Australian Government | acma Australian Communications and Media Authority

Review into alcohol advertising restrictions in the Free TV code

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Executive summary

The Australian Communications and Media Authority (ACMA) commenced this review in March 2026 to better understand the operation of the alcohol advertising provisions within the Commercial Television Industry Code of Practice 2015 (Free TV code) and whether they provide appropriate community safeguards for modern Australian TV viewing audiences.

We heard and examined extensive evidence from a wide range of government, health, sporting, alcohol and broadcasting experts and industry stakeholders. It is well-established that alcohol consumption is a leading cause of public health and broader societal harms, such as domestic, sexual and family violence. There is also credible evidence that alcohol advertising has an impact on alcohol consumption and attitudes.

We found that community concerns about alcohol advertising on free-to-air TV (broadcast TV) in Australia are consistently high but lower than concerns on other issues like gambling advertising. At the same time, alcohol advertising on television represents a relatively small but important revenue stream for broadcasters and is an important means for the alcohol industry to connect with potential consumers. We also acknowledge evidence provided by the sports industry that the ability to commercialise broadcast and media rights through alcohol advertising on broadcast TV represents a component of their overall business model.

We consider that targeted and proportionate changes should be made to the current regulatory settings to ensure that broadcast TV continues to provide appropriate community safeguards in relation to alcohol advertising. We make 4 recommendations on this basis.

Recommendation 1

Free TV Australia (Free TV) removes clauses 6.2.1(b) and 6.2.1(c) – which we refer to as the 'sports exemptions' – from the Free TV code.

On the balance of the evidence, these clauses should be removed because:

- they allow alcohol advertising to be placed at times when large numbers of children are watching TV, particularly during major sporting events
- advertising during sports was the leading issue of concern in submissions to the review, with 4 in 5 discussing the issue and more than half of all submissions (56%) in favour of further regulatory intervention, including from the Department of Health, Disability and Ageing, Cancer Council Australia and the Australian Medical Association
- their operation is inconsistent with the recommendation of the Expert Panel's report, Unlocking the prevention potential: Accelerating action to end domestic, family and sexual violence (Rapid Review) for alcohol advertising to be restricted during sporting events[1]
- they provide exemptions for alcohol advertising to be seen in conjunction with sport that are not afforded to other restricted products on broadcast TV, such as gambling and intimate products
- there are no equivalent or comparable exemptions found in the regulation of alcohol on broadcast TV in other comparable countries that regulate alcohol advertising on TV.

While we accept that alcohol advertising on broadcast TV contributes economic benefits to the sports, alcohol and broadcasting sectors, our analysis of independently procured ad-spot data concluded that the sports exemptions specifically do not appear to be widely used by

advertisers – only 3.7% of total alcohol ads in the 2024–25 financial year were shown during times only permitted through the sports exemptions. We did not receive any evidence from industry quantifying the economic contribution of the sports exemptions.

Recommendation 2

Free TV expands the current definition of 'commercial for alcoholic drinks' (at section 8 of the Free TV code) to capture other forms of direct and indirect alcohol advertising on broadcast TV, such as advertorials.

This will better align definitions of what constitutes alcohol advertising within the Free TV code to the industry standard definition set out by the ABAC Responsible alcohol marketing code 2024 (ABAC code). Expanding this definition would help to ensure that the Free TV code protections extend beyond commercials to other forms of broadcast TV marketing, reducing regulatory misalignment with the ABAC code and improving consistency in consumer safeguards.

Under the co-regulatory broadcasting framework in Australia, industry groups, such as Free TV, are responsible for developing and updating broadcasting codes of practice. The ACMA is unable to directly amend existing code provisions. Consistent with these coregulatory principles, we provide Free TV the opportunity to address these issues first through amendments to a future revised version of the code. These changes should be made within a reasonable timeframe and include public consultation on the draft code.

If the ACMA is not satisfied that a revised code provides appropriate community safeguards in regard to alcohol advertising, it remains open to the ACMA to determine a program standard in relation to alcohol advertising. This is the most significant regulatory intervention available to us under the co-regulatory framework.

Recommendation 3

Free TV voluntarily extends the Free TV code to its online services, such as 7Plus and 9Now. The ACMA does not currently have the power to compel broadcasters to take such action.

Our research has repeatedly shown that audiences want and expect consistent content safeguards across broadcast and online television services. This is supported by the September 2026 House of Representatives' Standing Committee on Health, Aged Care and Disability's Report on the health impacts of alcohol and other drugs in Australia, which recommends that the Australian Government ensures there is harmonisation of alcohol advertising and marketing across relevant frameworks (including broadcasting services standards) and platforms (including television and online).

Recommendation 4

We acknowledge the well-established concerns raised in this review by government entities, health experts and advocacy groups about the link between alcohol advertising, higher levels of alcohol consumption and increased levels of risky drinking. These behaviours can lead to societal harms, including public health harms and domestic, family and sexual violence.

