

SUBMISSION BY
FREE TV AUSTRALIA

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Review into alcohol advertising restrictions in the Free TV code

Australia Communications
and Media Authority



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Executive summary

The commercial television sector is committed to ensuring that television content aligns with community standards and expectations, particularly in regard to children and young audiences. Accordingly, an extensive range of restrictions already governs the content and scheduling of alcohol advertising on commercial television. Free TV members take these obligations seriously and maintain a high level of compliance.

Free TV submits that the current framework is operating effectively, that the statutory threshold under section 125 of the BSA for determining a program standard is not met and that should any further refinement of alcohol advertising provisions applicable to commercial television broadcasters be considered appropriate, these should be considered in the context of the re-opened Free TV Code review rather than a program standard.

The existing regulatory framework for alcohol advertising is comprehensive and multi-layered

Alcohol advertising on commercial television is already governed by an integrated framework comprising the Free TV Code, the *Broadcasting Services (Australian Content and Children's Television) Standards 2020*, supported by the ABAC Responsible Alcohol Marketing Code 2024 and the AANA Code of Ethics 2021. Together these deliver substantial safeguards, particularly for children and young people.

Independent evidence shows the framework is operating well

Recent independent research directly addresses how Australians view alcohol advertising and the operation of the current rules:

- Resolve Research (commissioned by Free TV) conducted in early March 2026 finds that Australians rank alcohol consumption and advertising issues as the lowest of 19 tested social issues. They do not see a need for change to current Code settings around alcohol advertising and expressed a strong sense of personal choice and parental responsibility in relation to these issues.
- JWS Research released by ABAC on 5 March 2026 found the ABAC Code "remains an accurate reflection of Australians' views" and is "fit-for-purpose." Alcohol marketing ranked as the lowest of 14 tested societal concerns and Panel decisions were found to be "mostly in alignment with or more conservative than" community standards.
- Ad Standards' Community Sentiment Tracker found that television was flagged as a platform of concern by just 36% of respondents – substantially lower than social media (62%), YouTube (43%) and online digital advertising (39%). Gambling, misleading content and children's exposure were identified as the leading advertising concerns rather than alcohol.
- Complaints data from Free TV, ABAC and Ad Standards confirms this picture, with complaints relating to alcohol advertising on television constituting a small and, over recent years, declining share of total complaints received, and strong compliance by television broadcasters and advertisers with the relevant Codes.

Free TV is aware of other polling, including research released by the Foundation for Alcohol Research and Education in April 2026, reports higher levels of stated concern. Free TV considers that the consistent findings of the research released by Free TV, ABAC and Ad Standards, which use established methodologies and test alcohol marketing alongside a range of other societal issues, provide a more robust basis for assessing community sentiment.

Consumption trends do not support a causal relationship

Per capita alcohol consumption in Australia is at its lowest level in more than a decade, having declined by 22% over the last 20 years (AIHW), a sustained decline that has occurred across the entire period in which the current advertising framework has been in place. The trend is particularly pronounced among young people where the proportion of 14–17 year olds drinking at risky levels fell from 9.5% in 2019 to 5.5% in 2022–23, and from 9.9% to 3.2% among young males.

This consumer-led shift is further reflected in the rapid growth of low- and no-alcohol alternatives. Resolve Research also found that, for 87% of respondents, alcohol advertising and sponsorships had no impact on their overall consumption levels, with only 1% reporting increased consumption as a result of exposure. Current television alcohol advertising settings are clearly not driving consumption or broader social harm.

Advertising volumes and revenues are declining

Alcohol advertising on commercial television is already trending down without regulatory intervention. Free TV analysis comparing sample periods in 2019 and 2025 found that alcohol advertising in sport has decreased by approximately a third, with overall alcohol advertising down by 15% in the September/October sample periods. Alcohol beverage advertising expenditure on Australian television fell from \$42.7 million in FY19 to approximately \$25.5 million in FY25.

Over the same period, advertising expenditure on alcoholic beverages has grown, and that growth and the revenue lost from television has shifted materially to other media platforms such as digital, outdoor and SVOD. Television's share of alcohol advertising fell between 2019 and 2025 while other platforms have significantly increased their share. Additional restrictions on commercial television would accelerate this displacement without reducing overall community exposure, undermining rather than advancing the claimed policy objective of consumer protection.

Child audiences for commercial television sport are small and declining

OzTAM data shows that child viewership of commercial television has declined by 17% between 2022 and 2025, reflecting the structural shift of younger audiences toward digital and on-demand platforms that fall outside the scope of the Free TV Code entirely. While live sports broadcasts attract a somewhat higher proportion of child viewers than general programming, the numbers remain low.

Even at the most-watched sporting events of the year, the AFL and NRL Grand Finals and the Australian Open, child audiences in the sports' heartland markets remained below the 20% threshold that triggers additional restrictions under the ABAC Code in every case. As a proportion of the total child population, the numbers are lower still. Across sporting codes, fewer than 2% of all Australian children watch sport on commercial television during a typical season.

Alcohol brand exposure on commercial television during live sport is minimal

An independent audit of alcohol brand exposure across more than 18 hours of live AFL, NRL and A-League Men broadcasts on commercial television found that alcohol brand exposure accounted for just 7.2% of total broadcast time across the audited matches and as little as 1.7% for AFL and 4.7% for NRL.

Of that modest figure, broadcaster-sold television advertising accounted for only 9.4%, meaning that alcohol advertising sold by commercial broadcasters represented less than 0.7% of total broadcast time,

less than one minute in every two and a half hours of live sport. The overwhelming majority of alcohol brand exposure during live sports broadcasts is generated by venue signage, team apparel and club sponsorship arrangements that are entirely outside broadcaster control and would remain on screen regardless of any restriction imposed on commercial television advertising.

The threshold for imposing a Standard is not met

Section 125(1) of the BSA permits the ACMA to determine a standard only where there is convincing evidence that the Code is not providing appropriate community safeguards. However the evidence around this issue points in the opposite direction. Independent community sentiment research shows high satisfaction and low concern, the multi-layered framework is functioning as designed, complaints are low and consumption is declining.

In addition, the regulatory burden imposed on commercial television broadcasters must be weighed against the public interest contribution that they make to the community, social cohesion and the broader Australian media ecosystem. Free TV submits that these considerations weigh decisively against a standard.

Conclusion

The current comprehensive framework for alcohol advertising on television is appropriate and proportionate. No further restrictions should be placed on commercial television broadcasters. Any further restrictions would have significant revenue implications for Australian TV networks and their ability to invest in live and free sports, trusted news and Australian entertainment and drama programming.

The ACMA should also consider the potential for any additional regulatory obligations on television licensees to accelerate the movement of alcohol advertising toward platforms where children make up significant proportion of users. This may undermine the very aim of such changes.

The review's own terms contemplate that it does not presuppose additional regulatory intervention. The evidence supports that position.

1. The value of Free TV

Free TV plays a critical public interest role in our community. The contribution made by Australian commercial television broadcasters is unmatched by any other media platform.

The commercial television sector invests over \$1.62 billion annually in Australian content, forming the bedrock of the local production industry. No other platform comes close to matching this volume or consistent investment.

Commercial broadcasters spend over \$400 million annually supporting trusted news services. Free TV broadcasters deliver the only dedicated local television news bulletins to many regional areas across Australia. News viewership remains strong with around 11.4 million Australians watching commercial television news bulletins every week¹, demonstrating that Australians trust their Free TV services to keep them informed on issues relevant to their communities and our democracy.

Commercial television is the only medium guaranteeing universal, free access to the nation's most iconic and unifying sporting moments, creating shared national experiences that are culturally significant and support social cohesion.

Free TV broadcasters operate under the highest regulatory burden in the media industry, consistently over-delivering on our local content quotas. We broadcast an average of 75% Australian content on our primary channels, significantly exceeding the 55% quota, and we deliver thousands of hours of local drama and entertainment programs free to every Australian, regardless of where they live or how much they earn.

It is in this context that Free TV makes this submission to the ACMA on the *Review into alcohol advertising restrictions in the Free TV Code*.

¹ VOZ Total TV Seven, Nine, Ten When Watched Cumulative Reach July 2025, Average full week reach July 2025.

2. The existing alcohol advertising framework is comprehensive and effective

The regulatory regime for television services is established at the Federal level through the *Broadcasting Services Act 1992 (BSA)* and the regulatory and enforcement powers of the ACMA.

The BSA requires commercial television broadcasters to develop a Code of Practice pertaining to their broadcasting operations.² The Code is co-regulated by industry and the ACMA.

2.1 Commercial Television Industry Code of Practice

The Commercial Television Industry Code of Practice (the **Free TV Code**) is intended to ‘...regulate the broadcast content of commercial free-to-air television according to current community standards, and to assist viewers in making informed choices about their television viewing’. It also provides a procedure for handling viewer complaints about matters covered by the Code.³

Compliance with the Code is ultimately regulated by the ACMA. Broadcast licensees deal with complaints in the first instance, but where a viewer is not satisfied with the broadcaster response they may refer their complaint to the ACMA. The ACMA may also instigate investigations of its own initiative.

Under the Free TV Code alcohol advertisements may only be broadcast after 8.30pm, in M classification zones (excluding 5-6am and 7.30-8.30pm) and during live sporting events on weekends and public holidays.⁴ These requirements are particularly aimed at limiting young people’s exposure to alcohol advertisements.

These existing placement restrictions appropriately reflect periods when television audiences are predominantly adult. Children and adolescents make up less than 5% of the total viewing audience in these timeslots and data suggests that where children do see alcohol advertisements during these times, they are usually watching with a parent or other adult who can provide context.

For example:

- During the daytime M classification zone (midday to 3.00pm), child audiences make up only 4% of the total audience;
- after 8.30pm, during the evening M classification zone starts, the child audience makes up 4.8% of the total audience.⁵

² Section 123 of the *Broadcasting Services Act 1992*

³ Commercial Television Code of Practice, cl.1.1.3

⁴ Commercial Television Industry Code of Practice, clause 6.2

⁵ Source: OzTAM, 1st Jan-31st Dec 2025, Sun-Sat 2030-2400 and M-F 1200-1500, Total People, Broadcast, Consolidated 7

- Across various sporting codes, the number of children actually watching sport on commercial television during the season is consistently below 2% of the total child population. For major events such as football grand finals, this number increases, but remains low.

While comprehensive co-viewing data is no longer available from OzTAM, research undertaken by the Australian Children's Television Foundation found that [f]amily co-viewing is a common practice with nine out of 10 parents watching at least "some" content with their children.⁶

The provisions regarding alcohol advertising in the Free TV Code are significantly broader and more comprehensive than those in comparable codes of practice in Australia.

The Commercial Radio Code of Practice does not have any placement restrictions on alcohol advertising. It does restrict Licensees from broadcasting a Program which presents as desirable the 'misuse of alcoholic liquor'.⁷

The Subscription Broadcast Television Code of Practice states that '[t]he Licensee must take into account the intellectual and emotional maturity of the intended audience of the channel when scheduling advertisements in the following categories: Advertising of Alcoholic Beverages...'. It also states that Licensees must ensure advertisements promoting goods or services defined in the ...Alcohol Beverages Advertising Code, comply with [that Code].⁸

The Special Broadcasting Service (SBS) takes account of the advertising restrictions in the Free TV Code, including in relation to alcohol as a product category.⁹

2.2 Consequences for breaches of the Free TV Code

Where an advertisement, or its placement, is found in breach of the Free TV Code by the ACMA, the broadcaster may face regulatory exposure under the broadcasting licence framework administered by the ACMA. The ACMA has 'a range of compliance and enforcement responses...to drive a culture of compliance'¹⁰ These are illustrated by the ACMA here:

⁶ *Parents' Perspectives on Australian Children's Television in the Streaming Era – 2* (2024), p12

