

SUBMISSION TO THE ACMA

Review of Part 6.2 of the Free TV Code — Alcohol Advertising Restrictions

Submitted by: ABAC Scheme Limited | 30 April 2026

Executive Summary

The ABAC Scheme Limited (ABAC) welcomes the opportunity to submit to this review, and its observations draw on its 28 years of experience in alcohol marketing regulation. While the ABAC Scheme is an industry-led initiative for responsible alcohol marketing, it operates entirely independently, and this submission does not represent the views of the alcohol or advertising industries.

ABAC's key points in relation to the issues being considered by the ACMA are as follows:

- ABAC did not support changes to the Commercial Television Industry Code of Practice (CTICP) which would have widened the times of day an alcohol advertisement might be broadcast on free-to-air TV.
- We believe there are opportunities for the ACMA to improve the consistency and effectiveness of the alcohol advertising regulatory framework. These include:
 - enhancing the CTICP by ensuring its definition of 'commercial for alcoholic drinks' aligns with the current ABAC definition of alcohol marketing;
 - incorporating ABAC placement standards into the CTICP to extend protection to programs broadcast outside current time-of-day restrictions.
- We do not believe there are grounds for a program standard given that appropriate community safeguards are currently in place and this is reflected both by recent research into community expectations and perceptions of alcohol advertising and long term alcohol consumption trends.

In 2025, Free TV sought ACMA registration of a revised version of the Commercial Television Industry Code of Practice (CTICP), which, in part, would have widened the times of day an alcohol advertisement might be broadcast on free-to-air TV. ABAC did not support the proposed changes. ACMA refused to register the revised code on the basis that it would not provide appropriate community safeguards by permitting scope for additional alcohol advertising. Further concerns related to the 'sports exemption' within the CTICP and the direct or indirect link between alcohol advertising on television, increased consumption and broader social harms.

To consider the best way forward, ACMA has initiated a review of Part 6.2 of the CTICP, which adopts the program classification system as the basis for the placement of alcohol advertisements. In short, the classification system provides an assessment of program content, enabling programs to be classified based on their suitability for children.

Regulation of alcohol as a product and alcohol marketing is a shared responsibility between the Commonwealth and State/Territory governments and industry self-regulatory initiatives. Overarching public policy for alcohol is sourced in the National Alcohol Strategy which has the aim to prevent and minimise alcohol-related harms among individuals, families and communities. The Strategy notes alcohol harms can be closely intertwined with mental health problems, a lack of social connection, experiences of trauma and exacerbated by a lack of income, employment, housing and/or education. Effective interventions require a cross-agency response, including

health care, education, social services, liquor regulators, law enforcement, the justice system and local government.

Alcohol marketing is considered in Priority Area 2 of the Strategy concerning availability, price and promotion with policy options aimed at minimising the promotion of risky behaviours and other inappropriate marketing. Specifically:

- Implement measures to reduce alcohol advertising exposure to young people (including online and sporting events).
- Extend the single national advertising code to cover placement and content across all media which provides consistent protection of exposure to minors regardless of programming.

ACMA's responsibility for alcohol marketing regulation is primarily directed to the use of free-to-air TV as a medium to carry marketing.

The existing regulatory framework for alcohol marketing carried on free-to-air TV combines the CTICP, the ABAC Responsible Alcohol Marketing Code (ABAC Code) and ABAC's pre-vetting and complaints systems, and Free TV's ClearAds pre-clearance service. In addition, alcohol marketing is subject to the AANA Code of Ethics and the Ad Standards public complaints process. This combination provides a comprehensive approach to alcohol marketing on free-to-air TV. This framework:

- requires pre-vetting clearance of the content of alcohol advertisements before broadcast;
- limits the exposure of minors to alcohol advertisements through a combination of time-of-day restrictions (CTICP) and restricting advertising to programs reasonably expected to attract an audience of at least 80% adults, irrespective of the time of day the program is broadcast (ABAC); and
- provides a public complaints and determination process.

While this framework remains fit for purpose, it is becoming less relevant due to shifts in how the community is accessing content. ACMA research shows household access to content via traditional free-to-air TV has declined steadily since 2017 compared to paid subscription streaming services and free-to-air catch-up TV and livestreaming. The fundamental issue is not so much the suitability of the CTICP but the differential regulatory standards applicable to traditional free-to-air TV and online-delivered content, which is not covered by the CTICP.

ABAC's central submission is that the ACMA should:

- view the regulatory regime for alcohol marketing holistically and not take actions that further fragment regulatory outcomes based on technology;
- recognise the relative movement in alcohol marketing from free-to-air TV to digital channels;
- recognise that while alcohol industry sponsorship of sports is a legitimate public policy question, any change should properly be determined by government and the parliament; and
- not move towards making a program standard but seek improvements in the CTICP.

ABAC contends that the holistic regulatory settings for traditional free-to-air TV can be improved by strengthening the CTICP, but taken as a whole, appropriate community safeguards are in place for alcohol marketing on free-to-air TV. This conclusion is supported by:

- Sustained, long-term declines in alcohol consumption and particularly underage drinking.
- 2025 Community Research, which confirms that the public does not view alcohol marketing as a major societal concern.
- ABAC pre-vetting clearance is mandatory for signatory companies and strongly encouraged for all others.
- Declining public complaints about marketing over free-to-air TV and no broadcast television breaches in the past 12 months.