Aside from the targeted recommendations we make in this report, the co-regulatory broadcasting regime under the *Broadcasting Services Act 1992* is limited in its scope to assess this complex public health issue.

Recommendation 4 seeks that the Australian Government considers these concerns at a holistic, whole-of-government systems level.

Broadcast TV represents only one source of the community's exposure to alcohol advertising. Many concerns raised by stakeholders relate to alcohol advertising seen online, in person, in-stadia, on jerseys, outdoors and in other forms that fall outside the scope of this review and the ACMA's remit. While we provide some commentary on these issues, we consider they would be more appropriately considered by government in a holistic manner.

This aligns with recommendations from other recent inquiries – for example, the September 2026 House of Representatives' Standing Committee on Health, Aged Care and Disability's Report on the health impacts of alcohol and other drugs in Australia recommends that the Australian Government establishes a new mandatory alcohol advertising and marketing framework.

The government's consideration of this matter should not impede or delay Free TV Australia's ability to make changes to its code.

Acknowledgements

The ACMA acknowledges and sincerely thanks stakeholders and participants for their constructive engagement and the high-quality submissions provided to this review. In line with our submission publication policy, non-confidential submissions are available on our website.

Table of recommendations

Recommendation 1 To: Free TV Australia	Remove the 'sports exemptions' at clauses 6.2.1(b) and 6.2.1(c) in the Free TV code. If Free TV Australia does not submit a revised code to the ACMA for registration that provides appropriate community safeguards regarding alcohol advertising, it is open to the ACMA to determine a program standard in relation to this matter.
Recommendation 2 To: Free TV Australia	Expand the definition of 'commercial for alcoholic drinks' at section 8 of the Free TV code to capture other forms of direct and indirect alcohol advertising on free-to-air broadcast TV, such as advertorials.
Recommendation 3 To: Free TV Australia	Voluntarily extend the Free TV code to television content provided online.
Recommendation 4 To: Australian Government	Holistically consider the concerns raised about alcohol advertising and the potential link to public health and broader societal harms, such as domestic, family and sexual violence, including: • potential gaps and inconsistencies in alcohol advertising regulation across broadcast, streaming, social media and other platforms • alcohol advertising exposure generated through mediums outside the scope of this review, for example, in-stadia, jersey and integrated content advertising.

Regulatory context

Our role

We are the independent statutory authority responsible for the regulation of broadcasting, radiocommunications and telecommunications in Australia.

The Broadcasting Services Act establishes a co-regulatory framework, under which broadcasting industry groups develop, review and administer codes of practice. These codes are registered by the ACMA if they meet the statutory requirements.[2]

Our ability to affect direct change to the codes is limited. The responsibility to develop and update codes of practice lies with industry groups. For the commercial TV sector, the industry group is Free TV. Under the framework, we cannot compel an industry group to conduct a code review or directly amend or remove existing codes or specific provisions within them. However, industry is required to take into account relevant research by the ACMA, including this review, in developing its code. In certain situations, we can intervene by determining a program standard, which imposes mandatory requirements across the relevant sector.[3]

How did we get here?

In March 2025, Free TV completed its review of the Free TV code and submitted a revised code to the ACMA for registration.

In June 2025, we announced our decision not to register the revised code, as we were not satisfied it provided appropriate community safeguards. Of particular concern to the Authority was the proposal to extend the time when M classified content would be permitted. This would have allowed more alcohol advertising to be shown at times when children might be watching.

Free TV's public consultation process in 2024 also surfaced community concern about the existing alcohol advertising provisions, in particular, the exemptions for sporting programs broadcast outside of the M classification time zones.

In response, we commenced this review. The purpose of this review was to provide a fact base for:

- industry as relevant research to be considered in the development of a revised code under section 123 of the Broadcasting Services Act, and
- the ACMA to assess whether the Free TV code provides appropriate community safeguards for alcohol advertising and, if not, whether we should determine a program standard under section 125 of the Broadcasting Services Act.

The review process

The review involved:

- an 8-week public consultation process, which received 96 submissions, including 56 submissions from organisations
- targeted stakeholder engagement with industry organisations, health advocates, state and Australian government entities and regulators from the United Kingdom, Ireland and Canada
- a review of independently procured data on the placement of alcohol advertising on free-to-air commercial television during the 2024–25 financial year
- assessment of existing evidence available to us, including submissions to Free TV's 2024 code review process, publicly available research, and parliamentary and independent reviews.

Alcohol advertising rules

What are the placement rules for alcohol ads on broadcast TV?

The Free TV code regulates broadcast TV.[4] It does not apply to online broadcast video-on-demand services (BVODs) such as 7plus, 9Now and 10. The ACMA has previously urged industry, including Free TV, to voluntarily apply their code to these services, in line with changes to viewing behaviours and consumer expectations. Industry has not agreed to do this. The ACMA does not have powers to regulate online content under the Broadcasting Services Act with the exception of Australian content requirements and gambling advertising online in conjunction with live sport.[5]

Under the Free TV code, alcohol advertising is defined as a commercial that directly promotes the use or purchase of one or more alcoholic drinks. The Free TV code excludes 'zero-alcohol' alternatives from its definition of alcohol advertising, which also contains a range of specified exemptions, such as some sponsorship announcements, incidental depictions of alcohol and advertising for certain licensed venues.[6] Under the Free TV code, commercials refer to an advertisement placed within a program break or between programs and for which a licensee receives payment or other valuable consideration.

