sports programming, is essential to the public health of all Australians.

Alcohol is a harmful product known to cause several types of cancer,³ chronic disease,⁴ and contributes to and exacerbates domestic, family, and sexual violence.⁵ People at risk of or

¹ Australian Communications and Media Authority, Trends and Developments in Viewing and Listening 2024–25 (Report, March 2026) 2 <<https://www.acma.gov.au/publications/2026-03/report/trends-and-developments-viewing-and-listening-2024-25>>.

² Ibid 8.

³ World Health Organisation, *Alcohol and Cancer in the WHO European Region: An Appeal for Better Prevention* (Report, 2020) 5 <<https://www.who.int/europe/publications/i/item/WHO-EURO-2020-1435-41185-56004>>.

⁴ Kevin Shield, Charles Parry and Jürgen Rehm, 'Chronic Diseases and Conditions Related to Alcohol Use' (2014) 35(2) *Alcohol Research* 155.

⁵ Richelle Mayshak et al, 'Alcohol-Involved Family and Domestic Violence Reported to Police in Australia' (2022) 37(3-4) *Journal of Interpersonal Violence* NP1658.

currently experiencing alcohol dependence are especially vulnerable to alcohol advertising, which can trigger a desire to drink,⁶ and increase cravings among people drinking at risky levels.⁷

Children and young people are frequently exposed to harmful alcohol advertising. Almost 1 in 5 children aged 12 to 17 report seeing alcohol advertising on TV daily, and in 2022 there were almost 11,000 alcohol ads during free-to-air TV sports broadcasts, with 45% of those shown during children's viewing hours.⁸ Other estimates suggest that in a single year, children are subject to more than 50 million alcohol advertising exposures during free-to-air sports broadcasts.⁹

Children's exposure to alcohol advertising strongly influences their alcohol use patterns and subsequent short- and long-term harms.¹⁰ Children aged 12-17 who see daily alcohol advertising on TV are twice as likely to already be drinking, and the effect is even higher among those who witness daily alcohol advertising *during televised sport*, with this group 2.4 times more likely to be drinking before the age of 18, the age recommended by the National Health and Medical Research Council guidelines.¹¹

Adolescents' recent exposure to TV alcohol advertising is also associated with earlier initiation of alcohol use and a higher prevalence of heavy and binge drinking.¹² This effect has the potential to cause serious harm, as early onset of alcohol use disrupts brain development¹³ and increases the likelihood of higher risk drinking and alcohol-related harms later in life. For example, children aged 15 and 16 who report drinking alcohol are more likely to engage in high-risk and binge drinking 2 years later, and score higher on the AUDIT-C, a measure of alcohol dependence.¹⁴

It is no surprise then that 75% of Australians agree there should be less alcohol advertising on television, with 82% in support of restricting alcohol advertising on television during times when children are likely to be watching, including during live sports broadcasts.¹⁵

But under the current regulatory settings, the industry-developed, administered, and monitored Free TV Code is inconsistent with the objects of the *Broadcasting Services Act*

⁶ Rachel Murray et al, 'A Rapid Literature Review of the Effect of Alcohol Marketing on People With, or at Increased Risk of, an Alcohol Problem' (2024) 59(4) *Alcohol and Alcoholism* 1.

⁷ Ross Hollett et al, 'Exposure to Preference-Matched Alcohol Advertisements From National Sports Broadcasts Increases Short-Term Alcohol Consumption Inclinations in Risky Drinkers' (2025) 36(1) *Health Promotion Journal of Australia* e894.

⁸ Florentine Martino et al, 'Potential Financial Impact on Television Networks of a Ban on Alcohol Advertising During Sports Broadcasts in Australia' (2022) 46(4) *Australian and New Zealand Journal of Public Health* 463.

⁹ Sherilene Carr et al, 'Child and Adolescent Exposure to Alcohol Advertising in Australia's Major Televised Sports' (2016) 35(4) *Drug and Alcohol Review* 406.

¹⁰ Sandra Jones and Christopher Magee, 'Exposure to Alcohol Advertising and Alcohol Consumption Among Australian Adolescents' (2011) 46(5) *Alcohol and Alcoholism* 630; Agatha Faulkner, Denise Azar and Victoria White, 'Unintended' Audiences of Alcohol Advertising: Exposure and Drinking Behaviors Among Australian Adolescents' (2016) 22(1) *Journal of Substance Use* 108; Sherilene Carr et al, 'Child and Adolescent Exposure to Alcohol Advertising in Australia's Major Televised Sports' (2016) 35(4) *Drug and Alcohol Review* 406.