Rather than the ACMA determining a program standard under s125 of the Broadcasting Services Act 1992 (BSA), ABAC submits that two targeted enhancements to the CTICP would strengthen the shared regulatory system without the complexity of a new standard:

- Aligning the CTICP definition of 'commercial for alcoholic drinks' with the broader ABAC definition of alcohol marketing, to address new forms of advertising not captured by the current definition.
- Incorporating the ABAC placement standards (in particular the 80% adult audience requirement) into the CTICP, to extend protection to programs broadcast outside current time-of-day restrictions.

ABAC is committed to environmental scans of the alcohol marketing landscape and proactive regulation of alcohol marketing in Australia, with a view to supporting the National Alcohol Strategy and reductions in alcohol related harm in Australia.

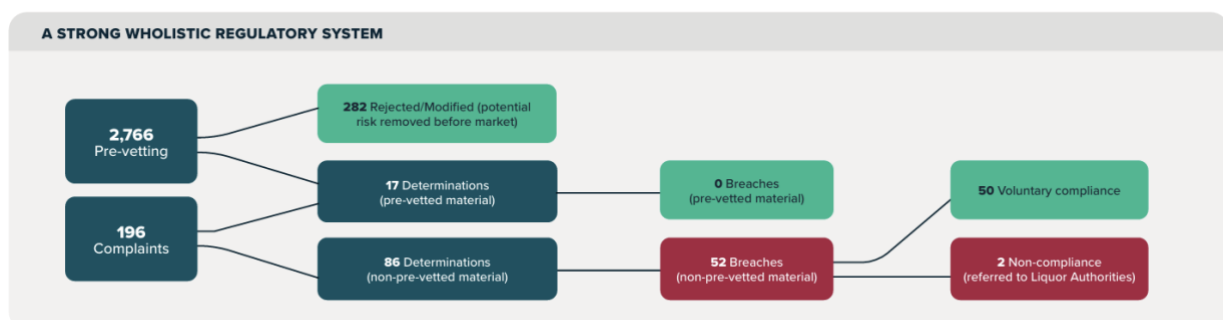
About ABAC

ABAC is Australia's independent, industry-led regulator of alcohol and alcohol alternative marketing. Its vision is world-class education, guidance and regulation so that marketing aligns with community standards for responsible alcohol use and supports the harm minimisation objectives of the National Alcohol Strategy.

ABAC operates through three integrated components:

- The ABAC Responsible Alcohol Marketing Code — setting content and placement standards for all alcohol marketing in any medium.
- The ABAC pre-vetting service — providing advance clearance of proposed marketing before release (mandatory for broadcast television advertising by signatories).
- The ABAC public complaints process and independent Adjudication Panel — providing a safety net for public concerns about marketing communications through transparent, procedurally fair complaint determinations.

In 2025, ABAC reviewed 2,766 individual marketing communications at pre-vetting stage, with 282 items advised that they did not meet the Code standards. The Adjudication Panel considered 196 complaints, resulting in 103 determinations, of which 52 found a breach. Signatory compliance with Panel determinations has been 100% for all 28 years of the Scheme's operation.



Key outcomes from 1998 to 2025:

- **Over 37,000** requests to check ads/package for ABAC compliance (2,766 in 2025)
- **Over 5,300** ads/package rejected before reaching the market (282 in 2025)
- **Over 5,400** industry participants have undertaken ABAC compliance training since 2010 (535 in 2025)
- **1,195** Panel decisions on complaints about ads/package (103 in 2025)

- **478** decisions ordered ads/package out of the market (52 in 2025)
- **19 business day** average to make advertising complaint decisions in past 10 years (19.5 in 2025)
- **Over 99% compliance** with Panel decisions overall (100% compliance by ABAC signatories)

ABAC's decision-makers — pre-vetters and Panel members — are entirely independent of the alcohol and advertising industries. The Panel is chaired by Professor the Hon Michael Lavarch AO. The Scheme operates a representative governance model through a Management Committee, with three alcohol industry members and three non-alcohol industry members including independent chair the Hon Tony Smith.

ABAC does not rely solely on reactive complaint handling. It actively monitors emerging regulatory risks and responds through code updates, industry education, best practice guidance, compliance monitoring, direct engagement with platforms and Code updates. For example, in 2017 ABAC updated its code to include placement standards for alcohol marketing, responding to an increase in digital marketing (including streaming) that was not regulated through a media specific code. Recent case studies illustrate this important aspect of the ABAC system:

Case Study 1 — Alcohol Advertising in Children's Podcasts

Between September 2024 and January 2025, ABAC received five complaints about alcohol advertisements appearing in children's podcasts. ABAC identified that the root cause was publisher miscategorisation of podcast content. ABAC engaged directly with podcast publishers and the Interactive Advertising Bureau (IAB), which developed best practice guides for audio advertising in collaboration with ABAC. No complaints on this issue have been received since that engagement.

Case Study 2 — Bus Shelter and Bus Advertising Near Schools

Following several complaints about alcohol marketing on bus shelters near schools and on school buses, ABAC engaged with the Outdoor Media Association, which updated its Placement Policy to strengthen restrictions on alcohol advertising in these locations.

Scope of This Submission

ABAC can provide information on the following matters within the ACMA's terms of reference:

- The interaction between the CTICP and ABAC Codes, and observations from Panel outcomes on alcohol advertising placement on commercial TV.
- The ABAC Code and the 'sports exemption' in the CTICP.
- The ABAC Code's application to in-stadia and integrated advertising arising from sponsorship arrangements.
- The ABAC Code's application to alcohol advertising on video on demand services and digital commercial television.