Our review is focused on when alcohol advertising commercials can be shown on broadcast TV.

Under the Free TV code, alcohol commercials can be broadcast anytime between 8:30 pm and 5 am, any day of the week, which broadly aligns with the MA15+ classification zone. The Free TV code also permits alcohol advertising during certain daytime periods in M classification zones and in connection with some sports broadcasts (see Table 1). In this report, a reference to the 'sports exemptions' means both the weekend sports exemption and the live sport simulcast exemption.

Table 1: Permitted times for alcohol advertising commercials under the Free TV code

Category	Time	
M classification zone (except between 5 am and 6 am, and 7:30 pm and 8:30 pm[7])	School days	8:30 pm to 5 am 12 noon to 3 pm
	Weekends, school holidays and public holidays	8:30 pm to 5 am
Weekend sports exemption	As an accompaniment to a sports program on a weekend or a public holiday	
Live sport simulcast exemption	As an accompaniment to a live sporting event broadcast simultaneously across more than one licence area, if either the M-zone or weekend sports exemptions are satisfied for: i. the licence area in which the live sporting event being broadcast is held, for an event taking place in Australia ii. the majority of metropolitan licence areas in which the live sporting event is shown, for an event taking place overseas.	

What other rules apply to alcohol ads on broadcast TV?

In addition to the Free TV code, there are other regulatory schemes and rules that apply to alcohol advertising on broadcast TV, which also regulate the content of alcohol advertising.

Alcohol Beverages Advertising Code (ABAC) Scheme

The ABAC Scheme is a not-for-profit organisation funded by industry and established to promote responsible marketing of alcohol. ABAC self regulates alcohol advertising and implements and enforces the ABAC code. It applies to advertising in any media and regulates both the placement and content of alcohol advertising.

The ABAC code applies to marketing communications for alcohol or alcohol alternatives within the reasonable control of a producer, distributor or retailer that has a link to Australia, with some exceptions (see part 2(b) of the ABAC code).

Relevant to the review, the placement standards under part 4 require a range of reasonable steps to be taken to ensure marketing is only directed to adults, and mandates that alcohol and alcohol-alternative marketing communications (among other things):

- must comply with code provisions that have been published by Australian media industry bodies (for example, the Free TV code)
- must apply available age restriction controls
- if the media platform does not have age-restriction controls available, may only be placed where the audience is reasonably expected to be comprised of at least 80% adults
- must not be placed with programs or content primarily aimed at minors.

The ABAC Scheme has also developed Guidance notes to assist advertisers to interpret the ABAC code.

Australian Association of National Advertisers Code of Ethics 2021

In addition to the ABAC Scheme, alcohol advertising is also subject to the Australian Association of National Advertisers' Code of ethics 2021, a self-regulatory industry code that applies to advertisers across all media.

How common are complaints about alcohol ads on broadcast TV?

The ACMA has received few complaints from the community about alcohol advertising on broadcast TV, which does not provide robust evidence of the effectiveness of current safeguards. Low numbers of complaints may indicate either high compliance, low community concern, or low awareness or engagement with complaint mechanisms.

The ACMA has not assessed a code-compliant complaint relating to alcohol advertising on broadcast TV in the period 1 January 2024 to 18 August 2026.[8]

According to ABAC's 2025 Annual report, only 5% of its determinations related to alcohol advertising via broadcast TV, with no determinations resulting in a breach. [9] The report notes that alcohol marketing via digital media (particularly social media), continued to be the most common medium considered in determinations (82%) and the most common medium to result in a breach (94%) of ABAC standards by a considerable margin.

According to Free TV's submission to the review, over the last 8 years, complaints in relation to 'alcoholic drinks' under the Free TV code have also consistently been low, with broadcasters receiving fewer than 5 complaints in most years.[10]

Submissions to the review

The review included an 8-week public consultation process, which closed on 30 April 2026.

We received 96 submissions, from 59 organisations (61%) and 37 individuals (39%). All non-confidential submissions were published on 25 May 2026.[11]

Submissions from organisations included:

- 14 from the alcohol industry
- 2 from the broadcasting industry
- 2 from the advertising industry
- 27 from health advocacy organisations
- 2 from government bodies
- 12 from sports organisations.[12]

Submissions that commented on key issues	
Advertising during sports	77 (80% of submissions)
Impact on children	68 (71% of submissions)
Limitations of the Free TV code and the ACMA's remit over online content	50 (52% of submissions)
Impact on domestic, family and sexual violence	45 (47% of submissions)
In-stadia and integrated content	28 (29% of submissions)
Impact on sports sector	23 (24% of submissions)
Societal costs of alcohol	19 (20% of submissions)
Impact on TV industry	18 (19% of submissions)
Impact on alcohol sector	9 (9% of submissions)

Key findings and recommendations

Community concern about alcohol advertising is consistently high, but lower than community concern on other issues

A deep understanding of the broader community's views about the alcohol advertising provisions in the Free TV code is central to our role under the Broadcasting Services Act. Community expectations change over time, and it was crucial for this review that we understood how contemporary audiences felt about the current restrictions for alcohol advertising on TV.