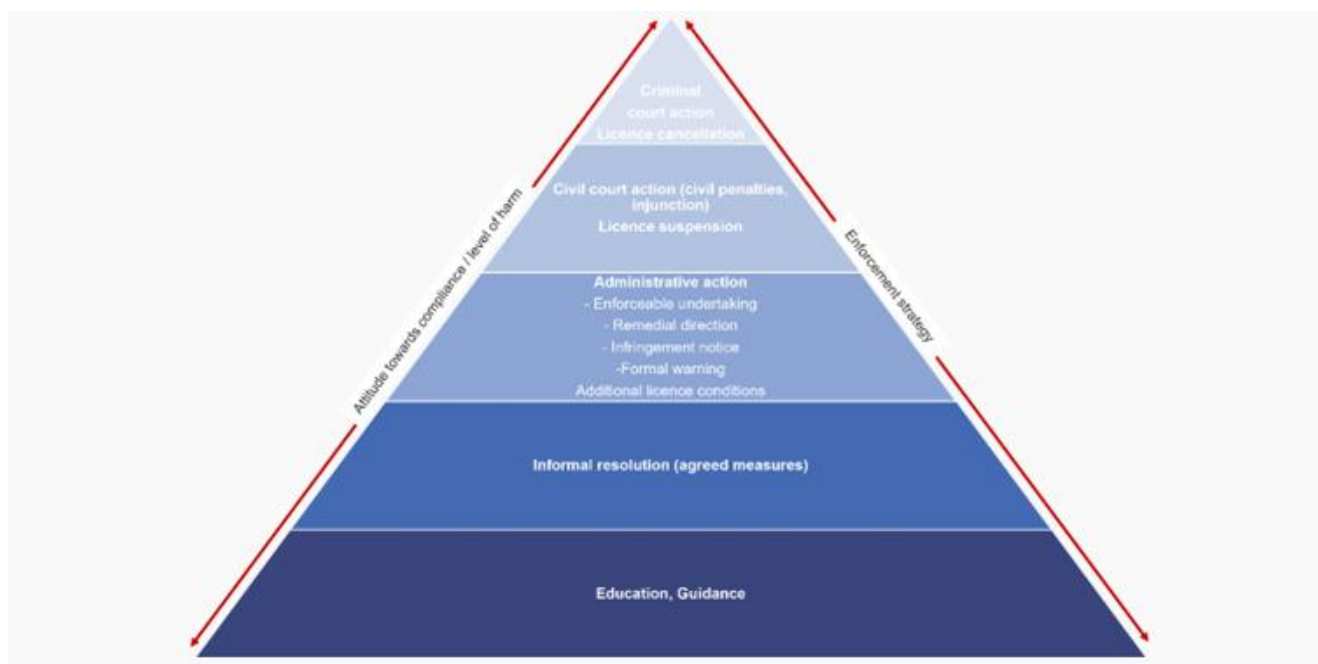
⁷ <https://cra.au/hubfs/Legal/Commercial%20Radio%20Code%20of%20Practice%20-%201%20July%202026.pdf>

⁸ http://www.astra.org.au/pdf/news/ASTRA_Subscription_Broadcast_Television_Codes_of_Practice_2013_with_new_Appendix_A.pdf

⁹ https://www.sbs.com.au/aboutus/wp-content/uploads/2023/04/sbs_code_of_practice_2021_amended_2022.pdf

¹⁰ <https://www.acma.gov.au/compliance-and-enforcement-policy>

Figure 1: ACMA Compliance and enforcement responses



Broadcasters therefore have direct commercial and legal incentives to ensure that alcohol advertising transmitted on their platforms meets code requirements before it goes to air.

2.2.1 The multi-layered regulatory system

The Free TV Code does not operate in isolation – it is part of a multi-layered system of obligations on advertisers and broadcasters. Clause 5.7.1 of the Free TV Code requires television advertisers to:

...ensure that advertisements (or other marketing communications) comply with the following Codes, as amended from time to time:

- the AANA Code of Ethics;
- the AANA Code for Marketing & Advertising Communications to Children;
- the AANA Food and Beverages: Advertising and Marketing Communications Code;
- the AANA Environmental Claims in Advertising and Marketing Code; and
- the ABAC Responsible Alcohol Marketing Code, where applicable.¹¹

This shared self-regulatory framework augments the co-regulatory obligations under the Free TV Code and delivers a robust and complementary set of obligations relating to alcohol advertising. This structure of reciprocal obligations between the various industry representative bodies works to deliver a comprehensive and powerful collection of overlapping obligations for advertisers and broadcasters, and strong protections for Australian consumers. This system is supported through collaboration across the various industry bodies with regular meetings held between all parties. It is appropriate that alcohol advertising continues to be managed across the Free TV Code, the ABAC Code and the AANA Code of Ethics.¹²

¹¹ Clause 5.7.1 Free TV Code

¹² <https://aana.com.au/self-regulation/code-of-ethics/>

2.2.2 ABAC Scheme

The ABAC Scheme, which sets key standards for the responsible content and placement of alcohol marketing in Australia¹³, imposes substantive content and placement obligations on advertisers, through the *ABAC Responsible Alcohol Marketing Code*. The Code contains:

- Content requirements for the responsible and moderate portrayal of alcohol, responsibility toward minors, and responsible depiction of the effects of alcohol; and
- Placement standards, across all media platforms *including television*, that an alcohol advertisement ‘...may only be placed where the audience is reasonably expected to comprise at least 80% adults’.¹⁴
- Alcohol alternative standards.

The ABAC Scheme provides four decision points for determining whether alcohol marketing complies with ABAC standards:

- *Internal Check* - Company and advertising agency staff check each marketing communication and its media placement schedule against the ABAC Code and Guidance Notes.
- *External Pre-vetting Check* - Companies or advertising agency staff can apply to have their marketing communications independently assessed by ABAC pre-vetters against the ABAC Code standards.
- *Complaint* - Once a marketing communication is in the marketplace consumers can lodge a complaint about that marketing via Ad Standards triggering the ABAC complaints process.
- *Compliance* - When the ABAC Panel's view is that the marketing communication does not meet the ABAC standards the marketer is asked to withdraw or modify the marketing.

In 2025 90% of advertisements submitted for pre-vetting were assessed as compliant¹⁵ across all platforms, reflecting the degree to which the industry has internalised the standards.

If a complaint is upheld by either the ABAC Complaints Panel or Ad Standards Community Panel, the advertiser must modify or withdraw the ad. As with the ABAC Code, Free TV and ClearAds support the complaints processes of Ad Standards by withdrawing ClearAds numbers where an ad has been found to be in breach of either Code, and broadcasters then remove the relevant advertisement from their schedules, delivering real consequences for breaches under these self-regulatory Codes.

2.2.3 AANA Code of Ethics and Ad Standards

The AANA Code of Ethics applies to all products, including alcohol, alcohol alternatives, alcohol accessories and ads showing people consuming alcohol and imposes the restrictions on advertising content in areas such as discrimination and vilification; depictions of sexual appeal; portrayal of violence; sex, sexuality and nudity; appropriate language; depiction of material contrary to prevailing community standards; and clearly distinguishable advertising.

¹³ <https://abac.org.au/about/thecode/>

¹⁴ ABAC Code clause 4(c)

¹⁵ *ABAC Year in Review 2025*, p1

Ad Standards is the independent body established under the auspices of the AANA to handle complaints about advertising content across all media, including TV. It ensures that ads comply with the AANA Code of Ethics and other applicable standards such as discrimination, violence and safety. Ad Standards maintains a Community Panel to advise on adjudications and has the authority to investigate, adjudicate, and require the withdrawal or amendment of non-compliant advertisements.

Complaints about alcohol advertising are assessed by Ad Standards under the AANA Code of Ethics. If a complaint raises issues under any provision in the Code of Ethics, the ad will be considered by the Ad Standards Community Panel.

Concerns about advertising that encourages excess or unsafe alcohol consumption are considered under Section 2.6 (Health and Safety) of the Code of Ethics.

Ad Standards also sends all complaints about alcohol advertising to the ABAC Scheme. The ABAC Scheme determines whether the complaint raises issues under the ABAC Responsible Alcohol Marketing Code. If it does, the ABAC Complaints Panel will consider the complaint.

If a complaint is upheld by either the ABAC Complaints Panel or Ad Standards Community Panel, the advertiser must modify or withdraw the ad. As with the ABAC Code, Free TV and ClearAds support the complaints processes of Ad Standards by withdrawing ClearAds numbers where an ad has been found to be in breach of either Code, and broadcasters then remove the relevant advertisement from their schedules, delivering real consequences for breaches under these self-regulatory Codes.

2.2.4 Clear Ads

ClearAds is Australia's trusted advertising compliance service and is a division of Free TV Australia. ClearAds reviews, classifies and approves advertising material across all platforms including TV, radio, digital and social media. It ensures ads comply with the Free TV Code, other relevant Australian industry Codes, and applicable Federal and State and Territory legislation and regulations. This review and classification service helps ensure that advertisements are correctly placed and reach the appropriate target audience.

The vast majority of advertisements shown on Australian television are reviewed and classified by ClearAds.

In relation to alcohol advertisements, ClearAds' procedure is to review these advertisements against all applicable requirements, in particular the ABAC Code, and to notify advertisers if their advertisement is likely to attract a complaint under the ABAC Code. As part of our role in championing responsible advertising, ClearAds has a practice of encouraging advertisers of alcoholic beverages to seek ABAC pre-vetting and approval. This practice is undertaken for advertisers who are signatories, as well as for those who are non-signatories of ABAC.

ClearAds maintains regular lines of communication with ABAC. In the event an advertisement is found to be in breach under the ABAC Code at a later point, ClearAds will immediately withdraw the approval number. Free TV broadcasters then implement this decision by withdrawing the advertisement from their broadcast schedules.

This collaborative and mutually reinforcing approach injects real consequences into the ABAC system. It has delivered positive outcomes for advertisers, as well as clear public benefits for Australian television viewers.

3. Independent Evidence Shows the Framework is Operating Well

Community concern regarding alcohol advertising on television remains low. The available evidence — spanning community attitude surveys and complaints data demonstrates that the regulatory system is working well, and that community expectations do not justify further regulatory intervention.

3.1 Community attitudes to alcohol advertising

Survey data indicates that the broader Australian community does not regard current levels or the nature of alcohol advertising on television as a significant or pressing concern. When respondents are asked to identify issues of public importance, alcohol advertising attracts minimal attention relative to other community priorities.

Resolve Research (March 2026)

Free TV commissioned independent research provider Resolve Strategic to conduct nationally representative consumer research on community expectations in relation to alcohol advertising on commercial television. The full report from Resolve is available in **Appendix C**.

The study surveyed 5,000 Australians aged 16 and over in early March 2026. The study represents the largest and most current dataset on community expectations relating to alcohol advertising, including during television sports coverage.

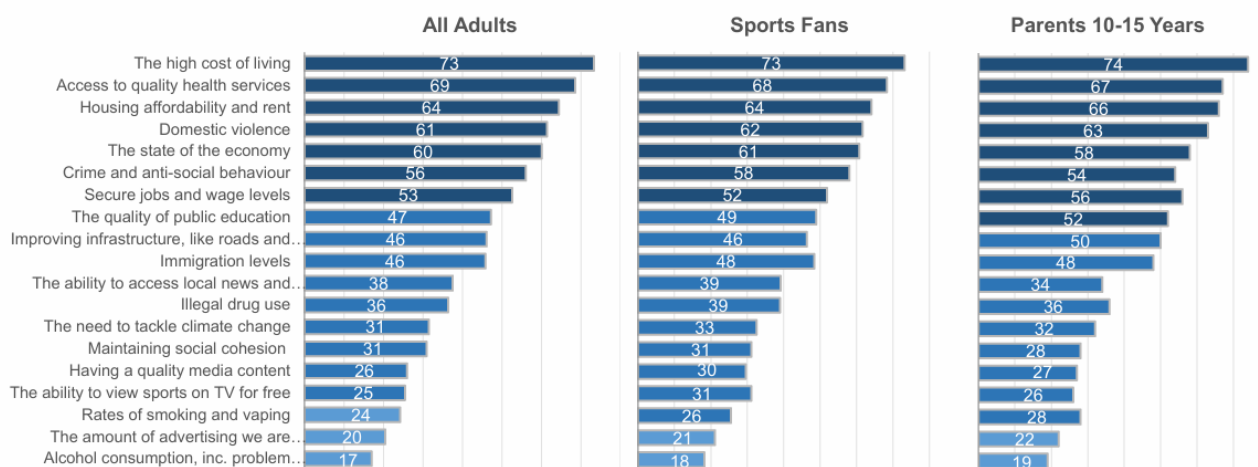
Key findings are:

Alcohol advertising and consumption are among the lowest-ranked issues on the public's agenda

Asked to rate the importance of 19 social issues, Australians ranked alcohol consumption (including problem drinking) as the single least important issue, below smoking and vaping, illegal drug use, and well below the issues dominating public concern such as cost of living, health, housing and crime. The amount of advertising Australians are exposed to ranked second-lowest. This ordering held for sports fans and for parents of 10–15 year olds. Those closest to the issue are no more concerned about it than the general community.¹⁶

¹⁶ Resolve survey, p13

Figure 2: Resolve Survey – Issue Agenda – ranked by response ‘Very Important’

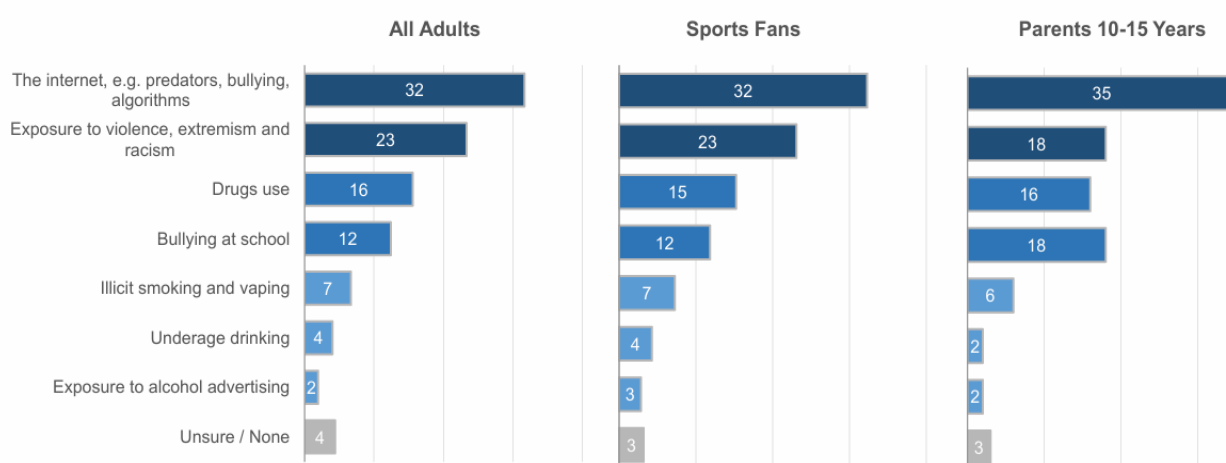


Australians do not view alcohol advertising as a significant concern for young people

The proposition that alcohol advertising on commercial television is a pressing issue for the welfare of young Australians is not supported by community sentiment. When asked to identify their highest concern for people under 18, only 2% of all Australians nominated exposure to alcohol advertising for people under 18. The figure barely shifts among the groups most directly engaged with the issue – 3% of sports fans and 2% of parents of 10–15 year olds.