¹¹ Emily Bain et al, 'Association Between Single-Channel and Cumulative Exposure to Alcohol Advertising and Drinking Behaviours Among Australian Adolescents' (2023) 42(1) *Drug and Alcohol Review* 59, 63.

¹² David Jernigan et al, 'Alcohol Marketing and Youth Alcohol Consumption: A Systematic Review of Longitudinal Studies Published Since 2008' (2017) 112(S1) *Addiction* 7; Lesley Smith and David Foxcroft, 'The Effect of Alcohol Advertising, Marketing and Portrayal on Drinking Behaviour in Young People: Systematic Review of Prospective Cohort Studies' (2009) 9(51) *BMC Public Health* 1.

¹³ Janette De Goede et al, 'Alcohol and Brain Development in Adolescents and Young Adults: A Systematic Review of the Literature and Advisory Report of the Health Council of the Netherlands' (2021) 12(4) *Advances in Nutrition* 1379.

¹⁴ Lars Sjödin, Jonas Raninen and Peter Larm, 'Early Drinking Onset and Subsequent Alcohol Use in Late Adolescence: a Longitudinal Study of Drinking Patterns' (2024) 74(6) *Journal of Adolescent Health* 1225, 1228.

¹⁵ Foundation for Alcohol Research and Education, *Alcohol Advertising on Australian Commercial Television: Community Attitudes* (Report, April 2026) 6-7 <<https://fare.org.au/wp-content/uploads/Alcohol-advertising-on-Australian-commercial-television-community-attitudes.pdf>>.

1992, which include ensuring 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.”¹⁶ They are also inconsistent with the requirements of the Act that industry codes “provide appropriate community safeguards.”¹⁷

Indeed, revisions to the Free TV Code over the years have only weakened alcohol advertising regulation. For example, in 2015 the Code was revised to broaden the concept of a sports program to go beyond a live broadcast (including replays, highlights, and even sports related events like the AFL Brownlow Medal ceremony) and extended the definition of ‘weekend’ to include Friday evenings,¹⁸ resulting in more opportunities for alcohol advertising and associated harms. More recently, proposed revisions to the Code in 2025 would have allowed 800 additional hours of alcohol advertisements per year, which led ACMA to rightly decide *not* to register the proposed revised code.¹⁹

3. The Free TV Code allows alcohol ads to run rampant when kids are watching

The current Free TV code permits alcohol advertising from 6.00pm Friday to midnight Sunday “as an accompaniment to a sports program”.²⁰ The Code also allows alcohol advertising from 8.30pm - 5.00am every day of the week, and between 12.00pm - 3.00pm Monday to Friday on school days.²¹ ACMA’s own research shows large numbers of children are still watching free-to-air television after 8.30pm on weekends and school days, with over 200,000 watching between 9.00pm and 10.00pm.²² Other studies estimate that after 8.30pm, an estimated 60% of Free TV viewers are under the age of 18.²³

Alcohol advertising during sports programs is concerning, given the strong link between alcohol-involved violence at the time of major sporting events like the AFL Grand Final and State of Origin.²⁴ It is this very evidence that underpinned the *Rapid Review of Prevention Approaches for Family and Domestic Violence*’s recommendation that alcohol advertising be restricted during sporting events, citing “the statistical increase in domestic, family and sexual violence incidents during football grand finals, as well as the high number of children who watch sports on television and mobile apps.”²⁵

Due to its narrow definition of ‘alcoholic drink’—defined as a ‘beverage which at 20° Celsius contains more than 1.15 per cent alcohol by volume’—the Free TV Code fails to capture

¹⁶ *Broadcasting Services Act 1992* (Cth) s 3(j).

¹⁷ *Ibid* ss 123, 125, 130.

¹⁸ Cancer Council Australia, *Free TV Australia Invitation For Public Comment Commercial Television Industry Code of Practice* (Submission, 3 April 2015) 13 <<https://www.cancercouncil.com.au/wp-content/uploads/2020/05/Free-TV-Australia-Invitation-for-public-comment-on-the-Commercial-Television-Industry-Code-of-Practice.pdf>>.

¹⁹ ‘ACMA Decision on Revised Commercial Television Industry Code of Practice’, *Australian Communications and Media Authority* (Article, 27 June 2025) <<https://www.acma.gov.au/articles/2025-06/acma-decision-revised-commercial-television-industry-code-practice>>.

²⁰ Free TV Australia, *Commercial Television Industry Code of Practice* (Code, 1 December 2015) s 6.2.1(b) <https://www.freetv.com.au/wp-content/uploads/2019/07/Free_TV_Commercial_Television_Industry_Code_of_Practice_2018.pdf>.