Many submissions included commissioned research about community sentiment towards alcohol advertising, some of which yielded different and, at times, opposing results.

- Ad Standards' consumer polling conducted in November 2025 found alcohol advertising was rated as Australians' 13th issue of most concern in advertising, with only 1% rating alcohol advertising as their number one issue.[13] In this survey, gambling advertising ranked first with 67% of Australians nominating it as an issue of concern.
- The Foundation for Alcohol Research and Education (FARE) polling conducted in February 2026, showed that 75% of Australians support less alcohol advertising on TV, with 82% agreeing alcohol advertising should be restricted during children's viewing hours, including during live sports broadcasts.[14]
- Free TV's commissioned independent community polling conducted in early March 2026 showed that alcohol consumption (including problem drinking) was rated the second-least important of the issues tested, ranked as less important than smoking and vaping, illegal drug use, cost of living, health, housing and crime.[15]
- The ACMA's research, What TV viewers expect: Safeguards for free-to-air and on-demand TV content, conducted in June 2025, surveyed Australian adults on their expectations for TV, streaming and on-demand content. The report shows that restrictions on advertising for 18+ products, such as gambling and alcohol, were considered to be among the most important safeguards for viewers of content other than news (77%).[16] The research found mixed views on alcohol advertising during sports programs, with 21% of viewers considering it 'completely appropriate', 34% 'somewhat appropriate', 20% 'somewhat inappropriate' and 21% 'not at all appropriate'.

There is insufficient evidence to conclude that any one study, including our findings on community sentiment, is superior to another. Rather, differences in reported community concern appear strongly associated with the survey design and question framing. Industry-sponsored studies generally measured alcohol advertising alongside a range of broader social issues, whereas advocacy-sponsored studies asked respondents directly about alcohol advertising and support for restrictions.

On balance, our view is that while community concern about alcohol advertising is lower than issues such as gambling advertising, there are still consistently high levels of concern, particularly around children's viewership.

We have observed high and consistent levels of concern about children's exposure to alcohol advertising, particularly in relation to sport. This may indicate that the current regulatory settings do not provide adequate community safeguards.

Several submissions also reported substantial support for measures aimed at limiting children's exposure to alcohol advertising, particularly during periods when children are likely to be watching broadcast TV. This finding was evident even where overall concern regarding alcohol advertising was relatively low. We note community concern about these provisions have been consistent over time – our 2022 research, What audiences want: Audience expectations for content safeguards, found there was community concern about alcohol advertising being shown in conjunction with sport.[17]

Alcohol advertising represents a small but meaningful revenue stream for broadcasters and the sports industry

Under the Broadcasting Services Act, we are required to ensure that our considerations about alcohol advertising safeguards are addressed in a way that does not impose unnecessary financial and administrative burdens on the broadcasting industry.

Free TV submitted that alcohol advertising represents a small but meaningful revenue stream for broadcasters, and its restriction or removal would compound existing financial pressures. According to Free TV:

- over the last 10 years (from 2016 to 2025), commercial TV broadcasters saw a fall in revenue, from $3.702 billion to $2.995 billion
- alcohol beverage advertising expenditure on Australian television fell from $42.7 million in 2019 to approximately $25.5 million in 2025.[18]

We acknowledge that this review has taken place in a context where commercial TV broadcasters are facing economic challenges – Free TV submitted that they have faced a 19% decrease in overall revenue from 2016 to 2025.[19]

Submitters' views on the economic impacts of alcohol advertising on broadcast TV are contested, for example:

- the Australian Association of National Advertisers claims that a ban on alcohol advertising would reduce Free TV revenue by nearly $12 million, including over $2 million from regional TV[20]
- the Dalgarno Institute submitted that a full ban of alcohol advertising would have minimal economic impact to broadcast TV. [21] It submitted it would be manageable relative to total advertising revenue and negligible compared to general societal cost[22]
- the Australian Government, through the Department of Health, Disability and Ageing, submitted that a ban on alcohol advertising during sport events is unlikely to have major financial impacts on broadcasters.[23] It cited Nielsen data over 12 months for the 10 highest-spending alcohol brands across major television networks in Australia and found that alcohol advertising during sports events accounted for approximately 0.5% of revenue for the most exposed network[24]
- the NRL, Golf Australia, the Australian Turf Club and NSW Rugby League each submitted that the ability for broadcasters to commercialise broadcast and media rights through advertising, including alcohol advertising, is an important downstream component of their commercial models[25]
- SBS stated that additional alcohol advertising restrictions would substantially impact its services, and lost revenue is unlikely to be mitigated with the replacement of other advertising categories [26]