ABAC does not provide comment on matters outside its remit, including on the economic contribution of alcohol advertising or the relative contribution of alcohol advertising on TV as opposed to various other factors that may influence levels of alcohol consumption.

The CTICP and ABAC: A Complementary Regulatory Relationship

Television broadcasters and alcohol companies operate within a shared regulatory environment. The CTICP and ABAC Code explicitly recognise and reinforce each other:

- The CTICP states that television advertisers are expected to ensure their advertising complies with the ABAC Code.
- ClearAds alerts advertisers if an advertisement is likely to attract an ABAC complaint and withdraws its approval if the Panel finds a breach.
- The ABAC Code (Part 4(a)) requires that alcohol marketing communications comply with placement codes published by Australian media industry bodies, including the CTICP.
- ABAC signatories must obtain pre-vetting clearance for all television alcohol advertising.

ABAC supports the continuation and strengthening of this shared regulatory environment. One area for improvement is the definition of 'commercial for alcoholic drinks' in the CTICP.

Addressing the Definition Gap

The CTICP definition of 'commercial for alcoholic drinks' does not capture wider forms of alcohol marketing such as product placement, cross-category brand promotion, and advertorials. This creates a misalignment with the broader ABAC definition, which covers all alcohol marketing communications in any medium.

The practical effect is that commercial television stations may not automatically apply alcohol placement restrictions to incidental or indirect forms of alcohol promotion. ABAC's guidance notes advise alcohol marketers to instruct their placement agencies to apply ABAC restrictions to these forms of marketing — but this is a workaround, not a structural solution.

Case Study 3 — Hahn Ultra: Integrated Brand Content During Sunrise

During a Sunrise interview, a celebrity spokesperson for an alcohol brand consumed the product on air and displayed advertisements for the brand during a time when alcohol advertising is prohibited under the CTICP. The ABAC Panel found a breach of the ABAC Code. Aligning the CTICP definition with the ABAC definition would prevent this type of breach by ensuring such integrated content is subject to the same time-of-day restrictions as conventional advertisements.



ABAC recommends that the CTICP definition of 'commercial for alcoholic drinks' be aligned with the ABAC definition of 'alcohol marketing communication' to close this gap and prevent confusion for marketers, broadcasters and the community.

Information Sought by the ACMA

1. Statistics / Observations on Alcohol Advertising Placement on Commercial TV

Television advertising constitutes a small and declining proportion of total activity within the ABAC regulatory system. The following charts from the ABAC Annual Report 2025 illustrate this trend.

Chart 1 — Pre-vetting requests by medium (ABAC Annual Report 2025):

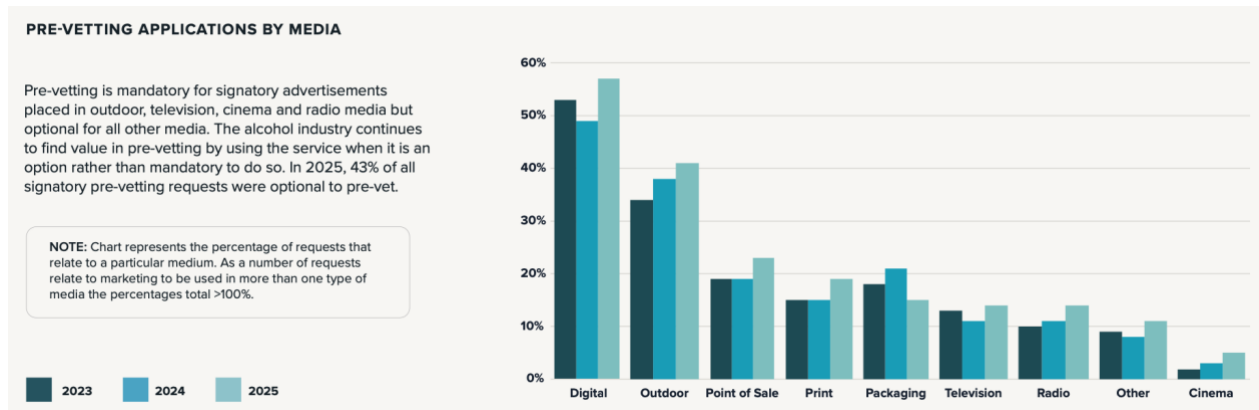
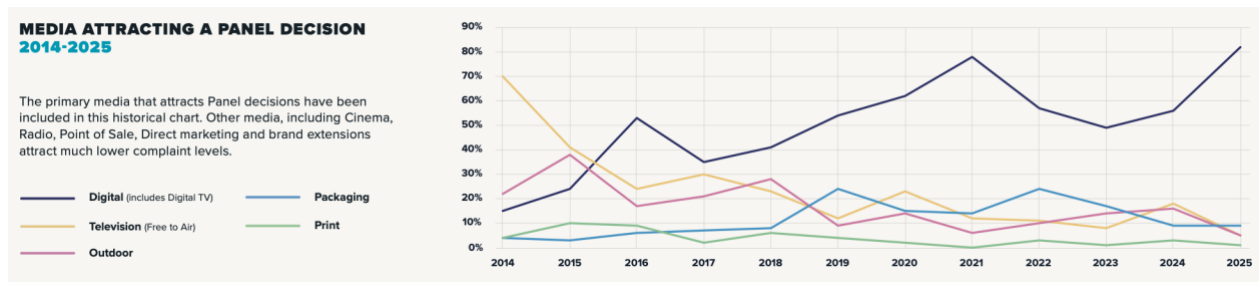
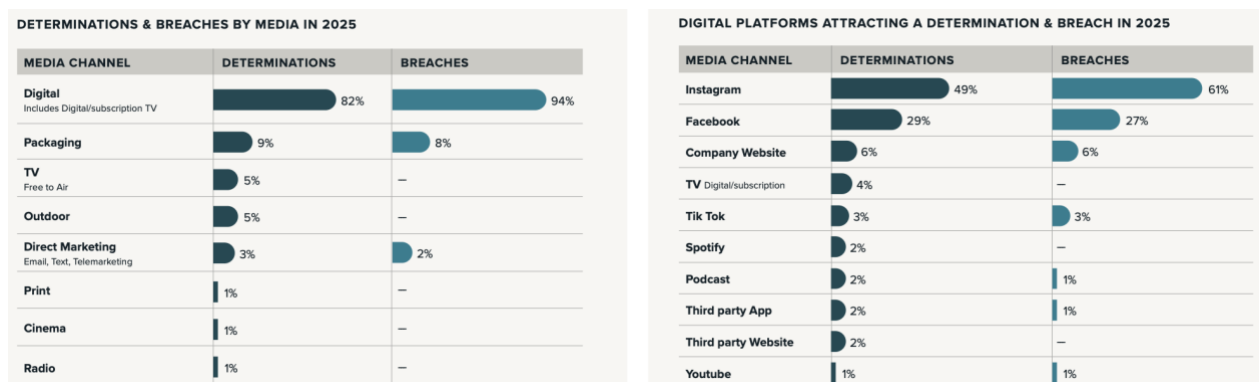


