

people's alcohol action coalition

PAAC

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Review into alcohol advertising restrictions in the Free TV Code

Background

The People's Alcohol Action Coalition (PAAC) thanks the Australian Communications and Media Authority (ACMA) for the opportunity to make submissions on the Free TV Code (the Code.)

PAAC is based in Alice Springs NT and is a community-based group which advocates for the reduction of alcohol-related harm through a number of strategies. These include: developing and proposing constructive legislative and policy reforms to the sale of alcohol; advocating for controls on public consumption; advocating for the responsible service of alcohol; and promoting healthy lifestyles.

PAAC regularly makes submissions to government in relation to alcohol-related policy and legislative matters. The work of its members is voluntary, with the assistance of a part-time Policy Co-ordinator. PAAC's spokesperson is Dr. John Boffa, who has been involved in pursuing alcohol reform in the Northern Territory for more than thirty years.

We note that in 2015, PAAC made a submission to a *Free TV Australia Review of the Commercial Television Industry Code of Practice*. It is encouraging that the current review is being conducted by ACMA, as it should be, and not by an industry body. This is reinforced by the fact that Free TV's latest draft Code, had ACMA accepted it, could have allowed hundreds more hours of alcohol ads on television each year. This presents a clear argument against self-regulation. PAAC is opposed to the industry continuing to create its own rules on alcohol advertising, and is encouraged by ACMA's decision not to accept the draft Code.

Alcohol is, of course, is no ordinary commodity.ⁱ It is a product whose use, other than in strict moderation, contributes to high and unacceptable levels of individual and community injury, distress, family breakdown, offending, illness and other harm, all with the accompanying high cost to the taxpayer.

The connection between alcohol misuse and domestic and family violence is well established, and has been the subject of considerable research.ⁱⁱ

In the Northern Territory specifically, the cost of excessive alcohol consumption is far greater than it should be for a population of just over half a million,ⁱⁱⁱ and our domestic violence rates are the highest in Australia and amongst the highest the world.^{iv}

Alcohol Advertising and Sport

PAAC's position is that, as a public health measure, the association between sport and alcohol through advertising must cease. To this end, there should be a blanket ban on alcohol sponsorship and advertising in sport. We need comprehensive regulation of alcohol marketing across the great and growing variety of media formats, including but not only free-to-air television.

PAAC believes that the current rules governing alcohol advertising on commercial free-to-air television fall far short of acceptable community standards; nor do they provide reasonable community safeguards. It appears that the broader community is in agreement with this position.

PAAC has, for more than a decade, worked in an informal partnership with the Foundation for Alcohol Research and Education (FARE). We note the following findings of a recent survey by FARE, which sought out community attitudes to alcohol advertising:

- 75 per cent of survey respondents agreed that there should be less alcohol advertising on television. Only 8 per cent disagreed.
- 82 per cent of survey respondents supported restrictions on alcohol advertising during children's viewing hours, including during live sports broadcasts.
- In their comments, respondents highlighted the normalisation of alcohol use through alcohol advertising and the negative impacts this has on the community. Respondents expressed the need for the ACMA to impose more robust regulatory measures to protect people from alcohol advertising.^v

At present, alcohol advertisements may be broadcast from 8:30pm-5am every day, and between 12pm-3pm on Monday to Friday (school days), and also during any sports program on a weekend (now broadly defined to start at 6pm on a Friday) or on a public holiday. This allows for far too much exposure, in particular to children.

As one study has concluded:

Child and adolescent and young adult's exposure to alcohol advertising is high when viewing sport TV in Australia in the daytime and night-time. Current alcohol advertising regulations are not protecting children and adolescents from exposure, particularly in prominent televised sports.^{vi}

We also note changes to the Code between 2010 and 2015. Section 8: Interpretation deems none of the following to be a 'Commercial for Alcoholic Drinks':

- a) Program sponsorship announcements which make no direct reference to the price of goods or services;
- b) a Commercial which does not directly promote an Alcoholic Drink for an entity or company that participates in the manufacture, distribution or sale of Alcoholic Drinks;
- c) a Commercial where alcohol or a brand associated with alcohol is incidental and any alcohol consumption responsibly depicted;
- d) a Commercial for a licensed restaurant or club, entertainment venue, tourist attraction or dining establishment.