- Alcohol Beverages Australia highlighted that advertising contributing to the sustainability of broadcast TV is particularly important in the context of live sport, where advertising and sponsorship revenue directly support media rights agreements.[27]

According to our analysis of independent alcohol placement data from the 2024–25 financial year, sports programs accounted for 10.4% of programs when alcohol advertisements are shown on broadcast TV.[28]

While alcohol advertising appears to be a small component of broader advertising revenue for broadcast TV, we acknowledge that its economic benefit is meaningful for the alcohol, broadcasting and sporting sectors.

Without definitive evidence of the direct and real benefit of banning alcohol advertising on commercial broadcast television, a ban would be a blunt regulatory instrument with uncertain outcomes and would impose significant costs on an industry that is already facing sustainability challenges. Significant restrictions or a ban on alcohol advertising on only one media type may merely see advertising expenditure move to another unregulated media type, such as online.

The sports exemptions are no longer fit for purpose as they lack policy rationale, expose significant child audiences to alcohol advertising and may be linked to broader societal harms

Advertising during sports was the leading issue of concern commented upon by submitters to the review, with 77 submissions discussing the issue. Of these submissions, 54 submitted they were in favour of further regulatory intervention and 23 organisations submitted they were not in favour of further regulatory intervention.

The sports exemptions at clauses 6.2.1(b) and 6.2.1(c) of the Free TV code allow alcohol advertising to be shown on broadcast TV alongside sport at times that would otherwise not be permitted. These exemptions have been a feature of Australian broadcasting rules since 1986, when the ACMA predecessor, the Australian Broadcasting Tribunal, determined the standards for advertising of alcoholic drinks on television. At the time, the exemptions were described in the standards as a ‘long-standing’ feature of broadcasting rules.[29]

Sports exemptions in conjunction with alcohol advertising are not used by comparable countries that regulate alcohol advertisements on TV.

- in the UK, there are no watershed-style time restrictions for alcohol ads on TV, nor specific restrictions prohibiting alcohol ads during live sports events. Instead, the UK relies primarily on content-based restrictions, including rules that alcohol advertising should not be targeted at people under 18 years of age

- in Canada, alcohol advertising is permitted as long as it respects the directives set out in the 1996 Code for broadcast advertising of alcoholic beverages. There are no rules in relation to the placement or volume of alcohol advertising on broadcast television, nor the broadcast of alcohol advertising or other restricted products in conjunction with sports programming, including live sporting events

- in Ireland, alcohol advertising is prohibited on television programming between 3am and 9pm, and on a sound broadcasting service on a weekday between 12am and 10am, or 3pm and 12am. There is no exception for live sport or any other genre.

Industry has argued that live sport audiences are 'overwhelmingly adult', providing data from OzTAM that 14% of the AFL Grand Final audience was under 18 years of age, among other examples.[30] However, internal analysis of the placement of alcohol advertising on broadcast TV for the 2024–25 financial year indicates that major sports events like the AFL Grand Final and State of Origin can attract large numbers of children, with up to 2 to 4 times the number of children exposed to alcohol ads during major sports events compared to non-sports programs.[31] The Cancer Council Australia provided in their submission that, in 2025, almost half a million children (498,830) watched the AFL Grand Final on broadcast TV (15.6% of the broadcast TV audience) and nationally 408,747 children watched the NRL Grand Final.[32] Alcohol advertising was able to be broadcast alongside both of these events due to the sports exemptions. In our view, these child audiences are significant and allowing a child audience of this size to be exposed to advertising for a restricted adult product appears inconsistent with the intent of the code protections.

Audience age aside, many submissions additionally raised concerns on the correlation between alcohol advertising, major sporting events and an increase in incidents of domestic, family and sexual violence. There is evidence that violence involving alcohol increases at the time of football grand finals, with an increase of 40% of 'domestic assaults' and 70% in 'non-domestic assaults' during the State of Origin.[33] This issue was acknowledged by the Rapid Review, which specifically recommended that alcohol advertising be restricted during sporting events.[34]

The existence of a direct causal link between alcohol advertising specifically on broadcast TV to these broader harms is contested in submissions to the review. Several alcohol industry submissions, including from Alcohol Beverages Australia (ABA)[35], the Australian Distillers Association[36] and the Brewers Association,[37] argue that declining overall alcohol consumption and reduced youth drinking are evidence that the current regulatory settings are working, and stronger regulation is not required.

While we acknowledge these views, on balance, we accept – as outlined in the submission from the Department of Health, Disability and Ageing – that 'alcohol advertising is directly linked to higher levels of drinking and increased levels of risky drinking' and that 'increased exposure to alcohol advertising amplifies existing harms associated with alcohol consumption'[38]. On this basis, we consider that reasonable and proportionate changes are required to the current regulatory settings.