Chart 2 — Panel decisions by medium over time (ABAC Annual Report 2025):



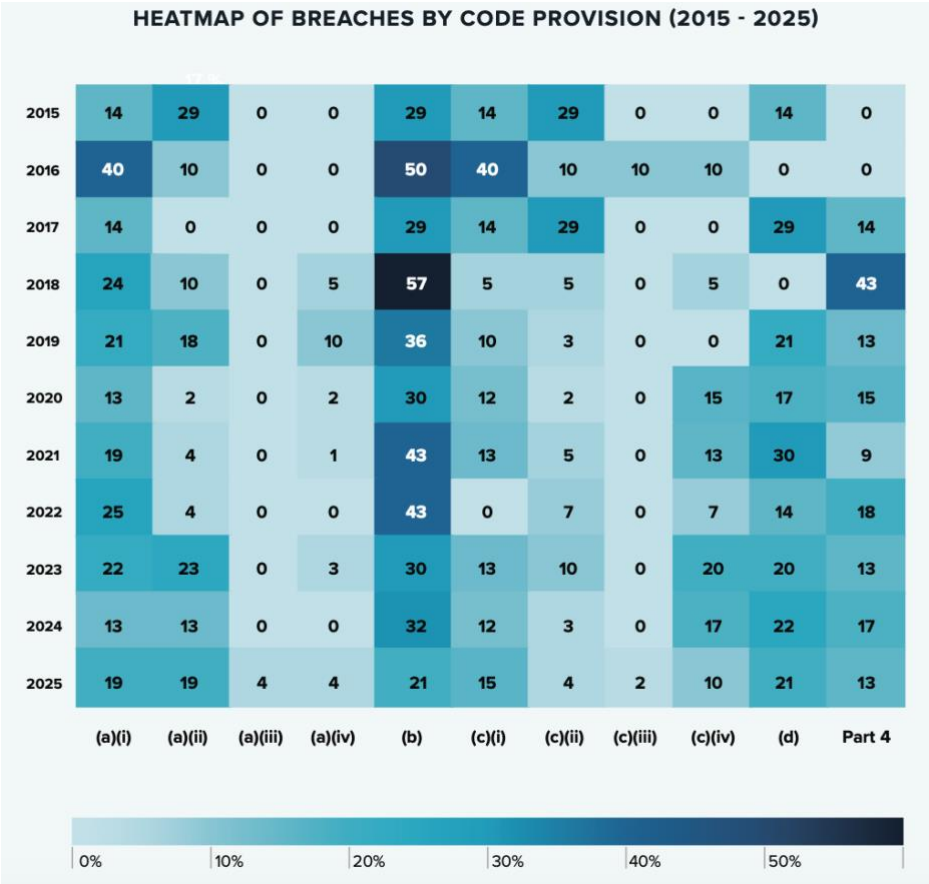
The proportion of Panel decisions relating to alcohol advertising on broadcast television has trended downward since approximately 2014, with digital marketing now generating the vast majority of complaints and breaches.