The broadening of the exemptions so that 'commercials' no longer include program sponsorship announcements that do not directly refer to the price of goods or services, allows an expansion of times during for promotion that was not previously permitted; and that indirect promotion and 'incidental' association and responsible consumption are allowed to be shown. In our submission any reasonable person would see this as an erosion of what were already arguably low standards, potentially increasing exposure to what in reality is advertising (although deemed to be otherwise) to the general public, including children.

The current framework in Cl. 6.2 of the Code is inadequate and outdated. It allows too much advertising, too frequently. It is particularly lax in that it allows for exemptions to restrictions on alcohol advertising during sports programs broadcast on weekends (as defined) and on public holidays, when children form a significant part of the viewing audience.

Further, the Code does not consider advertising delivered through 'view on demand' or 'catch up' services, or through broadcasters' websites and apps. It is therefore ineffective in the environment of modern communication methods.

It is apparent that the community wants better safeguards. The need for these is supported by research,^{vii} including the relationship between increased violence and major events such as football grand finals and State of Origin matches.^{viii}

Recommendations

We note that s125 of the *Broadcasting Services Act 1992* (Cth.) allows the ACMA to determine binding program standards for broadcasters, and that this provision applies when industry codes of practice fail, are not developed, or when the ACMA deems it necessary to ensure community safeguards. In our view, this is the current situation, and this legislative provision should therefore be invoked, with the following recommendations to be implemented:

1. ACMA to design a compulsory program standard for the television industry to replace the current (failed) Code.
2. Alcohol advertising hours to be further restricted, with particular attention to the hours when children are likely to be watching, based on credible research.
3. Any exemptions for alcohol advertising during sports programming to be removed, with all types of alcohol and forms of alcohol marketing disallowed on broadcast television, including online 'view on demand' or 'catch up' services, howsoever named.
4. The program standard over-all to apply to all aspects of commercial broadcasting services, including on-demand viewing including but not only, for example, 7Plus, 9Now, and 10Play .

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ⁱ Babor TF, Casswell S, Graham K, Huckle T, Livingston M, Rehm J, Room R, Rossow I, Sornpaisarn B. Alcohol: No Ordinary Commodity-a summary of the third edition. *Addiction*. 2022 Dec;117(12):3024-3036. doi: 10.1111/add.16003. PMID: 36321607. <https://pubmed.ncbi.nlm.nih.gov/36321607/>

ⁱⁱ Factors associated with FDSV. Australian Institute of Health and Welfare. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/understanding-fdsv/factors-associated-with-fdsv> Updated February 2026; and
Domestic violence and alcohol: Revealing the facts. <https://360edge.com.au/the-link-between-alcohol-and-domestic-violence/>

ⁱⁱⁱ https://www.menzies.edu.au/icms_docs/302326_Final_Report_-_Social_and_Economic_Costs_and_Harms_of_Alcohol_Consumption_in_the_Northern_Territory.pdf p8.

^{iv} <https://www.equalityinstitute.org/app/uploads/2025/09/Evidence-Snapshot-What-We-Know-About-Domestic-Family-and-Sexual-Violence-in-the-Northern-Territory-and-What-We-Dont.pdf>

^v <https://fare.org.au/wp-content/uploads/Alcohol-advertising-on-Australian-commercial-television-community-attitudes.pdf>

^{vi} Carr S, O'Brien KS, Ferris J, Room R, Livingston M, Vandenberg B, Donovan RJ, Lynott D. Child and adolescent exposure to alcohol advertising in Australia's major televised sports. *Drug Alcohol Rev*. 2016 Jul;35(4):406-11. doi: 10.1111/dar.12326. Epub 2015 Sep 14. PMID: 26365018. <https://pubmed.ncbi.nlm.nih.gov/26365018/>

^{vii} Zerhouni O, Bègue L, O'Brien KS. How alcohol advertising and sponsorship works: Effects through indirect measures. *Drug Alcohol Rev*. 2019 May;38(4):391-398. doi: 10.1111/dar.12929. Epub 2019 Apr 30. PMID: 31037783. <https://pubmed.ncbi.nlm.nih.gov/31037783/>

^{viii} Livingston M (2018) The association between State of Origin and assaults in two Australian states. Centre for Alcohol Policy Research. <https://fare.org.au/wp-content/uploads/The-association-between-State-of-Origin-and-assaults-in-two-Australian-states-noEM.pdf>