There is limited evidence on the economic contribution of the 'sports exemptions'

There is evidence to show that the sports exemptions are not widely used by advertisers and broadcasters. Our analysis of independent alcohol advertisement placement data from the 2024–25 financial year found that approximately 84% of all alcohol advertisements were shown between 8:30 pm and 5 am, within the MA15+ classification zone, while only 3.7% of total ads in 2024–25 financial year were shown during the weekend sport exemptions.[39] Based on this data period, if the weekend sports exemption and live sport simulcast exemption were removed, this would affect less than 5% of all alcohol ads placed on broadcast TV.[40]

The relatively small proportion of alcohol advertising broadcast during the sports exemptions suggests the economic argument in favour of retaining the exemptions is limited and does not outweigh the serious public health and societal concerns. The Department of Health,

Disability and Ageing also submitted that that broadcasters are not financially dependent on this income stream, while the health and social benefits could be substantial.[41]

We acknowledge that alcohol marketing broadly, including advertising mediums outside the scope of this review (such as online, sponsorship arrangements, in-stadia and integrated program advertising), plays a meaningful role in supporting the economic sustainability and growth of the broadcasting, sporting and alcohol industries.[42] For example, COMPPS submitted that alcohol beverage brands represent some of the most significant commercial partners of its member sports. Retail Drinks Australia submitted:

Major sporting events routinely attract millions of viewers across Australia, spanning multiple demographics, including adult audiences who are the intended target of alcohol advertising. According to ThinkTV, total television advertising revenue was approximately $3.3 billion in FY2024, with sport representing a premium and commercially significant segment of that market.[43]

As noted in the Australian Government's National Alcohol Strategy 2019–2028:

The alcohol manufacturing industry, wider retail and hospitality industries, advertising, broadcasting and sporting industries play a significant role in Australia's economy and social fabric.[44]

Pernod Ricard, a spirits and Champagne company, submitted:

Alcohol advertising is an important part of how we communicate with our customers which is key to our commercial success.[45]

While we received evidence about the economic contribution of alcohol advertising generally, and submissions arguing the removal of the sports exemptions may have negative economic implications for the broadcasting, sporting and alcohol industries,[46] we did not receive any specific evidence quantifying the economic contribution of the sports exemptions or what the economic consequence of their removal would be. This could be a matter further explored by Free TV in the public consultation for a new code of practice.

The removal of the sports exemptions would be a proportionate and targeted measure – it would not ban all alcohol advertising on commercial TV, nor alcohol advertising during all sports programs. Rather, it would mean that alcohol advertising commercials can no longer be scheduled outside the established classification time zones set out in the alcohol advertising rules section of this report. It would not impact existing commercial arrangements outside our remit, such as online or in-stadia advertising.

On balance, the ACMA recommends removing the sports exemptions, as they:

- are inconsistent with the recommendations in the Rapid Review
- allow alcohol advertising during major sporting events that attract large numbers of children
- provide exemptions not afforded to other restricted products, such as gambling and intimate products
- do not feature in other comparable countries' regulatory frameworks
- are likely to have minimal economic impact on broadcasters if removed.

In Australia, industry groups are responsible for developing and updating broadcasting codes of practice, and we are unable to directly amend existing code provisions. Consistent with the principles of the co-regulatory broadcasting framework, it is appropriate to provide Free TV with an opportunity to address Recommendation 1 through amendments to a future revised

version of the code. Should Free TV not present a revised version of the code with these exemptions removed within a reasonable timeframe, it is open to the ACMA to determine a program standard – one of the most significant regulatory measures available to us under the co-regulatory framework.

Recommendation 1

Free TV Australia should remove the sports exemptions at clauses 6.2.1(b) and 6.2.1(c) in the Free TV code.

If Free TV Australia does not submit a revised code to the ACMA for registration that provides appropriate community safeguards regarding alcohol advertising, it is open to the ACMA to determine a program standard in relation to this matter.

Regulatory inconsistencies between the Free TV code and the ABAC scheme create unnecessary complexity

There are inconsistencies between the Free TV code and the ABAC code, the self-regulatory alcohol advertising framework that generally applies to all forms of alcohol advertising, irrespective of the platform. There are opportunities to align these frameworks and reduce regulatory complexity for consumers and industry.

In particular, the definition of 'commercial for alcoholic drinks' under the Free TV code does not capture wider forms of alcohol marketing within programs such as product placement, cross-category brand promotion and advertorials. It only captures paid commercials scheduled between programs or within program breaks. In some instances, third-party ads or programs primarily unrelated to alcohol products that may promote an alcohol brand or product, may be shown during children's TV programs or outside the M classification zone. This can result in some forms of alcohol advertising being permissible under the Free TV code, which would likely result in a breach finding under the ABAC code. This might include, for example, integrated alcohol advertising content being broadcast during a light entertainment breakfast TV show program.[47]

Recommendation 2

Free TV Australia should expand the definition 'commercial for alcoholic drinks' at section 8 of the Free TV code to capture other forms of direct and indirect alcohol advertising on free-to-air broadcast TV, such as advertorials.