²¹ During M and MA15+ classified programming. *Ibid* s 6.2.1(a).

²² Australian Communications and Media Authority, *Children’s Television Viewing and Multi-Screen Behaviour: Analysis of 2005–16 OzTAM Audience Data and 2017 Survey of Parents, Carers and Guardians* (Report, August 2017) 10 <<https://www.acma.gov.au/sites/default/files/2019-08/Childrens-television-viewing-and-multi-screen%20behaviour.pdf>>.

²³ Kerry O’Brien et al, ‘Alcohol Advertising in Sport and Non-Sport TV in Australia, During Children’s Viewing Times’ (2015) 10(8) *PLOSOne* 1, 5.

²⁴ Michael Livingston, *The Association Between State Of Origin and Assaults in Two Australian States* (Report, 22 June 2018) <<https://apo.org.au/node/179441>>; David Gallant and Cathy Humphreys, ‘Football Finals and Domestic Violence’, *University of Melbourne: Pursuit* (Blog Post, 27 September 2018) <<https://pursuit.unimelb.edu.au/articles/football-finals-and-domestic-violence>>.

²⁵ Elena Campbell et al, *Unlocking the Prevention Potential: Accelerating Action to End Domestic, Family and Sexual Violence* (Report of the Rapid Review of Prevention Approaches, 23 August 2024) 105 <<https://www.pmc.gov.au/resources/unlocking-the-prevention-potential>>.

other types of alcohol related marketing,²⁶ including low- or no-alcohol products (<1.15% alcohol by volume), which can appear on free-to-air TV at any time. Exposure to this advertising is associated with young people's increased intentions to consume alcohol from the parent brand,²⁷ with companies often using identical branding to full-strength alcohol and promoting their products as healthy recovery drinks or 'sports beers'.²⁸ Community concern for low and no-alcohol products is also growing, with parents worried about their children's exposure to these pseudo-alcohol products and the potential for them to normalise alcohol use earlier in life and act as a gateway to early initiation of full-strength alcohol use.²⁹

The Free TV Code also excludes "program sponsorship announcements which make no direct reference to the price of goods or services" from the definition of a commercial for alcohol drinks.³⁰ This allows alcohol brands to sponsor major sporting leagues as well as individual teams. For example, Carlton Draught is a major partner of the AFL³¹ and several NRL teams display visible alcohol branding on their team uniforms, including Jim Beam (New South Wales Blues) and XXXX (Queensland Maroons).³² Every single AFL team has a commercial partnership with at least 1 alcohol brand.

Among young Australians aged 18-30, exposure to alcohol sports sponsorship is associated with acute, binge, and hazardous alcohol consumption, a relationship which is driven by 'image transfer' (the positive image attributes transferred from the sponsored event to the sponsoring brand) and 'implied endorsement' (the audience assumes that the team or athlete favours the sponsor by virtue of the sponsorship relationship).³³ Concerningly, exposure to alcohol advertising through sports sponsorships has also been associated with alcohol consumption among a much younger cohort of 13-15 year olds.³⁴

There is local and international precedent for stronger regulation of cancerous, addictive substances. In Australia, tobacco company Benson and Hedges exited its sponsorship of the Benson and Hedges World Series Cup cricket event³⁵ due to the government's phased ban on all tobacco advertising,³⁶ while since as early as 1975 countries including France, Norway, Denmark, Qatar, and Indonesia have imposed partial or total bans on alcohol advertising, including sports sponsorship.³⁷ It should be noted that these restrictions have not impacted the hosting of or participation in international, televised sporting events. For example, France adopted the name 'H Cup' to refer to the annual Heineken Cup rugby

²⁶ Free TV Australia (n 20) s 8.

²⁷ Ashlea Bartram et al, 'Adolescents' Exposure to Zero-Alcohol Advertisements and Attitudes and Consumption Intentions Towards Alcohol: A Cross-Sectional Study' (2026) 45(2) *Drug and Alcohol Review* e70125 <<https://doi.org/10.1111/dar.70125>>.

²⁸ Mia Miller and Cassandra Wright, 'No- and Low-Alcohol Beer and the Sponsorship of Sport in Australia: An Audit of Sponsorship Partnerships and Analysis of Marketing Tactics' (2024) 43(6) *Drug and Alcohol Review* 1534.

²⁹ Nathan Harrison et al, "'They Start on the Zero-Alcohol and They Wanna Try the Real Thing': Parents' Views on Zero-Alcohol Beverages and Their Use by Adolescents' (2024) 48(3) *Australian and New Zealand Journal of Public Health* 1.