Parents of children aged 10–15, those that are more likely to be influenced by alcohol marketing, are far more likely to nominate online threats, exposure to violence and extremism, drugs, and bullying as their primary concerns, with alcohol advertising ranking well below each of these.¹⁷ Even underage drinking, is nominated as the highest concern for young people by only 4% of Australians, twice the rate of concern about alcohol advertising.

Figure 3: Resolve Survey – Concerns for Young People

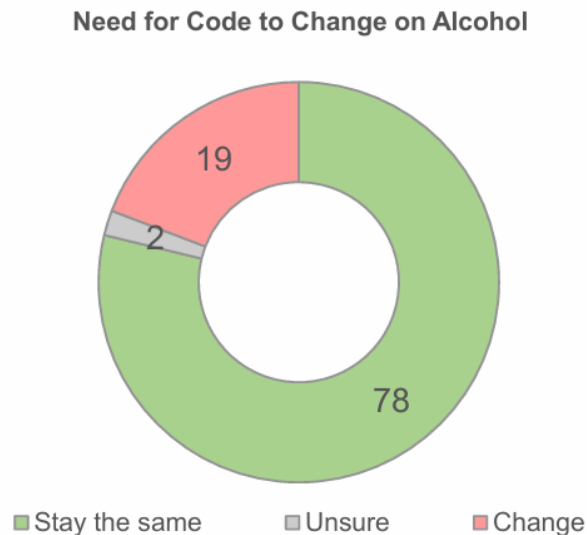


¹⁷ Resolve survey, p14

A decisive majority support the current alcohol advertising rules, including the sporting exemption

After being provided with a factual description of the Free TV Code and the scope of this review, respondents were asked specifically about the alcohol advertising provisions, including the sporting events exemption, 78% said the rules should stay the same.

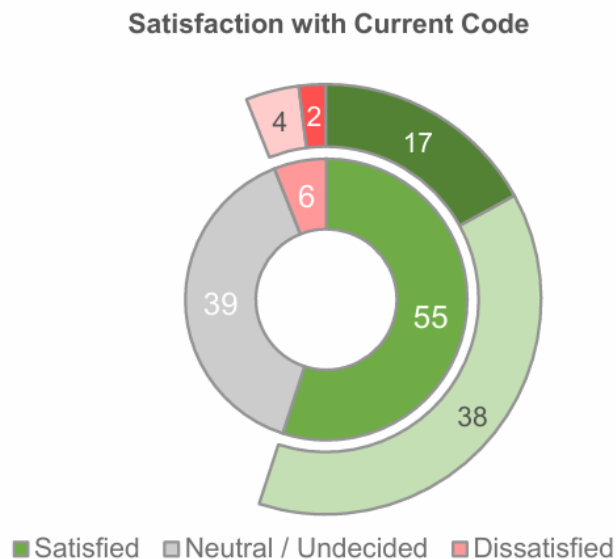
Figure 4: Resolve Survey – Impact of Advertising & Sponsorships on Consumption (Need for Code to Change on Alcohol)



- Only 19% wanted any change, whether to strengthen or relax them.
- Just 2% were unsure.

More broadly, 55% of respondents expressed satisfaction with the Free TV Code overall, against just 6% dissatisfied. Among sports fans, satisfaction rises to 62%, and among parents of 10–15 year olds to 61%.

Figure 5: Resolve Survey – Impact of Advertising & Sponsorships on Consumption (Satisfaction with Current Code)



This mirrors the results of the Free TV Code Review public consultation in late 2024. The 2024 consultation received 576 responses compared to 2,874 submissions in the 2015 review, a reduction of 80 percent. This substantial decline in participation suggests considerably lower levels of overall community concern about television content regulation compared to 2015.

Australians express a strong sense of personal choice and parental responsibility

The research also reveals a settled community view that responsibility in this area rests with individuals and parents rather than with further regulatory intervention in broadcast advertising.

- 72% agreed that "parents should be responsible for what their children do with alcohol, smoking, social media, etc."
- 70% agreed that "alcohol consumption is a legal choice and a personal decision."
- 69% agreed that "if people aren't happy with what's on TV, they can always turn it off."
- 63% agreed that young people are more influenced by parents, friends, social media and influencers than by sports advertising.

Australians do not believe alcohol advertising is driving consumption

Only 1% of respondents said that alcohol advertising or sponsorship had led them to consume more alcohol. Among those who currently drink, self-reported reductions in consumption outpulled increases by more than two to one (32% decreased, 15% increased, 53% unchanged).

3.1.1 Ad Standards Research

Ad Standards released its *Community Sentiment Tracker Report (Wave 1 – Q2 FY26)* in March 2026.¹⁸ This quarterly research, conducted by Roy Morgan, provides insights into community attitudes toward advertising and expectations around responsible advertising. It complements Ad Standards' complaints data by offering a broader view of community sentiment.

The Ad Standards Tracker revealed that more Australians agree than disagree that advertising in Australia is in line with community standards.

Social media is overwhelmingly the media platform most Australians consider to be of concern in relation to advertising. Free to Air television was flagged by 36% of respondents, substantially lower than social media (62%), YouTube (43%) and online digital advertising (39%).¹⁹

Gambling advertising was ranked as the most concerning category in relation to advertising, followed by lack of distinction between advertising and regular content and political advertising. Only 1% of respondents nominated alcohol advertising as their first ranked concern, not even making it among the top 12 issues of concern.²⁰

¹⁸ [Ad-Standards-Community-Sentiment-Tracker-Report-Wave-1-Q2-FY26.pdf](#) (Ad Standards Tracker Q2 FY26)

¹⁹ Ad Standards Tracker Q2 FY26, page 11

²⁰ Ad Standards Tracker Q2 FY26, page 15

3.1.2 ABAC Research

ABAC released research conducted by JWS Research on 5 March 2026. Overall the JWS Research found strong community support for the current placement and content rules under the ABAC Responsible Alcohol Marketing Code. The Report found that Australians believe the ABAC Code and content standards are an accurate reflection of Australians' views and expectations regarding appropriate standards for alcohol promotion.²¹

The research found that alcohol marketing is the lowest ranked concern of 14 tested societal issues (including cost of living and online bullying), with only 12% of Australians surveyed viewing it as a significant concern, a notable drop from 16% in 2021. In addition, when prompted, most respondents (64%), up from 60% in 2021, said they have had no concerns about alcohol advertising, labelling or packaging over the last 12 months and only 25% of Australians expressed any concern about alcohol advertising or labelling, a decrease from 29% in 2021, with only 7% very concerned.

The ABAC research also found a high level of satisfaction with community expectations and ABAC Panel decisions in relation to alcohol marketing communications that were the subject of complaint. In fact, the research showed that the Panel took a more conservative view of many alcohol ads than the survey respondents.

3.2 Low numbers of complaints about alcohol advertising

Complaints data provides a direct measure of community concern as expressed through formal channels. The data from Free TV, ABAC and Ad Standards demonstrates that complaints relating to alcohol advertising on television constitute a small and, over recent years, declining share of total complaints received.

3.2.1 Complaints under the Free TV Code

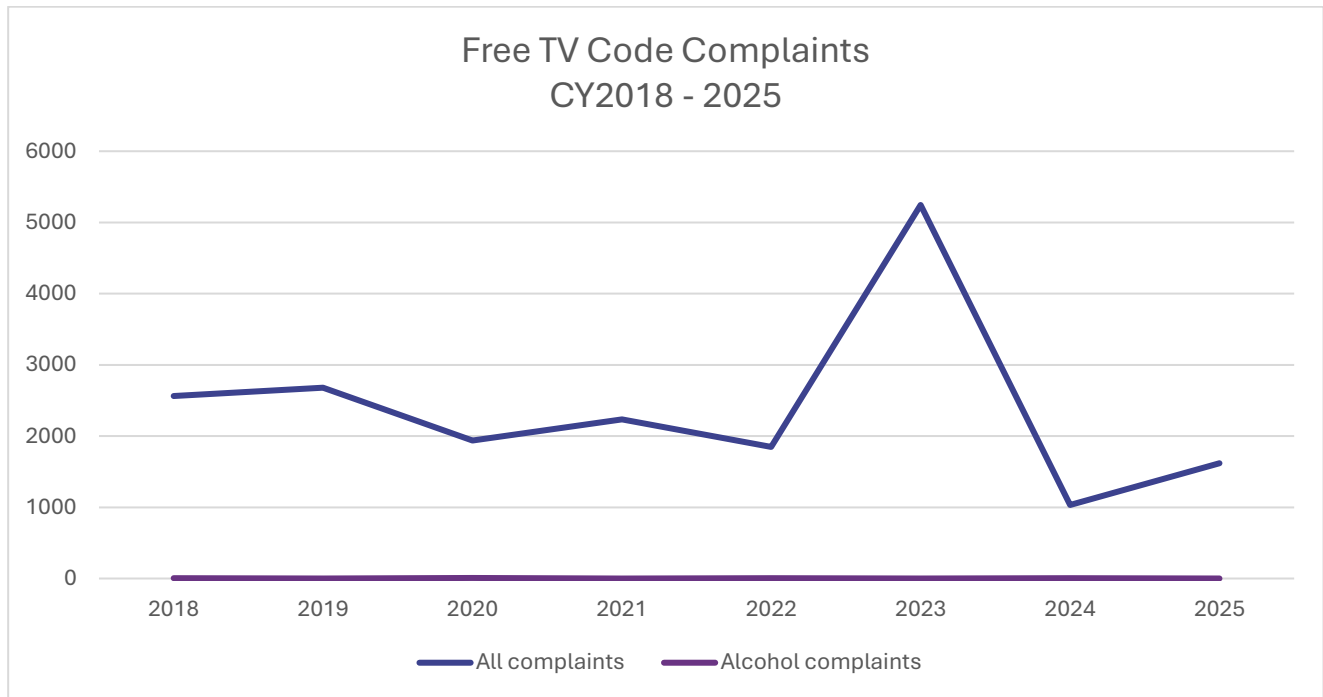
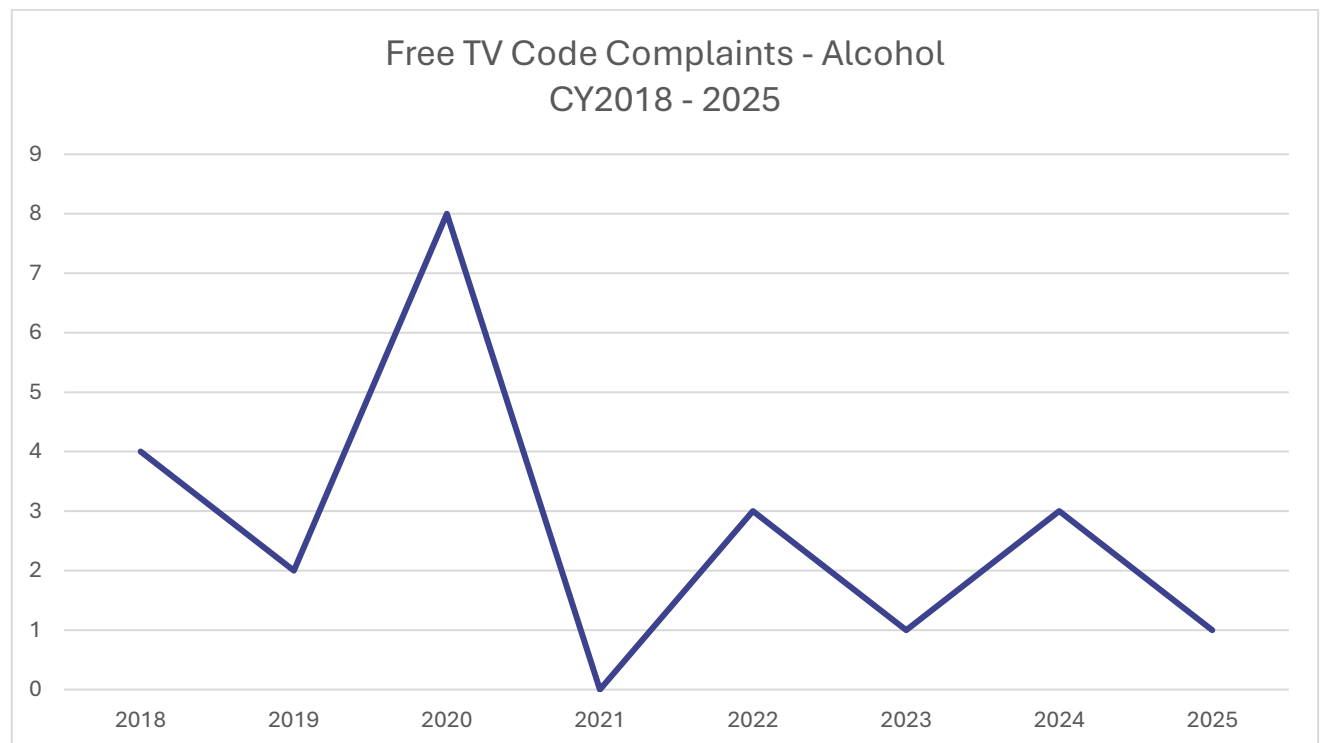
In FY25, Commercial Television Networks reported 1,552 written complaints about matters covered by the Code of Practice from 1 July 2024 to 30 June 2025. This represents a decrease on the prior year of 54.7% and is the lowest number of complaints in the past 8 years.²²