Chart 3 — Panel decisions by medium in 2025 (ABAC Annual Report 2025):



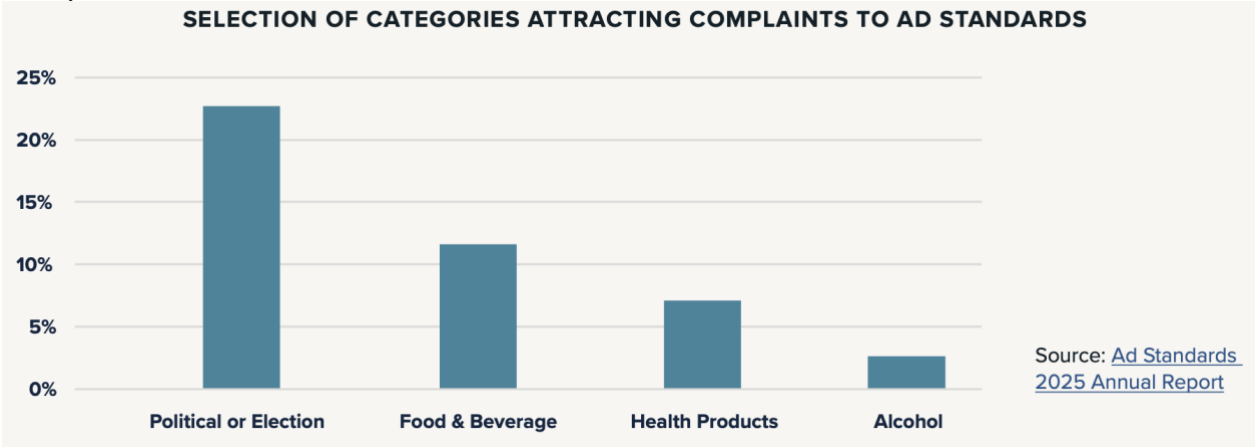
In 2025, only 5% of Panel decisions related to broadcast television, and none of those resulted in a breach finding. A smaller proportion again related to digital and subscription television.

Chart 4 — Panel breaches relating to ABAC standards over time (ABAC Annual Report 2025):



Placement standard breaches (Part 4) were highest in the period immediately after those standards were introduced and have since declined as the industry adapted to these new standards. This pattern is consistent with a well-functioning, responsive regulatory system.

Chart 5 — Public complaints about advertising various categories (ABAC Annual Report 2025):



The top three categories attracting public complaints to Ad Standards are Political or Election, Food and non-alcohol beverage and health products. The alcohol category attracts less than 4% of all public complaints about advertising.

[UK research by the Advertising Standards Authority \(2018\)](#) found that children's exposure to alcohol advertisements on television comprised 0.8% of all ads to which children were exposed — and that proportion had been declining.

2. The ABAC Code and the ‘sports exemption’

Part 6.2 of the CTICP applies the M and M 15+ classification zones as the basis for permitting alcohol advertising, with the usual time zones for these classifications extended to exclude 5 am to 6 am and 7-30 pm to 8-30 pm. The restrictions to these time zones, however, do not apply to a ‘sports program’ broadcast on a weekend or public holiday nor to the broadcast of a live sporting event- the ‘sports exemption’.

For its part, the ABAC Code in Part 4 (a) incorporates the terms of the CTICP as an ABAC standard. This means it will not be a breach of Part 4 (a) for an alcohol ad to be broadcast in accordance with the sports exemption. Importantly, however, this is not the end of the intersection of the ABAC requirements with ads shown with sporting programs or events.

The balance of Part 4 of the ABAC Code applies to ads shown with sport, namely:

- If the platform over which the sports program/event is carried has age restriction controls, then these controls must be used by the alcohol marketer to exclude minors; and
- The reasonably expected audience of the sports program/event must be at least 80% adults

Accordingly, while the CTICP permits alcohol advertising with sport irrespective of the time of day the sports broadcast is taking place, the ABAC Code only permits alcohol advertising with sports where the audience of the broadcast is very strongly skewed to adults.

3. In-Stadia and Integrated Content Advertising

The ABAC Code applies to all marketing communications, including advertising that references or flows from an alcohol sponsorship arrangement. This includes brand advertising referencing a sponsorship in any medium, branded merchandise, and brand advertising at an event (beyond the direct manifestation of the sponsorship arrangement i.e. use of brand logo and name).

Sponsorship agreements themselves — as contracts with third-party sporting bodies, clubs, media organisations, events and athletes — fall outside ABAC Code jurisdiction, as these parties are not within ABAC's regulatory remit.

This means the CTICP and the ABAC do not restrict the broadcast of a sports event where alcohol branding will be visible on players’ uniforms or in-stadia. In practical terms however, the actual audience of broadcast sports events are predominantly adults irrespective of the time of day of the broadcast. This is demonstrated by ABAC Panel determinations that have drawn on ratings data for various sports broadcast such as:

- Determination 5/23 - test cricket 96% adult audience
- Determination 186/20- one day international cricket 93% adult audience
- Determination 33, 34 & 43/25- AFL 96% adult audience
- Determination 67/24 - NRL 93% adult audience
- Determination 200/24 - Matilda’s football 97% adult audience

Determination 21/24 concerned advertising during the pseudo sports program ‘Gladiators’. This program drew an 85% adult audience.

In 2024, ABAC developed a [Sponsorship Best Practice Guide](#) in two parts: (1) identifying ABAC Code standards that apply to marketing arising from a sponsorship arrangement; and (2) assisting companies to assess the suitability of a proposed sponsorship and its implementation. The Guide includes examples of Panel decisions on in-stadia promotions.

Case Study 3 above illustrates the application of ABAC standards to sponsored collaborations during programming (integrated content advertising).