³⁰ Free TV Australia (n 20) s 8.

³¹ 'AFL Partners', *Australian Football League* (Web Page, 2026) <<https://www.afl.com.au/about-afl/partners/corporate>>.

³² 'State of Origin Merchandise', *NRL Shop* (Web Page, 2026) <<https://www.nrlshop.com/collections/state-of-origin>>.

³³ Sarah Kelly and Michael Ireland, 'The Alcohol-Sport Nexus and How Consumers Are Affected Through Sponsorship' (2019) 12(1) *International Journal of Sport Communication* 79.

³⁴ Katherine Brown, 'Association Between Alcohol Sports Sponsorship and Consumption: A Systematic Review' (2016) 51(6) *Alcohol and Alcoholism* 747, 750.

³⁵ Julie Power, 'All Tobacco Ads to be Banned', *Australian Financial Review* (online, 2 April 1992) <<https://www.afr.com/politics/all-tobacco-ads-to-be-banned-19920402-k4wfr>>.

³⁶ *Tobacco Advertising Prohibition Act 1992* (Cth).

³⁷ Ingeborg Rossow, 'The Alcohol Advertising Ban in Norway: Effects on Recorded Alcohol Sales' (2021) 40(7) *Drug and Alcohol Review* 1392.

competition, while its media coverage of this event as well as associated merchandise omitted any reference to Heineken.³⁸

Finally, 47% of children aged 0-14 report the use of broadcast video-on-demand or free-to-air catch up services (e.g. 7Plus, 9Now, 10Play).³⁹ These services are currently outside of ACMA's remit (and excluded from the Free TV Code) due to a legislative exemption.⁴⁰ Commercial broadcasters have been unwilling to include broadcast video-on-demand services in the Free TV Code, even after ACMA has publicly asked them to do so,⁴¹ and even after at least 18 community complaints since 2020 regarding the advertising of alcohol during video-on-demand viewing of programs that appeal to children, such as *Lego Masters* and *Carols in the Domain*.⁴²

With video-on-demand services experiencing growing viewership,⁴³ taking a proactive approach to alcohol advertising on these platforms is urgently needed. With the legislative exemption of broadcast video-on-demand services due to sunset in September 2027, now is the time to strengthen the regulation of alcohol advertising on these platforms.

4. Strengthen alcohol advertising regulation by introducing a program standard

As noted by ACMA, the *Broadcasting Services Act 1992* gives ACMA the power to determine a program standard if ACMA is satisfied that (1) there is convincing evidence that a code of practice is not operating to provide appropriate community safeguards, and (2) it is appropriate that it make a standard.⁴⁴ It is clear from the evidence presented here that due to its lax regulation of alcohol advertising, the Free TV Code is not protecting children from exposure to program material which may be harmful to them.⁴⁵

We recommend ACMA develop and implement a program standard for commercial free-to-air broadcasters to replace the Free TV Code, that:

1. Ensures all forms of alcohol advertising are covered by the standard, including low and no-alcohol products, as well as alcohol promoted through sponsorships or when shown on sports players' jerseys and sports stadiums;
2. Limits alcohol advertising to late night times when children are less likely to be watching (e.g. 10.00pm to 5.00am);
3. Prohibits alcohol advertising during all forms of sports programming, including but not limited to live broadcasts, replays, and sports talk shows; and
4. Includes broadcast video-on-demand services in its remit.

³⁸ Australian Medical Association, *Alcohol Marketing and Young People: Time for a New Policy Agenda* (Report, 2012) 26 https://ama.com.au/sites/default/files/documents/alcohol_marketing_young_people.pdf

³⁹ Australian Communications and Media Authority (n 22).

⁴⁰ *Broadcasting Services ("Broadcasting Service" Definition — Exclusion) Determination 2022* (Cth) s 6.

⁴¹ Australian Communications and Media Authority, 'ACMA Welcomes Commercial TV Code of Practice Consultation' (Media Release, 3 October 2024) <<https://www.acma.gov.au/articles/2024-10/acma-welcomes-commercial-tv-code-practice-consultation>>.

⁴² See the Foundation for Alcohol Research and Education's (FARE) submission to this review.

⁴³ Australian Communications and Media Authority, *Communications and Media in Australia: How We Watch and Listen to Content* (Interactive Report, 5 March 2026) <<https://www.acma.gov.au/publications/2026-03/report/communications-and-media-australia-how-we-watch-and-listen-content>>.

⁴⁴ *Broadcasting Services Act 1992* (Cth) s 125(1).

⁴⁵ *Ibid* ss 3(j), 123(2)(b).