Over the last eight years, complaints under Clause 6.2 of the Free TV Code in relation to 'Alcoholic Drinks' have consistently been very low, with broadcasters receiving fewer than 5 complaints in most years.²³

²¹ [Summary-of-Community-Standards-Research-5-3-26.pdf](#)

²² Free TV, Annual Code Complaints Report to the ACMA for FY24/25

²³ Free TV Code Complaints database

Figure 6: Free TV Code Complaints CY2018-2025**Figure 7: Free TV Code Complaints – Alcohol CY2018-2025**

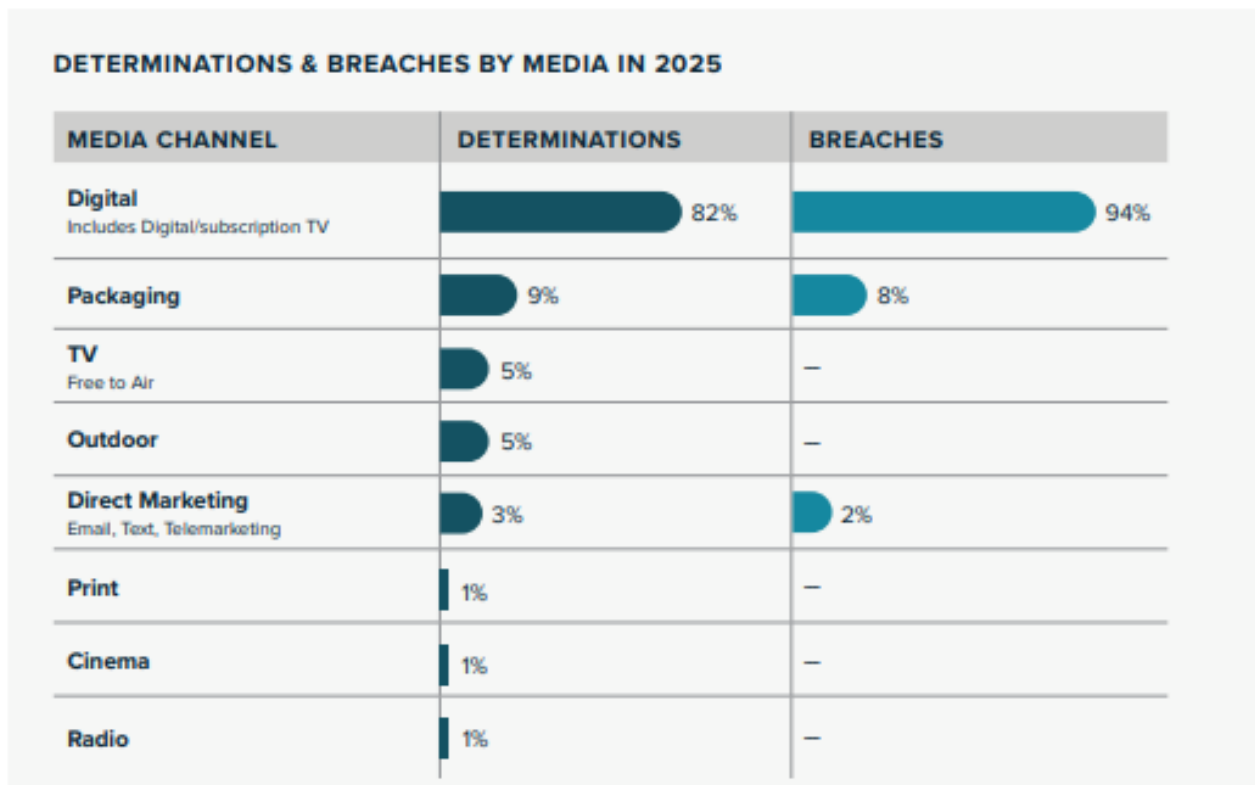
In 2025 only 1 complaint was received regarding alcohol advertising across all commercial television licensees, representing only 0.06% of all Code complaints received by commercial television broadcasters during the year.²⁴ Even at its highest, 8 complaints across all networks in 2020 represented 0.4% of all complaints in the year.

3.2.2 ABAC Complaints

In 2025, ABAC received 192 complaints, of which 107 resulted in an ABAC Determination, a 20% decrease on 2024 in the number of complaints resulting in an ABAC Determination. Complaint numbers regarding alcohol advertisements were down by 9%.²⁵

Only 5% of ABAC Determinations in 2025 related to television, with no breaches found for any television alcohol advertisement. By contrast, 82% of Determinations related to Digital media platforms, accounting for 94% of ABAC Breaches in 2025.²⁶

Figure 8: Determination & Breaches by Media in 2025



27

Over the last five years, ABAC has received 47 complaints about alcohol advertising on television, representing less than 10% of all complaints. Only one of those complaints was upheld by ABAC, resulting in a breach of the ABAC Code.²⁸

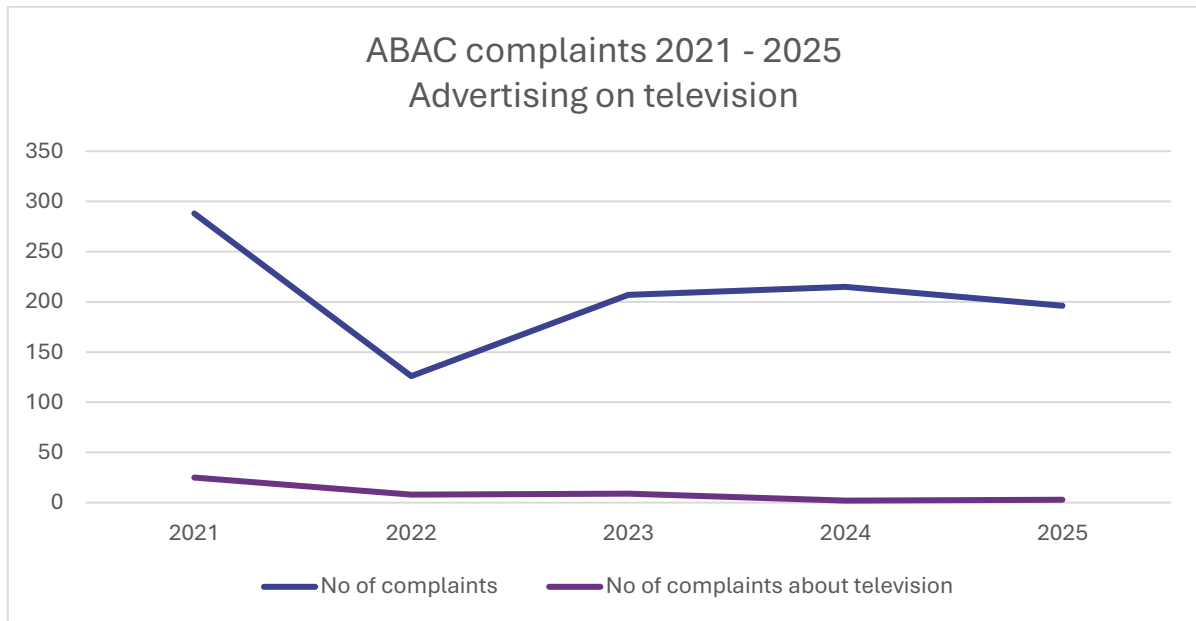
²⁴ Free TV Code Complaints database

²⁵ [ABAC-Annual-Report-2025-FINAL.pdf](#) page 14

²⁶ [ABAC-Annual-Report-2025-FINAL.pdf](#) page 16

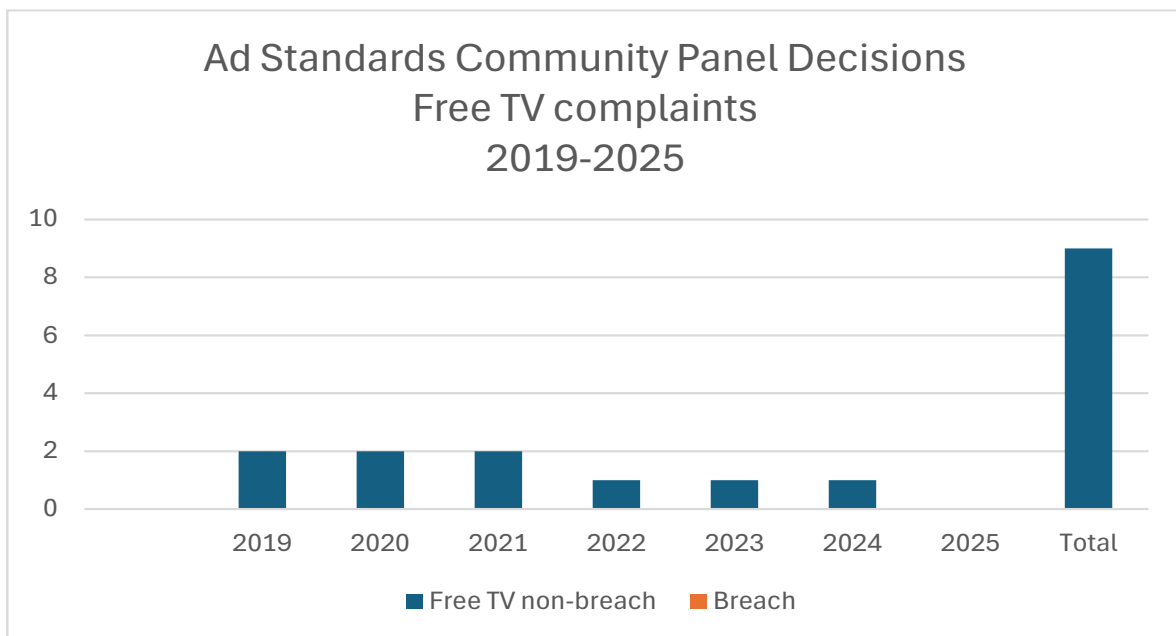
²⁷ ABAC Annual Report 2025, page 16

²⁸ Data from ABAC website 'Adjudication Decisions' <https://abac.org.au/adjudication/>

Figure 9: ABAC complains 2021-2025: Advertising on television

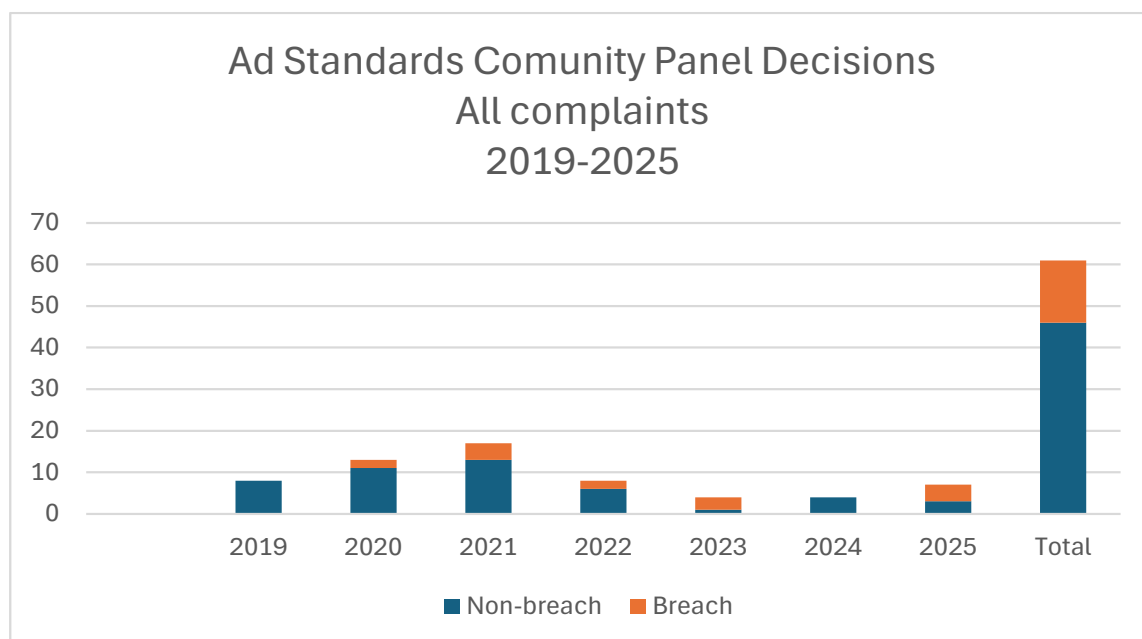
3.2.3 Ad Standards Complaints

Between 2019 and 2025, Ad Standards received 9 complaints about alcohol advertising on free-to-air television, none of which were found to be in breach.²⁹ The number of complaints about alcohol advertising on free-to-air television made up approximately 15% of all complaints about alcohol advertising over that period, suggesting that overall community concern lies with advertising on other platforms.