4. Alcohol Advertising on Video on Demand and Digital Services

A growing proportion of Australians now access free-to-air television content via internet-connected devices (broadcaster VOD, AVOD, SVOD). This creates a significant regulatory asymmetry:

- When watching via an aerial, time-of-day restrictions on alcohol advertising under the CTICP apply.
- When watching exactly the same content via a connected television or internet-enabled device, the CTICP does not apply, and no equivalent time-of-day restrictions are in place for alcohol advertising.

While the ABAC Code standards apply to content via a connected television or internet-enabled device, (i.e. available age restriction controls must be used and the 80% adult audience benchmark for alcohol advertising) consumers often assume that time of day restrictions apply regardless of how they access free-to-air content.

This has generated complaints to ABAC from viewers watching via streaming who observed alcohol advertising at times when they would not expect to see it.

This issue was raised in submissions to ABAC's 2023 Code Review and has been addressed through ABAC's regulatory tools. In 2024, ABAC convened a digital working group of technical experts and incorporated targeted guidance on connected television into its Digital Best Practice Guide:

Digital commercial television via a connected television

7. Increasingly commercial television network content (SBS, 7, 9 and 10 networks) is being viewed on a connected television device, which is a platform that invites co-viewing, as with terrestrial television broadcasts. The ABAC Code placement standards (refer Part 1) include three separate requirements that cumulatively reduce the likelihood of alcohol and alcohol alternative ads being placed when minors are viewing digital television content:
 - Available age restriction controls must be applied, restricting placement to 18+ logged in users, and when combined with programmatic 18+ age targeting, also excludes those who appear to be under 18 based on interests and behaviours of that viewer (refer paragraph 6);
 - Placement is restricted to audiences reasonably expected to comprise at least 80% adults (i.e. content skewed toward an adult audience); and
 - Placement is prohibited with programs or content primarily aimed at minors.
8. In addition to the platform neutral placement requirements in the ABAC Code, when placing alcohol and alcohol alternative marketing with digital commercial television content via a connected tv, to further reduce the risk of alcohol ads appearing during family co-viewing when minors are present, alcohol marketing should not be placed:
 - During any C or P classified content (to extend the restrictions in *Broadcasting Services (Australian Content and Children's Television) Standards 2020* to commercial television digital streaming);
 - During any G classified content (excluding the occasions set out in clauses 6.2.1(b) and (c) of the Commercial Television Industry Code of Practice, namely during a Sports Program on a Weekend or a Public Holiday, or a live Sporting event); or
 - Between 5am and midday.

Under the ABAC Code, alcohol marketers placing advertising — including broadcast and digital commercial television — are required to:

- Apply available age restriction controls. Where a connected television is set up with the profile of the youngest viewer and that viewer is aged under 18, alcohol advertisements will not appear with commercial television broadcasts on that connected television. Similarly if all viewers set up accounts on their personal devices with their correct date of birth, minors will not receive alcohol advertisements.

- Where no age restriction controls are available, ensure the reasonably expected audience is at least 80% adult. (Given the co-viewing nature of connected television, the 80% standard is applied as a default for this medium.) This threshold was increased to 80% during the 2023 ABAC Code Review on the basis of 2021 Census data showing the population is aging and comprises 78.3% adults. An 80% threshold ensures that alcohol ads are only placed where the audience is skewed toward adults.
- Never place alcohol advertising with content primarily aimed at under-18s, regardless of other safeguards.
- Ensure alcohol advertising content does not have strong or evident appeal to minors or feature persons under 25.

The ABAC Code takes a different approach to the CTICP's time-of-day restrictions, requiring the use of actual audience measurement (Ozdam data) and active targeting controls rather than proxy time-based rules. ABAC submits that this audience-measurement approach offers a more precise and media-neutral safeguard across traditional broadcast and digital platforms.

Is the Current CTICP Appropriate?

The Legislative Scheme

Part 9 of the BSA deals with content rules, program standards and codes of practice. Section 123 (1) states it is the intention of the parliament that the industry group representing commercial broadcasting licensees develop, in consultation with the ACMA a code of practice applicable to broadcasting operations. Section 123 (2) lists the potential subject matter of the code that includes:

- preventing the broadcasting of programs that, in accordance with community standards, are not suitable to be broadcast with a high priority given to protecting children
- methods of classifying programs that reflect community standards
- broadcasting time devoted to advertising

Section 123 (3) specifies the community attitudes to be taken into account when considering the community standards that are to be reflected in classifying programs that may not be suitable for broadcast. This includes attitudes to the portrayal in programs of the use of drugs, including alcohol and tobacco.

Section 123 (4) states that the ACMA must register a code if satisfied the code provides appropriate community safeguards for the matters covered by the code

Section 123B empowers the ACMA to review whether a registered code is appropriate in its application to the broadcasting operations of commercial television licensees. If ACMA believes the code is not appropriate, it can request that industry develop a replacement code. Alternatively it might make a program standard under section 125 if satisfied on convincing evidence that the code is not operating to provide appropriate community safeguards for a matter under section 123 (2) and that it should determine a standard in relation to that matter.

Taken as a whole, the legislative scheme creates a default position that industry should develop an appropriate code. Further, that ACMA should only not register the code or go further and act itself to make a program standard if there is convincing evidence that the industry code is not providing community safeguards and ACMA can, in effect, achieve better outcomes through direct regulation.

Relevant Considerations and Overview of ABAC's Submission

ABAC's submission is that, assessed in context, the CTICP is appropriate — but can be enhanced.