Additionally, it could be beneficial to align the Free TV code with other industry accepted practices. Under the Free TV code, protections that apply to alcoholic beverages do not apply to zero alcohol alternatives (for example, 0.0 products). This issue has been flagged by submitters as a regulatory gap.[48] Zero-alcohol alternatives are covered by the ABAC code, which generally provides the same level of restrictions for these products as alcoholic products.[49] Submitters provided evidence that these products can be as harmful to children as advertising of normal alcoholic products.[50] There were no zero or alcohol-alternative advertisements placed on broadcast TV in the 2024–25 financial year.[51] We expect such a change would have little-to-no economic impact, based on the monitored media types covering metro TV primary.

Additional restrictions in the Free TV code cannot address all forms of alcohol advertising

Both health organisations and industry raised concerns that alcohol advertising on broadcast TV represents a small proportion of all advertising. Ad Standards' community sentiment tracker found that broadcast TV was flagged as a platform of concern by 36% of respondents – substantially lower than social media (62%), YouTube (43%) and online digital advertising (39%).[52] The broadcasting industry has argued that disproportionate restrictions on alcohol advertising on broadcast TV may displace alcohol advertising onto other mediums, rather than reduce overall exposure.[53] ABAC data indicates digital marketing generates the vast majority of its complaints and breaches. In 2025, only 5% of the ABAC panel decisions related to broadcast TV.[54]

Of the submissions received, 47 submissions (49% of submissions) specifically called for the regulation of alcohol advertising to extend to Free TV's online streaming services. The M-zone classification provisions under the Free TV code do not extend to these online BVOD services (for example, 9Now and 7plus). As a result, alcohol advertising that may be restricted on broadcast TV can still appear alongside the same content on BVOD platforms. ABAC has raised that it receives complaints from viewers who observed streaming alcohol advertising at times when they would not expect to see it.[55] This confusion has been evidenced in our research, which found that nearly three-quarters (72%) of Australian adults are aware of the Free TV code. However, many mistakenly assume it applies to all TV content, including on BVOD services (around 2 in 3 (65%) Australian adults). This research found that a large majority of Australian adults (84%) want rules to ensure TV content meets community expectations, regardless of whether it is broadcast TV or online content, with a majority (58%) also supporting consistent rules for TV content across these services.[56]

The inconsistency that the Free TV code does not apply to its online services was first raised by the ACMA in its 2022 *What audiences want* position paper:

… all broadcasters to consider whether: […] new rules need to be developed to cover live-streaming, catch-up and on-demand services to give certainty to audiences in their viewing choices.

We have regularly raised this matter with industry ever since, as part of our feedback on ongoing code reviews.

Recommendation 3

Free TV Australia should voluntarily extend the Free TV code to television content provided online.

The review raised broader public health and societal concerns beyond our regulatory remit, which require system-level consideration

That alcohol is a leading cause of public health and broader societal harms, such as domestic, family and sexual violence, is well-established and not under dispute.

It is generally accepted by many submitters to this review that advertising about alcohol can be connected to broader public health harms. The Department of Health, Disability and Ageing states in their submission:

Alcohol advertising is directly linked to higher levels of drinking and increased levels of risky drinking. Increased exposure amplifies the existing harms associated with alcohol consumption, including normalising and contributing to consumption in children and young people (Jernigan et al., 2017). This is especially apparent for people with lived experience of alcohol harm and people with alcohol dependence (ADF, 2024) … accordingly, the department considers further restrictions and safeguards are warranted [to the Free TV code] *to reduce exposure, mitigate associated harms and protect the Australian community.*[57]

Various submitters also provided evidence about the link between alcohol advertising and broader societal harms, beyond public health harms.[58] The role that both the consumption and the advertising of alcohol plays in domestic, family and sexual violence was a focus of the Rapid Review.[59] The department also highlighted that exposure to alcohol advertising disproportionately impacts First Nations communities and exacerbates existing health inequities for vulnerable populations.[60]

Alcohol advertising on broadcast TV represents one source of the community's exposure to alcohol marketing. Many stakeholder concerns raised in this review also relate to Australians' overall exposure to alcohol advertising through mediums outside of the scope of this review and the ACMA's regulatory remit, including online, in person, streaming, in-stadia, on jerseys and in other forms. Free TV Australia claims that 91% of a broadcast TV viewers' exposure to alcohol advertising is outside the remit of the Free TV code – for example, in-stadia and integrated program advertising (this might include a banner in a stadium, a logo on a jersey or an announcement by a commentator in a football match).

Ultimately, the ACMA is not a health or scientific body. The co-regulatory broadcasting framework is not the appropriate lens through which to address the broader, wide-reaching community concerns raised in this review. The ACMA, as a media and communications regulator, does not have the requisite functions or expertise to examine these issues with the attention they require. There are existing national policy frameworks, including the National alcohol strategy 2019–2028 and National drug strategy 2017–2026,[61] through which these issues can be more holistically examined.