Figure 10: Ad Standards Community Panel Decisions 2019-2025 – Alcohol Category (Free TV only)

²⁹ https://adstandards.com.au/cases/?_category=alcohol

Figure 11: Ad Standards Community Panel Decisions 2019-2025 – Alcohol Category (All complaints)



2025 was marked by significant public engagement with Ad Standards, with 5,256 complaints received (26% increase on 2024).

3.2.4 Conclusion

Looked at together, these three independently conducted, nationally representative studies conducted at similar times and using different methodologies and samples, reach very similar conclusions. Australians do not hold a high level of concern about alcohol advertising and are broadly satisfied with the current rules.

Many see alcohol consumption and exposure to advertising on television as a matter of personal choice and parental responsibility.

There is no convincing evidence that the Free TV Code is failing to provide appropriate community safeguards in relation to alcohol advertising. Together these findings point to a multi-layered and overlapping regulatory system for alcohol advertising that is functioning effectively and appropriately, and delivering the right outcomes for Australian television viewers.

4. Consumption data does not support a causal relationship

Trends in alcohol consumption provide important context when assessing whether the existing regulatory framework requires strengthening. The weight of available national data points consistently in the same direction. Australians are drinking less, not more and have been doing so for an extended period.

The evidence does not support a conclusion that the current provisions of the Free TV Code are failing to provide appropriate community safeguards.

4.1.1 Consistent decline in per-capita consumption

Data published by the Australian Government's Australian Institute of Health and Welfare (**AIHW**) shows that per capita alcohol consumption has fallen from 151.23 litres in 2003-04 to 117.87 litres in 2023-24³⁰, a drop of 22% in the last 20 years.³¹

This sustained decline has occurred across the entire period in which the current advertising framework has been in place.

This same trend is reflected in the sales of alcohol. In the year leading up to June 2024, alcohol sales volumes declined by 3.9%.³²

The AIHW's *National Drug Strategy Household Survey* also shows significant declines in risky drinking behaviours across almost all age groups, particularly young people, as can be seen in the following table:³³

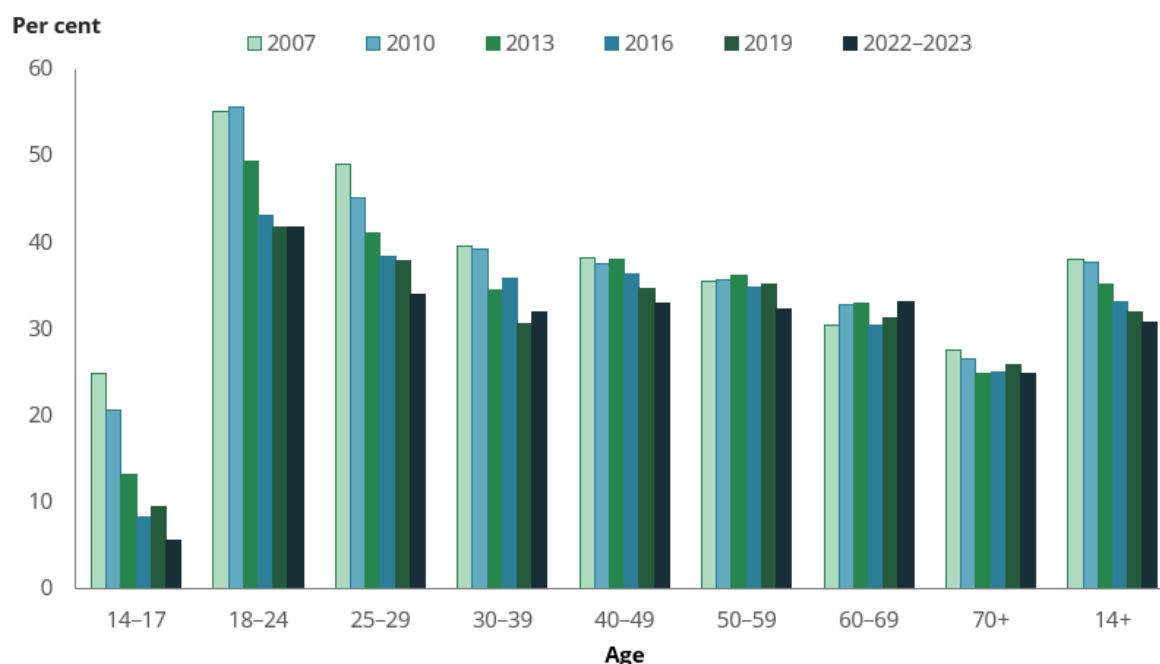
³⁰ <https://www.aihw.gov.au/reports/alcohol/alcohol-available-for-consumption-in-australia/data>. Note data for 'cider' is only available for 2004-05 and 2023-04.

³¹ Australian Institute of Health and Welfare, *Alcohol available for consumption in Australia*, last updated 4 November 2025 <https://www.aihw.gov.au/getmedia/af047022-b7a2-4ed2-91ed-8a1551e8218b/alcohol-available-for-consumption-in-australia.pdf?v=20251104070101&inline=true> page 2

³² <https://www.vinsight.net/australias-alcohol-industry-and-economic-outlook-for-2025>

³³ Source: NDSHS 2022-2023, Table 4.28.

Figure 12: Risky alcohol consumption by age, 2007 to 2022-2023



In addition, the proportion of males drinking at risky levels has fallen from 50% in 2007 to 39% in 2022-23, a long-term downward trend. A similar trend occurred among females, falling from 27% in 2007 to 23% in 2022-23.³⁴

Young people's consumption of alcohol is also trending down:

- Among young people aged 14-17, the proportion drinking at risky levels fell from 9.5% in 2019 to 5.5% in 2022-23, with the reduction among young males particularly sharp, from 9.9% to 3.2%.³⁵
- Between 2001 and 2022-23, the proportion of Australians aged 18-24 who drank alcohol monthly decreased from 34% to 29%.
- In 2022-23, 16.3% of young people had never had a full glass of alcohol (up from 7.5% in 2011).³⁶

This is further supported by academic studies:

- Over the course of their lives, Gen Z are nearly 20 times more likely to choose not to drink alcohol compared to Baby Boomers. Flinders University noted that '...[t]his isn't just a phase; it appears to be a sustained change in behaviour that could have long-term public health benefits'.³⁷
- Gen Z consumers who do drink also consume significantly less alcohol per week than older generations.³⁸

³⁴ [Australian Institute of Health and Welfare](#) NDSHS 2022-2023, Table 4.28

³⁵ <https://www.aihw.gov.au/reports/alcohol/risky-alcohol-consumption>

³⁶ https://www.aihw.gov.au/reports/alcohol/young-people-alcohol/?cf_chl_tk=IHsqIttclbHgU7qBD9EUPvUcCp38WMqvxQNXGuKAv.Q-1736129526-1.0.1.1-DQJEbInOs4aMgF1V0vB63T4BA.OnjzEIO7OV_D3DdY

³⁷ <https://news.flinders.edu.au/blog/2025/10/07/drinking-through-the-generations/>

³⁸ <https://news.flinders.edu.au/blog/2025/10/07/drinking-through-the-generations/>

4.1.2 Zero is the new normal – growth in non-alcoholic and low-alcohol alternatives

The structural shift away from alcohol consumption is further evidenced by the rapid growth of low- and no-alcohol products. Australians are increasingly buying and drinking more zero-alcohol beverages, in a major structural shift in the nation's drinking habits.

This trend is driven by changing consumer preferences and greater awareness of health considerations, rather than regulation:

- Australia's non-alcoholic sector is growing at an anticipated rate of 7.5%³⁹ and forecast to grow 5% annually for the next three years.⁴⁰
- Zero alcohol beer sales are projected to almost double by 2028, with volumes forecast to grow from 150 million litres this year to around 300 million litres in 2028.⁴¹
- DrinkWise said in 2024, 51% of consumers drank – at least sometimes – zero alcohol products, compared to 35% in 2021.⁴²
- The global market for non-alcoholic beverages has significantly expanded, from US\$22 billion in 2022 and forecast to grow at almost 8 percent annually to reach around US\$43 billion by 2027.⁴³
- Most consumers report maintaining or decreasing levels of consumption in recent years, with reduction in consumption outpacing increases by more than two to one.⁴⁴

This growth reflects consumer-led behavioural change – precisely the outcome that a well-functioning regulatory framework should support and which the existing multi-layered regime has demonstrably helped to achieve.

4.1.3 Conclusion

Taken together, this evidence demonstrates that alcohol consumption in Australia is declining across all key measures: per capita volume, rates of risky drinking, and youth consumption. These trends have occurred during the period in which the current Free TV Code provisions have been in force. They do not support a finding of "convincing evidence" as required under section 125 of the *Broadcasting Services Act 1992*, that the Code is failing to provide appropriate community safeguards in relation to alcohol advertising.

³⁹ <https://www.beerandbrewer.com/no-alcohol-sector-to-reach-4bn-growth-by-2028/>

⁴⁰ <https://www.drinkstrade.com.au/news/australias-non-alc-sector-to-grow-5-annually-for-next-three-years/>

⁴¹ <https://www.9news.com.au/national/non-alcoholic-beer-sales-surge-in-australia-heaps-normal/3ab5c033-cd8a-45f4-a0ca-fca9bb6d7f32>

⁴² <https://www.9news.com.au/national/people-drinking-less-holiday-season-new-research-shows/3ea740ec-d24d-49f2-8dc7-5b27f49bfc1>

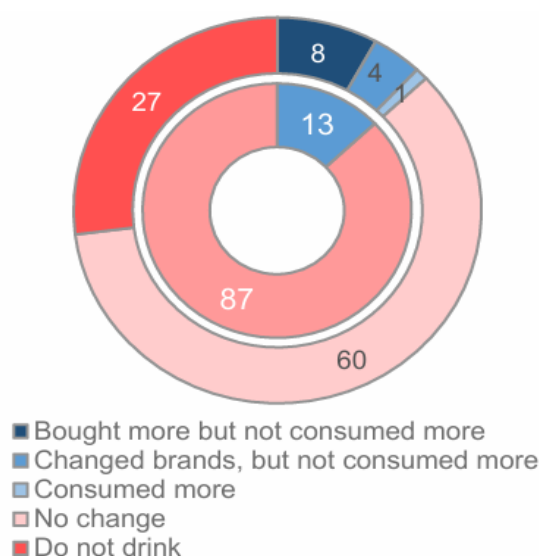
⁴³ <https://www.anz.com.au/newsroom/media/2024/august/consumption-of-non-alcoholic-beverages-set-to-accelerate/>

⁴⁴ Resolve Research, March 2026 slide 11

4.2 The link between television advertising and consumption

The Resolve Research provides direct evidence of the limited relationship between alcohol advertising and overall consumption behaviour. The survey found that for 87% of respondents, alcohol advertising and sponsorships had no impact on their consumption levels whatsoever. Only 1% of respondents reported consuming more alcohol as a result of exposure to alcohol advertising or sponsorships.

Figure 13: Resolve Survey – Impact of Advertising & Sponsorships on Consumption



These findings are consistent with the weight of peer-reviewed economic literature on alcohol advertising, which indicates that advertising primarily influences brand choice and market share rather than aggregate consumption levels. A meta-analysis of 132 studies on alcohol advertising and demand found the mean advertising elasticity of demand for alcohol to be very low (approximately 0.029) indicating that advertising has a negligible effect on total consumption.⁴⁵

Cross-country reviews of jurisdictions that have introduced alcohol advertising bans have found no consistent reduction in total consumption following their introduction.⁴⁶

The small proportion of Resolve survey respondents who indicated they had bought more but not consumed more as a result of advertising is consistent with this literature, suggesting in this case that advertising can prompt a purchase occasion without increasing overall consumption levels.

Taken together with the long-run decline in per capita consumption, the fall in risky drinking rates, the marked reduction in youth consumption and the increasing consumption of low and no-alcohol products referenced above, this data supports a clear conclusion that television alcohol advertising is not a driving factor in increased consumption or related social harms.