In ABAC's view, in assessing if there is convincing evidence that the CTICP no longer provides appropriate community safeguards, ACMA should:

- view the regulatory regime for alcohol marketing holistically and not take actions that further fragment regulatory outcomes based on technology;
- recognise the relative movement in alcohol marketing from free-to-air TV to digital channels;
- recognise that while alcohol industry sponsorship of sports is a legitimate public policy question, any change should properly be determined by government and the parliament; and
- not move towards making a program standard but seek improvements in the CTICP.

Each of these considerations is examined below.

The Wider Regulatory Framework Must Be Considered

The CTICP does not operate in isolation and the assessment of its appropriateness in providing community safeguards must take account of the full matrix of alcohol marketing regulation and how the CTICP holistically interacts with the regulatory regime. Some of the regulatory requirements are technology neutral while others are specific to the medium by which the marketing is conveyed. The most important regulatory requirements are sourced in:

- Federal Competition and Consumer Act and State Fair Trading legislation.
- State and Territory Liquor Acts and alcohol promotion guidelines (with direct enforcement powers).
- AANA Code of Ethics and Ad Standards complaints process.
- The ABAC Responsible Alcohol Marketing Code (encompassing content, placement and packaging).
- The Commercial Television Codes of Practice.

This framework operates across direct regulation, co-regulation, and self-regulation, with multiple layers of thematically aligned restrictions. For example, the ABAC Code's requirement that alcohol marketing must not have 'strong or evident appeal to minors' is mirrored in State Liquor Promotion Guidelines, which are enforceable via banning notices and fines.

The National Alcohol Strategy recognises that consistent placement and content rules across all media, regardless of programming, are desirable. The ABAC Code includes content and placement rules that are media technology neutral aligning with this aim. This aim is consistent with providing a fair and equitable environment where all businesses operate under the same regulations. It is important to recognise that broadcast television is only one part of a much broader regulatory framework and that developing a standard for one diminishing media platform within this broader framework will complicate an already comprehensive and complex system.

Where the relevant test is whether there are adequate community safeguards in relation to alcohol advertising, the CTICP is not acting in isolation, and the broader regulatory framework, including the ABAC system which covers both the content and placement of alcohol advertising must be considered.

The Relevance of Free-to-air Television for Alcohol Marketing is Declining

The data in Charts 1-5 above demonstrates that alcohol marketing on free- to-air TV is declining as a proportion of all alcohol marketing. Further, complaints data suggests that community concern about alcohol marketing via broadcast television is not great, in particular:

- Television marketing is a relatively low proportion of ABAC pre-vetting checks (despite it being mandatory for signatories to pre-vet this category) and is significantly lower than digital, outdoor, point of sale and print advertising (Chart 1).
- The proportion of Panel decisions relating to alcohol advertising on broadcast television has trended downward since approximately 2014, with digital marketing now generating the vast majority of complaints and breaches (Chart 2).
- In 2025, only 5% of Panel decisions related to broadcast television, and none of those resulted in a breach finding. A smaller proportion again related to digital and subscription television (Chart 3).
- Placement standard breaches (Part 4) were highest in the period immediately after those standards were introduced and have since declined (Chart 4).
- The top three categories attracting public complaints to Ad Standards are Political or Election, Food and non-alcohol beverage and health products. The alcohol category attracts less than 4% of all public complaints about advertising (Chart 5).

Alcohol Industry Sponsorship of Sports

Alcohol industry sponsorship of sports is a legitimate public policy question, however it has broader impacts than for broadcast television, impacting on a range of matters beyond the scope of ACMA, including sporting codes at both a professional and grass-roots level and a very broad range of policy considerations. It is therefore, more appropriately, a matter for government and the parliament.

In 2025 ABAC received 11 complaints about alcohol advertising associated with sport across a range of channels including broadcast television and digital. This is a small proportion of the 196 total complaints received – 5.6%.

In late 2025, ABAC commissioned JWS Research to conduct research on community attitudes towards alcohol marketing and to test if ABAC standards and complaint decisions align with community expectations. Of the nationally representative sample of 1500 Australians aged 18 and above, only 0.7% raised a concern about alcohol advertising during sport/sporting broadcasts:

- 23% (341 people) said they had read, seen or heard an alcohol ad or packaging that concerned them in the last 12 months. These 341 people were asked what had concerned them and 45% responded that they could not recall. Of the 189 that included a response, 7 responded raising alcohol advertising at sports or during televised sports.
- 25% (370 people) said that they were somewhat or very concerned about alcohol advertising packaging and labelling in Australia. These 370 people were asked why, and 12% could not recall why they were concerned. Of the 324 that included a response, 5 responded raising alcohol advertising at sports or during televised sports.

Evidence Does Not Support a Program Standard

National Alcohol Strategy-Relevant Indicators of Change

To measure progress, each Priority Area of the National Alcohol Strategy specifies relevant indicators of change. Priority Area 2, which incorporates alcohol marketing, lists the following indicators:

- Lifetime risk: Proportion of people exceeding the National Health and Medical Research Council (NHMRC) guidelines for lifetime risk
- Single occasion risk: Proportion of people exceeding the NHMRC guidelines for single occasion risk
- Very high alcohol consumption: Proportion of population consuming 11 or more standard drinks on a single occasion at least monthly
- School children: Proportion of school students (aged 12–17) who drank more than four

- drinks on one day in past seven days
- Age first tried alcohol: Average age at which young people aged 14–24 first tried a full serve of alcohol
- Total alcohol consumption per capita.