⁴⁵ Gallet, CA, 'The Demand for Alcohol: A Meta-Analysis of Elasticities' (2007) 41(1) *Australian Journal of Agricultural and Resource Economics*

⁴⁶ <https://www.semanticscholar.org/paper/Alcohol-advertising-bans%2C-consumption-and-control-Nelson/067bc0781e1fb025cbddb5e369098df5f506093e>

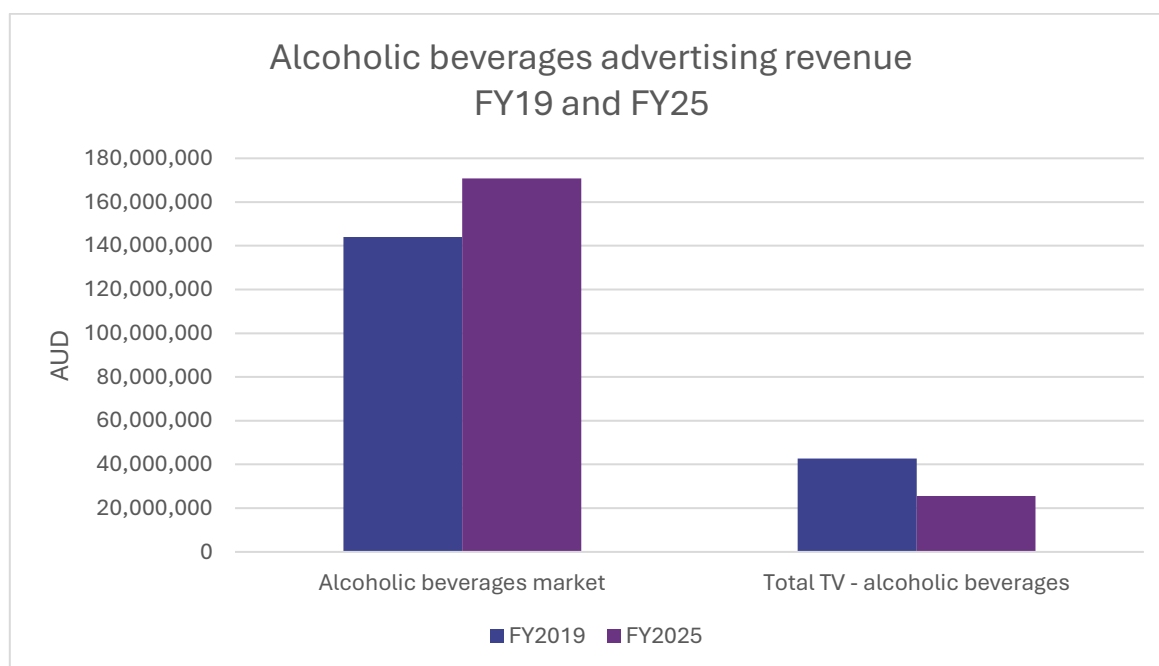
5. Alcohol advertising volumes and revenues are declining

The ACMA terms of reference for this review include ‘...the volume, frequency and placement of alcohol advertising in sport and non-sport programming on commercial TV’.⁴⁷ Free TV has obtained independent revenue data from SMI and conducted internal analysis of advertising volumes in two representative blocks across two separate years to inform its response on this issue.

5.1 TV alcohol revenue has significantly declined

Television broadcasters have experienced a substantial and sustained downward trend in revenue from alcohol advertising. SMI data shows that alcohol beverage advertising expenditure on commercial television (including BVOD) fell from \$42.7 million in FY19 to \$25.5 million in FY25.⁴⁸ This represents a reduction of approximately 40% over six years.

Figure 14: Revenue from alcoholic beverage advertising FY19 and FY25



This contraction is reflected in commercial television’s dramatically reduced share of total alcohol advertising expenditure. In 2019, television had a 34.9% share of alcoholic beverage advertising across all media. By 2025, that share had fallen to 16.6%.⁴⁹

⁴⁷ <https://www.acma.gov.au/consultations/2026-03/review-alcohol-advertising-rules-free-tv-code>

⁴⁸ SMI data – commercial television and commercial television BVOD. Excludes Special Broadcasting Service (SBS).

⁴⁹ SMI data. Television data Includes SBS and BVOD shares.

Figure 15: Share of alcohol beverage advertising expenditure (2019)⁵⁰

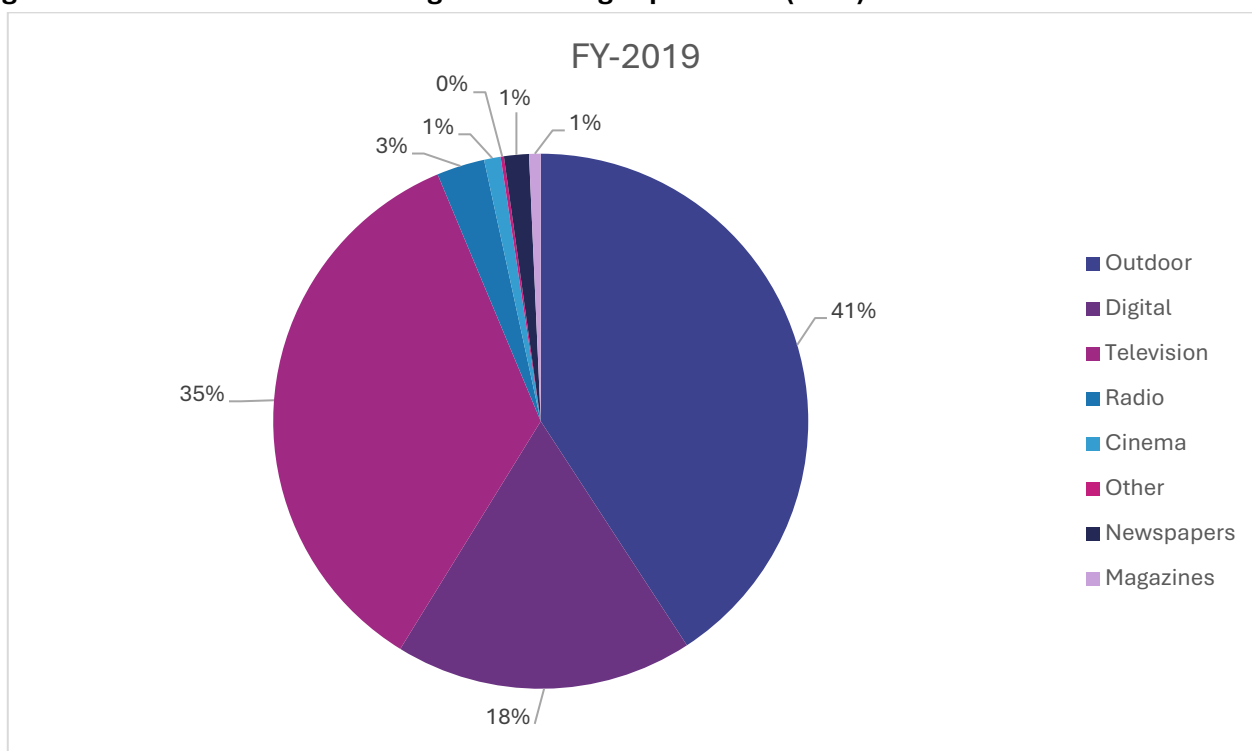
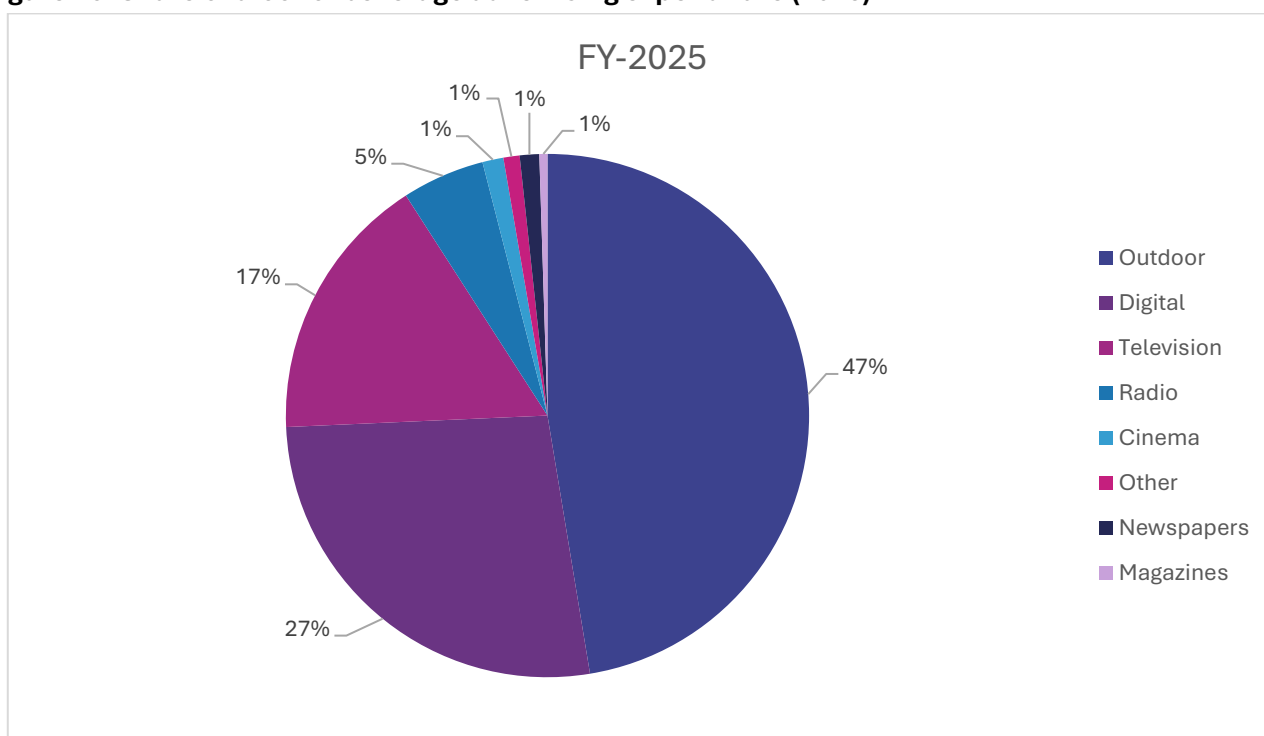


Figure 16: Share of alcohol beverage advertising expenditure (2025)



⁵⁰ SMI Alcoholic Beverage Media Shares FY2019 and FY2025: Outdoor; digital; television; radio; cinema; newspapers; magazines; other.

That lost share has not disappeared from the market, indeed across the same period the alcoholic beverage advertising market has actually grown 19% from \$144m in FY19 to \$171m in FY25. This growth, along with the \$17.2m revenue lost from the television category has simply migrated to other media platforms.

As a result, digital media expenditure (excluding BVOD) increased by 87% over the same period, with YouTube alone recording an 84.5% increase in alcohol advertising spend. Most strikingly, alcohol advertising expenditure on SVOD platforms grew from less than \$500,000 in 2019 to over \$5 million in 2025 – an increase of 1,139%. Outdoor media's share of alcohol advertising also increased by 6.6 percentage points over the period. Newspapers and magazines are the only other media types to have experienced a declining share alongside television.⁵¹

This pattern of advertising displacement carries direct implications for the ACMA's review. The platforms absorbing the alcohol advertising spend that has shifted away from commercial television are subject to significantly less, and in many cases almost no, equivalent regulatory oversight. Many of these platforms are used heavily by children, without the parental oversight that usually accompanies television viewing.

Any further restrictions imposed on commercial television are likely to accelerate this displacement, directing alcohol advertising toward platforms where the protections provided by the Free TV Code and the interwoven self-regulatory frameworks discussed earlier in this submission do not apply. The net effect on community exposure to alcohol advertising and on the audiences the ACMA is seeking to protect would likely be neutral at best and counterproductive at worst.

5.2 Economic Impact

The direct economic consequences of further restricting alcohol advertising on commercial television would be significant. Television broadcasters in Australia operate in a challenging commercial environment, facing competitive pressures that threaten their ability to fund news, sports and local content. Over the last ten years (from 2016 to 2025), commercial TV broadcasters saw a fall in revenue from \$3.702 billion to \$2.995 billion, a 19% decrease.

⁵¹ SMI Alcoholic Beverage Media Shares FY2019 and FY2025: Outdoor; digital; television; radio; cinema; newspapers; magazines; other.

Figure 17: Total free-to-air TV advertising revenue (\$m calendar years)

Source: KPMG Audited Results

Alcohol advertising represents a small but meaningful revenue stream for broadcasters, and its restriction or removal would compound existing financial pressures on an industry that invests significantly in Australian content production, local news, and live sport coverage.

In this context, further regulatory restriction would place on the industry an additional burden on a revenue stream already in marked decline.

5.3 Advertising frequency data

5.3.1 Methodology

Free TV compared sample fortnights in FY19 and FY25 across the Sydney market primary channels.⁵² FY19 was selected as a pre-COVID representative year and FY25 as the most recent financial year.

Two fortnights were chosen. The September/October fortnights were selected as containing high levels of televised sport, covering the lead-up to and including the AFL and NRL grand finals in each year. The February fortnights were selected as representing the post-summer sport period, typically containing low

⁵² Sample fortnights: 17 September – 30 September 2018, 23 September – 6 October 2024; and 4 February to 17 February 2019 and 3 February to 16 February 2025. Sydney market, main channel for each of Seven, Nine and Ten, 24 hours per day (except where otherwise specified).

levels of televised sport. As the data analysis below demonstrates, both February fortnights contained more sport than the period typically attracts, driven by a mix of cricket fixtures and in FY25 some sports not broadcast on primary channels in FY19. The commentary below provides context for the composition of sport content across each fortnight.

The analysis is limited to the Sydney market primary channels, as a representative high value metropolitan market and to reduce duplication of advertisements across markets.

5.3.2 Findings

Alcohol advertising on commercial television has declined materially since 2019 across sport and non-sport programming, across weekdays and weekends and across both sample periods examined. These findings are consistent with the substantial reduction in alcohol advertising revenue on commercial television recorded by SMI across the same period.

In the September/October (sport heavy) fortnight blocks analysed, between FY19 and FY25:

- Total alcohol advertisements broadcast fell by 15%
- Weekend alcohol advertising declined by 32%.

In the February (sport light) fortnight blocks:

- Total alcohol advertisements broadcast decreased by 5%
- Weekend alcohol advertising declined by 3%.

The weekend figures are especially relevant to the question of children's exposure, given that weekends represent an increased opportunity for child viewing. The 32% reduction in weekend alcohol advertising across the September/October period is directly at odds with the claim that Australians are being subjected to increasing levels of alcohol advertising on television.

Alcohol advertisements shown during sport decreased between 2019 and 2025, by 31% for the September/October dates and by 32% for the February dates.⁵³ These reductions are consistent across both the football season and summer sporting windows. Taken together with the overall volume decline, they demonstrate that the reduction in alcohol advertising on commercial television is broad-based and not confined to any one sport, code or time of year.

Further detail is provided in confidential **Appendix A**.

5.4 Child audiences

Child viewership of commercial television is low and has been declining consistently over many years. Between 2022 and 2025, the average daily reach of commercial television among children aged 0-17 decreased by 17%, from 742,000 to 516,000.⁵⁴

⁵³ Free TV member data FY19 and FY25

⁵⁴ 2023 to 2025 data source: OzTAM VOZ, 5 City Metro, Broadcast only, Seven, Nine, 10, Consolidated 7, People 0-17 Wks 1-52 2023-2025, Average Daily Reach, 0200-2600 2021-2022 data source: OzTAM, 5 City Metro, Seven, Nine, 10, Consolidated 7, People 0-17 Wks 1-52 2021-2022, Average Daily Reach, 0200-2600

Children also watch significantly fewer hours of television per week than adults – the average for children was 2 hours, 28 minutes per week in 2025, compared with 8 hours, 8 minutes for adults.⁵⁵ This compares to children’s viewing habits in 2012, at which time they were watching just between 6 and 7 hours of television per week.⁵⁶

- During the daytime M classification zone (midday to 3.00pm), child audiences make up only 4% of the total viewing audience (approximately 25,000 children nationally);
- after 8.30pm, the child audience makes up only 4.8% of the total viewing audience (approximately 69,000 children nationally).⁵⁷ This compares to a child audience of around 9 percent in 2012.⁵⁸
- Children are turning to SVOD services and YouTube over free-to-air television.⁵⁹

The University of the Sunshine Coast found that ‘...Australian teens overwhelmingly preferred to watch streaming services like Netflix, Disney+, Amazon Prime, Stan and YouTube over free-to-air television’.⁶⁰ A Precise TV report in 2025 found that ‘...children in Australia spend a combined total of 133 minutes daily on YouTube and YouTube Shorts, 83 minutes on Netflix, and 77 minutes on mobile games’.⁶¹

While sporting events attract a somewhat higher proportion of child viewers than general programming, the numbers remain low and do not support the characterisation of sports broadcasts as a significant vehicle for child exposure to alcohol advertising. Across various sporting codes, children aged 0–17 represent between less than 10% of the total audience for sports broadcasts on commercial television during the regular season. As a proportion of the total child population, this is lower still, across sporting codes, the number of children watching sport on commercial television during the season is consistently below 2% of the total child population.

Even at the most-watched sporting events of the year, child audiences remain well below the 20% threshold that triggers additional restrictions under the ABAC Responsible Alcohol Marketing Code. Data from the 2025 and 2026 grand finals and major events – representing a best case for child viewership given the scale of these occasions – confirms this:⁶²

⁵⁵ Source: OzTAM, 2025 - 29/12/2024 - 27/12/2025, Weekly Average time spent viewing, When Watched National

⁵⁶ OzTAM, 5 city metro, 01 Jan - 31 Dec 2008 - 2012, 6am - midnight, children 5-12 and 13-17, average audience, based on consolidated data from 2010

⁵⁷ Source: OzTAM, 1st Jan-31st Dec 2025, Sun-Sat 2030-2400 and M-F 1200-1500, Total People, Broadcast, Consolidated 7

⁵⁸ OzTAM, 5 city metro, 01 Jan - 31 Dec 2008 - 2012, 6am - midnight, children 5-12 and 13-17, average audience, based on consolidated data from 2010

⁵⁹ <https://www.unisc.edu.au/about/unisc-news/news-archive/2024/july/what-aussie-teenagers-told-us-about-not-watching-local-tv>

⁶⁰ Ibid.

⁶¹ <https://www.mi-3.com.au/26-06-2025/youtube-dominates-aussie-kids-screen-time-precise-tv>

⁶² OzTAM data, AUD (Total People), AUD (P 0-17), Broadcast TV; Include Spill Broadcast

Table 2: Child audiences for sports broadcasts 2025–26

	Average child audience - % of total national audience	Average child audience - % of all children nationally
NRL season 2025	8.0%	0.7%
AFL season 2025	8.5%	0.8%
A-League	8.6%	0.08%
BBL Cricket 2025-26	7.9%	0.8%
Ashes Cricket 2025	7.8%	1.6%
Australian Open 2026	6.2%	0.8%
Major events		
<i>NRL Grand Final 2025</i>	<i>12.9%</i>	<i>6.8%</i>
<i>AFL Grand Final 2025</i>	<i>15.7%</i>	<i>8.3%</i>
<i>Australian Open Men's Final 2026</i>	<i>6.2%</i>	<i>0.8%</i>

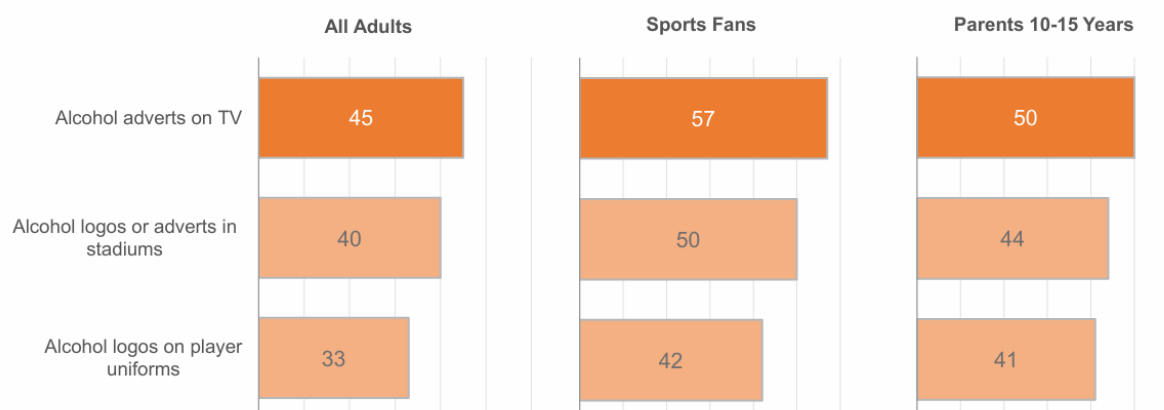
Further detail is provided in confidential **Appendix B**.

These data points demonstrate that commercial television sports broadcasts consistently meet the audience composition standard required under clause 4(c) of the ABAC Responsible Alcohol Marketing Code, which prohibits placement of alcohol marketing communications where the audience is not reasonably expected to comprise at least 80% adults, based on reliable and up-to-date audience composition data.⁶³ In every case examined, including the highest-profile events of the year, and even measured in the markets where child interest could be expected to be most concentrated, the adult audience share comfortably exceeds that threshold. The existing framework is therefore operating as intended.

This is further supported by the Resolve Survey, which found that only half of parents of children aged 10-15 had seen alcohol advertising during sports events on television or online in recent months. This low level of parental awareness of child exposure to alcohol advertising during sports broadcasts is inconsistent with the characterisation of sports broadcasting as a significant or unrestricted channel for reaching child audiences with alcohol advertising, and provides additional evidence that the current safeguards are functioning effectively.⁶⁴

⁶³ ABAC Code clause 4(c)

⁶⁴ Resolve survey, p19

Figure 18: Resolve Survey – Exposure to Alcohol Promotion

5.5 Nature and source of alcohol brand exposure in sport

To provide an independent, evidence-based assessment of the nature and source of alcohol brand exposure during live sports broadcasts on commercial television, Free TV Australia commissioned Gemba, a specialist sports and entertainment research consultancy, to conduct a comprehensive audit of alcohol brand activity across a cross-section of free-to-air live sports broadcasts. The full report from The Gemba Group is available in **Appendix D**.

5.5.1 Methodology

The audit reviewed more than 18 hours of live broadcast footage across six full matches – two each from the AFL, NRL and A-League Men – broadcast across Channels 7, 9 and 10 during March and April 2026. Broadcasts were selected across different days, timeslots, venues and competition structures to ensure the analysis reflected typical broadcast conditions rather than isolated examples. Each broadcast was reviewed in its entirety, including pre-match, live play, breaks and post-match coverage, ensuring all sources of alcohol brand exposure were captured consistently.

Alcohol brand exposure was measured as a share of total broadcast duration (Share of Voice, or SOV), with each instance recorded by inventory type, distinguishing between broadcaster-sold television advertising on the one hand, and integrated, venue-based and team-level assets on the other. The audit also captured exposure of non-alcoholic product variants from alcohol brands (such as zero-alcohol alternatives marketed under established alcohol brand names), alcohol retailers (BWS, Dan Murphy's) and delivery apps. These were recorded and reported in the same way as direct alcohol brand exposure.

5.6 Key Findings

The audit produced four findings of direct relevance to the ACMA's review.

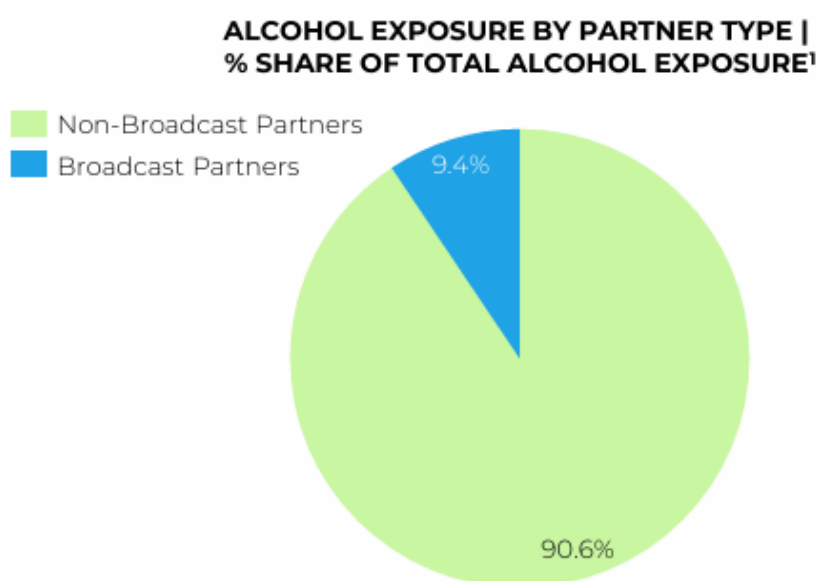
Finding 1- Alcohol brand exposure during live sports broadcasts is low overall

Across all six monitored matches, alcohol brands accounted for approximately 7.2% Share of Voice, meaning that across more than 18 hours of broadcast footage, alcohol branding was visible for a total of approximately 1 hour and 20 minutes. For the AFL and NRL matches overall alcohol SOV was lower still, with 1.7% across the two AFL matches and 4.7% across the two NRL matches.

Finding 2 - The overwhelming majority of alcohol brand exposure originates from non-broadcast sources outside the control of commercial television broadcasters

This is the audit's most significant finding for the purposes of the ACMA's review. Across all monitored matches, 90.6% of total alcohol brand exposure was attributable to non-broadcast partners. That is, pre-existing commercial arrangements between alcohol brands and leagues, clubs and venues, delivered through pitch-side advertising wedges, perimeter LED signage, team apparel, interview backdrops, locker room signage and venue assets. Broadcaster-sold television advertising accounted for only 9.4% of total alcohol brand exposure, equating to approximately 7 minutes of exposure across more than 18 hours of broadcast footage.

Figure 19: Alcohol Exposure by Partner Type. % Share of Total Alcohol Exposure



To express this differently, for every minute of alcohol brand exposure delivered through a television advertising spot, more than ten minutes of alcohol brand exposure was delivered through in-stadium and integrated assets that would remain on screen regardless of any restriction imposed on broadcast advertising.

Finding 3 - Non-broadcast alcohol exposure is driven by perimeter signage, apparel and venue assets

The aggregate finding that advertising wedges account for 61.6% of total alcohol brand exposure across all monitored matches requires careful interpretation. That aggregate figure is almost entirely a product of a single club-level commercial arrangement, namely Asahi's sponsorship of Melbourne City FC, which generated pitch-side advertising wedge exposure accounting for approximately 49 of the total 80 minutes of alcohol brand exposure across the entire audit. In the A-League Men broadcasts, advertising wedges accounted for 87.7% of all alcohol exposure, reflecting the specific and unusual nature of that arrangement rather than a typical pattern of alcohol brand visibility in live sports.