Decrease in Overall Alcohol Use by Young People

Data on Australian adolescents' alcohol and other substance use including trends over time is available from the 2022/2023 ASSAD survey report [here](#). The latest survey found that since 2017 there was a decline in alcohol consumption by secondary school students.

Long-term data from the Australian Institute of Health and Welfare (AIHW) *National Drug Strategy Household Survey* shows sustained improvement in alcohol-related harm, particularly among young people. Comparing 2001 and 2022-2023 data:

- Consumption of alcohol in the previous 12 months for young people aged 14–17, the proportion who had consumed alcohol in the previous year dropped from around 69% to 31%.
- People who drink daily declined from 8.5% to 5.2%.
- Risky or harmful consumption across all age groups decreased from 38.1% to 30.7%.
- Age of first alcohol consumption increased from 14.7 to 16.1 years of age.
- Young people aged 14-17 drinking alcohol at risky levels declined from 30.7% in 2001 to 9.5% in 2019 to 5.5% in 2022-23

A [global IARD report](#) identified Australia as one of only three countries to achieve a 40% or greater reduction in underage drinking since 2010.

Recent Flinders University research found that Gen Z are nearly 20 times more likely to choose not to drink alcohol compared to Baby Boomers, even after adjusting for sociodemographic factors. The researchers observe that this isn't just a phase; it appears to be a sustained change in behaviour that could have long term public health benefits. Not only are Gen Z more likely to abstain, but they also consume significantly less alcohol per week than older cohorts. Millennials, too, are drinking less than Baby Boomers, suggesting a broader cultural shift away from alcohol. Refer [here](#).

While the headline data on consumption levels, particularly concerning minors, is positive, alcohol misuse causes considerable individual and community harm. ABAC is committed to maintaining and enhancing a strong regulatory system that has the objective of marketing consistent with the objectives of the National Alcohol Strategy for the reduction of harm from adult alcohol consumption. ABAC will continue to enhance its proactive regulatory stance to support this objective.

Community Standards Research Supports the Current Framework

The key findings of the JWS Research community research revealed:

- Alcohol advertising ranked last of 14 tested societal concerns, with only 12% of respondents viewing it as a significant concern — down from 16% in 2021.
- 64% of respondents (up from 60% in 2021) reported no concerns about alcohol advertising, labelling or packaging in the past 12 months.
- Strong community support for current ABAC placement guidelines, including restrictions on advertising during programs primarily aimed at minors.
- Of 14 advertisements and packaging examples tested, Panel decisions were found to be 'mostly in alignment with or more conservative than current social norms' — confirming the Panel interpretation of ABAC standards is meeting community expectations.
- The Report concluded that the ABAC Code and content standards remain an accurate reflection of Australians' views regarding standards for alcohol promotion, with key concerns about alcohol advertising, packaging and labelling covered by the Code.

ABAC Complaint and Breach Data Supports the Current Framework

ABAC's own regulatory data further supports the adequacy of current safeguards for broadcast television:

- Alcohol advertising accounted for less than 4% of all public complaints to Ad Standards in 2025 (a reduction on prior years).
- A small proportion of overall complaints related to alcohol advertising during sport on broadcast television.
- Broadcast television accounted for only 5% of Panel decisions in 2025.
- No broadcast television breaches were recorded in 2025.
- Placement standard breaches have declined since the standards were introduced in 2017.

ABAC's recent environmental scan of the alcohol marketing regulatory landscape did not identify alcohol advertising on broadcast television as posing a systemic regulatory risk.

Section 125 of the BSA empowers the ACMA to determine a standard where there is convincing evidence that a registered code is not operating to provide appropriate community safeguards, and that a standard is warranted.

ABAC submits that the evidence does not support that threshold being met. The positive harm trends, community standards research, and complaint data summarised above are inconsistent with a finding of convincing evidence that community safeguards for alcohol advertising on broadcast television are inadequate. The CTICP, operating within the broader regulatory framework, is producing the outcomes the framework is designed to achieve.

Enhancing the CTICP

ABAC submits that the ACMA's objectives would be better served by targeted enhancements to the existing shared regulatory framework, rather than the determination of a program standard. Specifically:

Recommendation 1

Align the CTICP definition of 'commercial for alcoholic drinks' with the ABAC definition of 'alcohol marketing communication' to capture newer forms of advertising (such as product placement, advertorials and cross-category brand promotions) that are not currently subject to CTICP placement restrictions. This would ensure that the television industry's obligations support ABAC signatory commitments to responsible marketing across all forms of alcohol promotion.

Recommendation 2

Incorporate the ABAC placement standards from Part 4 of the ABAC Code into the CTICP — in particular the 80% adult audience requirement and the prohibition on advertising with content primarily aimed at minors. This would extend these protections to programs broadcast outside current CTICP time-of-day restrictions, align the two codes' placement standards, and provide a media-neutral safeguard consistent with the ABAC approach to digital advertising.

These recommendations would strengthen the complementary relationship between the CTICP and ABAC, close identified gaps, and enhance community safeguards for alcohol advertising on broadcast television without the complexity or jurisdictional issues associated with a program standard.

Further information about the ABAC Scheme is publicly available at www.abac.org.au. The ABAC Annual Report 2025 includes current information about ABAC's operations and outcomes and is available via this [link](#).

ABAC is available to provide further information or clarification on any aspect of this submission.

Hon Tony Smith

Chair, ABAC Management Committee

30 April 2026