Excluding this data point, a different and more representative picture emerges. Advertising wedges do not appear at all in the AFL or NRL inventory breakdowns. In AFL broadcasts, the dominant sources of non-broadcast alcohol exposure were perimeter LED signage (61.0% of AFL alcohol exposure) with the remainder attributable to broadcaster-sold TV advertising (34.9%), a small amount of screen wrap and coaches box signage. In NRL broadcasts, non-broadcast exposure was distributed across perimeter LED

signage (32.0%), interview backdrops (12.3%), locker room assets (10.7%) and on-field apparel (10.5%), with broadcaster-sold TV advertising accounting for 28.8%.

The consistent finding across all three sports is that the assets generating non-broadcast alcohol exposure – LED perimeter boards, team apparel, interview and locker room signage, pitch-side installations – are venue and club assets that exist independently of any decision made by a commercial broadcaster. They are present whether or not a match is televised and whether or not a broadcaster airs any alcohol advertising spot. No restriction on broadcaster-sold advertising would reduce the visibility of these assets to television audiences.

Finding 4 - The pattern varies by sport, but the dominance of non-broadcast exposure is consistent

The audit found material variation in alcohol SOV across the three sports. The A-League Men broadcasts recorded the highest SOV at 16.9%, driven almost entirely by Asahi's pitch-side commercial arrangement with Melbourne City FC, with 100% of A-League Men alcohol exposure attributable to non-broadcast partner assets, and no broadcaster-sold alcohol advertising identified. AFL recorded the lowest SOV at 1.7%, with 65.1% of exposure attributable to non-broadcast assets and the remainder to a small number of television advertising spots. NRL fell between the two at 4.7% SOV, with 68.8% of exposure driven by non-broadcast assets.

5.7 Implications for the ACMA Review

The Gemba audit findings challenge a central assumption underlying calls for further restrictions on television alcohol advertising during sport, namely that alcohol advertising is pervasive during live sports broadcasts and that commercial broadcasters are a primary or significant source that exposure.

The evidence does not support that characterisation. Alcohol brand exposure across all audited matches accounted for just 7.2% of total broadcast time, and considerably less for AFL (1.7%) and NRL (4.7%) specifically. Of that already modest figure, broadcaster-sold television advertising accounted for only 9.4%. The practical result is that alcohol advertising sold by commercial broadcasters represented less than 0.7% of total broadcast time, less than one minute in every two and a half hours of live sport. The remaining 90.6% of alcohol brand exposure was generated by perimeter LED signage, team apparel, interview backdrops, locker room assets and other venue and club inventory that exists entirely independently of any broadcaster decision.

The perception that alcohol advertising on commercial television during sport is widespread or pervasive is simply not borne out by the data. What the audit reveals is that overall alcohol brand exposure during live sport is low, and that the broadcaster's direct contribution to that exposure is lower still, a fraction of an already small share of total broadcast time.

6. The threshold for imposing a Standard is not met

6.1 The statutory test under section 125

The ACMA's power to determine a program standard in relation to alcohol advertising on commercial television arises under subsection 125(1) of the Broadcasting Services Act 1992. The ACMA may only exercise this power where it is satisfied that there is convincing evidence⁶⁵ that the Free TV Code is not operating to provide appropriate community safeguards. That is a high and deliberate threshold, reflecting Parliament's intent that program standards are a measure of last resort within the co-regulatory scheme, to be used only where the co-regulatory mechanism has demonstrably failed and cannot be repaired through Code amendment.

Even where that threshold is met, the power is discretionary. The ACMA may decline to make a standard where other considerations weigh against doing so. In exercising that discretion, the ACMA is required to have regard to the objects of the BSA in section 3 and to the regulatory policy in section 4 of the BSA.

Section 125 must be read together with the objects of the Act (section 3) and the regulatory policy (section 4).

The section 125 power does not exist in isolation. It is an instrument for advancing the objects of the Act set out in section 3, subject to the regulatory policy in section 4 and the role conferred on the ACMA by section 5. Any decision to make a program standard must be capable of being justified by reference to that statutory architecture.

6.1.1 Objects of the BSA

Section 3 of the BSA outlines the Objects of the Act, which include, most relevantly to this review:

- to provide a regulatory environment that will facilitate the development of a broadcasting industry in Australia that is efficient, competitive and responsive to audience needs; and
- to promote the free availability to audiences throughout Australia of television coverage of events of national importance and cultural significance;
- to encourage providers of broadcasting services to respect community standards in the provision of program material.
- to ensure that providers of broadcasting services place a high priority on the protection of children from exposure to program material that may be harmful to them.⁶⁶

These objects are to be read together. They reflect a considered parliamentary balance between protecting audiences (and children in particular), maintaining free access to television, including coverage of events of national significance, and sustaining a competitive, efficient commercial broadcasting sector capable of meeting audience needs. The proper interpretation of "appropriate

⁶⁵ Emphasis added

⁶⁶ The full section, including all Objects of the Act, is available here: https://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/bsa1992214/s3.html

community safeguards" for the purposes of section 125 is informed by this balance, not by any one Object viewed in isolation.

The evidence set out earlier in this submission demonstrates that the current framework is advancing each of these objects:

- The multi-layered regulatory framework, the audience composition data, and the minimal level of direct broadcaster-sold alcohol advertising during live sport show that the Code, read with the ACCTS, ABAC Code and AANA Code of Ethics, is placing a high priority on the protection of children consistent with section 3(j).
- The independent community sentiment research demonstrates that the Code reflects, and is respected by, contemporary community standards consistent with section 3(h).
- The complaints data shows that active, functioning complaints mechanisms are in place and are being used, consistent with section 3(i).
- The commercial foundation provided by alcohol advertising revenue directly supports the continued free availability of sport and other programming of national and cultural significance, objects expressly recognised in sections 3(b), 3(ha) and 3(eb).

A program standard restricting alcohol advertising on commercial television would not advance the Objects of the Act. It would place at risk the free availability of live sport and other programming that section 3(eb) and 3(ha) expressly protect, and would undermine the efficiency, competitiveness and audience responsiveness of the commercial broadcasting sector that section 3(b) exists to foster — all in circumstances where the community protection objects in sections 3(h), 3(i) and 3(j) are already being advanced by the existing framework.

6.1.2 The regulatory policy in section 4

Section 4 of the BSA provides that different levels of regulatory control are to be applied across the range of broadcasting services, datacasting services and internet services *according to the degree of influence* that those services are able to exert in shaping community views in Australia. This regulatory policy, reinforced by the ACMA's statutory role under section 5 to produce regulatory arrangements that are stable, predictable and proportionate, directs that regulatory intervention be calibrated to demonstrated need and forecloses disproportionate intervention.

The section 4 regulatory policy is particularly significant in the contemporary media environment. Commercial television now operates alongside streaming, social media, online video and other digital platforms that are subject to materially lower levels of content regulation. Imposing further restrictions on commercial television when the evidence shows that community concern about advertising on commercial television is already the lowest of any major platform would invert the proportionality principle at the heart of section 4.

Free TV members are committed to meeting their obligations under the Act, and Free TV remains of the view that the current Code provisions respect community standards in relation to program material, as well as in relation to advertising material.

6.1.3 The evidence does not meet the section 125 threshold

Taken as a whole, the evidence before the ACMA weighs decisively against the conclusion that the Free TV Code is failing to provide appropriate community safeguards in relation to alcohol advertising.

- *The framework is multi-layered and operating as designed*

Alcohol advertising on commercial television is governed by an interlocking regime comprising the Free TV Code, the *Broadcasting Services (Australian Content and Children's Television) Standards 2020*, the ABAC Responsible Alcohol Marketing Code 2024 and the AANA Code of Ethics 2021. Each element addresses a distinct aspect of content, placement and audience protection. Compliance is high.

- *Community sentiment research confirms the Code is aligned with community expectations*

Three independent, nationally representative studies, Resolve Strategic, JWS Research and the Ad Standards Community Sentiment Tracker, consistently show that Australians are not concerned about alcohol advertising on commercial television, are broadly satisfied with the current rules, and do not support change. 78% of Australians surveyed by Resolve want the current Code settings on alcohol advertising to remain unchanged. Alcohol marketing ranks as the lowest of 14 tested societal concerns in the JWS research, and commercial television was identified as a platform of concern by only 36% of respondents to the Ad Standards Tracker, the lowest of any major advertising platform.

- *Complaints data is consistent with this picture*

Complaints relating to alcohol advertising on commercial television constitute a small and declining share of total complaints to Free TV, ABAC and Ad Standards.

- *Consumption trends do not support a case for intervention*

Per capita alcohol consumption in Australia is at its lowest level in more than a decade, having declined by 22% over the past 20 years, with the steepest declines among younger Australians. Only 1% of respondents to the Resolve research said that alcohol advertising had led them to consume more alcohol.

- *Exposure on commercial television is minimal*

The Gemba alcohol activity audit found that broadcaster-sold alcohol advertising accounts for less than 0.7% of total broadcast time during live sport, less than one minute in every two and a half hours. The overwhelming majority of alcohol brand exposure during sport broadcasts is generated by stadium signage and team apparel that would remain on screen regardless of any restriction on commercial television advertising.

There is no convincing evidence that the Code is failing. On the contrary, the evidence, read in the light of the objects in section 3, establishes that the Code is working.

6.1.4 Less restrictive alternatives are available

Even if the threshold were considered to be satisfied, the ACMA should decline to exercise its discretion to impose a program standard. The Free TV Code is currently under review, providing a ready and less restrictive pathway for any targeted refinement the ACMA considers warranted. Parliament's preference for co-regulation, expressed throughout Part 9 of the BSA and reinforced by the section 4 regulatory policy, points to Code amendment, not a program standard, as the appropriate vehicle for any further calibration.

6.1.5 Conclusion

The statutory threshold in section 125 of the BSA is not met. The Free TV Code is operating to provide appropriate community safeguards in relation to alcohol advertising, and the evidence before the ACMA is convincing only in that direction. Read in light of the objects of the Act in section 3 and the regulatory policy in section 4, the ACMA should confirm that no program standard is warranted and that any further calibration of alcohol advertising restrictions, if considered necessary, is properly a matter for the Free TV Code review process.

7. Conclusion

The evidence before the ACMA points decisively in one direction. The existing framework for alcohol advertising on commercial television is working.

The multi-layered regulatory system, combining the Free TV Code, the ABAC Responsible Alcohol Marketing Code 2024, the AANA Code of Ethics 2021 and the *Broadcasting Services (Australian Content and Children's Television) Standards 2020*, delivers comprehensive, interlocking protections that are functioning as Parliament intended. Compliance is high. Community concern is low. Complaints are declining. Per capita alcohol consumption is at its lowest level in more than a decade, with the sharpest reductions among young Australians. Advertising volumes and revenues on commercial television are trending down without further regulatory intervention.

The independent evidence comprising three nationally representative studies reaching consistent conclusions, detailed audience composition data across every major sporting code, and a comprehensive audit of alcohol brand exposure during live sport, establishes that the threshold set by section 125 of the BSA is not met. There is no convincing evidence that the Free TV Code is failing to provide appropriate community safeguards. On the contrary, the evidence confirms that it is providing them.

The audit commissioned by Free TV from The Gemba Group resolves what may have been the central concern animating this review. It demonstrates that broadcaster-sold alcohol advertising accounts for less than 0.7% of total broadcast time during live sport, less than one minute in every two and a half hours of coverage. The alcohol brand exposure that does occur during sport is overwhelmingly driven by stadium signage, team apparel and club commercial arrangements that are entirely outside broadcaster control. Additional restrictions on commercial television would not reduce that exposure. They would simply redirect alcohol advertising spend toward other platforms with less regulatory oversight and used heavily by the audiences these restrictions are intended to protect.

The objects of the *Broadcasting Services Act 1992* require the ACMA to apply regulatory intervention that is proportionate, calibrated to demonstrated need, and which preserves the conditions for a commercially viable broadcasting sector capable of delivering live and free sport, trusted news and Australian content to all Australians. Imposing a program standard in these circumstances would fail each of those tests.

If the ACMA considers that any targeted refinement of the alcohol advertising provisions is warranted, Free TV submits that the appropriate vehicle is the co-regulatory Code review process, consistent with Parliament's express preference for co-regulation and the availability of the existing Code review as a less restrictive alternative.

Free TV respectfully submits that the ACMA should confirm that the section 125 threshold is not satisfied, that no program standard is warranted, and that the existing framework should be permitted to continue operating as designed.

8. Appendix A (CONFIDENTIAL): Supporting data for section 5.3.2

Refer to attachment: Appendix A

9. Appendix B (CONFIDENTIAL): Supporting data for section 5.4

Refer to attachment: Appendix B

10.Appendix C (CONFIDENTIAL): Resolve – Alcohol Advertising Public Opinion Polling - March 2026

Refer to attachment: Appendix C

11. Appendix D (CONFIDENTIAL): Gemba – Alcohol Activity Audit - April 2026

Refer to attachment: Appendix D