Recommendation 4

The Australian Government should holistically consider the concerns raised about alcohol advertising and the potential link to public health and broader societal harms, such as domestic, family and sexual violence, including:

- potential gaps and inconsistencies in alcohol advertising regulation across broadcast, streaming, social media and other platforms
- alcohol advertising exposure generated through mediums outside the scope of this review, for example, in-stadia, jersey and integrated content advertising.

This recommendation aligns with Recommendation 1 of the House of Representatives' Standing Committee on Health, Aged Care and Disability's recent Report on the health impacts of alcohol and other drugs in Australia, which recommends that the Australian Government establishes a new mandatory alcohol advertising and marketing framework. The framework should ensure that:

- decisions are made to reduce exposure to children and those at greatest risk

- the collection and use of personal information for marketing is prohibited unless a person has opted in
- there is harmonisation with other relevant frameworks (for example, Broadcasting Services Standards) and across platforms (for example, television and online)
- there are appropriate monitoring and punishments for non-compliance.[62]

A holistic whole-of-government approach is consistent with other broader legislative approaches taken by government when considering appropriate advertising restrictions for other forms of restricted products or services, such as tobacco and gambling.

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[1] Department of the Prime Minister and Cabinet, Unlocking the prevention potential: Report of the Rapid Review of prevention approaches, Australian Government, 23 August 2024, p. 105.
[2] Broadcasting Services Act 1992 (Cth), section 123.
[3] Broadcasting Services Act 1992 (Cth), section 125.
[4] Changes to the Free TV Code would impact advertising on the SBS given that the advertising rules in the Free TV code are incorporated into the SBS code of practice by reference. See Submission 45, Special Broadcasting Service (SBS).
[5] Note that provisions in the Broadcasting Services Act related to gambling advertising restrictions in live sport have been repealed under the Interactive Gambling Amendment (Gambling Reform) Act 2026, which passed in August 2026 and will take effect from 1 January 2027.
[6] Free TV Australia, Commercial television industry code of practice 2015, section 8.
[7] Free TV Australia, Commercial television industry code of practice 2015, section 6.2.
[8] During this period, the ACMA is aware of 3 enquiries relating to alcohol advertising. The ACMA also received 3 invalid complaints relating to alcohol advertising on television that were referred to the relevant broadcaster during this period.
[9] Submission 84, the ABAC Scheme, p. 7. A determination is a decision made by the ABAC Adjudication Panel in response to a complaint. It assesses whether the marketing communication or its placement meets the ACAC code standards. See ABAC 2025 Annual Report.
[10] Submission 67, Free TV Australia, p. 16.
[11] ACMA, Review of alcohol advertising rules in the Free TV code.
[12] These categories are not mutually exclusive. Some entities may fit in more than one category, for example be both an independent statutory government entity and a health advocacy organisation.
[13] Submission 46, Ad Standards and, for example, Submission 50, Alcohol Beverages Australia, referring to the Ad Standards and Roy Morgan Community sentiment tracker report, wave 1 – Q2 FY26.
[14] Foundation for Alcohol Research and Education (FARE), Alcohol advertising on Australian commercial television: community attitudes, FARE, April 2026.
[15] Submission 67, Free TV Australia.
[16] ACMA, What TV viewers expect: Safeguards for free-to-air and on-demand TV content, ACMA website, February 2026.
[17] ACMA, What audiences want: Audience expectations for content safeguards, ACMA website, June 2022.
[18] Submission 67, Free TV Australia, pp. 4 and 27.
[19] Submission 67, Free TV Australia, p. 27.
[20] Submission 47, AANA, pp. 14–15. This statistic is provided by Nielsen Ad Intel Data 2025.
[21] Submission 5, The Dalgarno Institute, p. 7.
[22] Submission 5, The Dalgarno Institute, p. 7.
[23] Submission 60, Department of Health, Disability and Ageing, p. 3.
[24] Submission 60, Department of Health, Disability and Ageing, p. 3.
[25] Submission 95, National Rugby League; Submission 68, Golf Australia; Submission 92, Australian Turf Club; Submission 42, NSW Rugby League. See also Submission 36, Australian Hotels Association, pp. 2–3 and Submission 50, Alcohol Beverages Australia, pp. 11–12. See also Retail Drinks Australia submission, which notes: '… *total television advertising revenue was approximately $3.3 billion in FY2024, with sport representing a premium and commercially significant segment of that market'.*
[26] Submission 45, Special Broadcasting Service, p. 4.
[27] Submission 50, Alcohol Beverages Australia, pp. 11–12.
[28] Nielsen Ad Intel spend estimates, July 2024 to June 2025.
[29] Australian Broadcasting Tribunal, *Revised standards for advertising alcoholic drinks on television*, Sydney, 1986.
[30] Submission 50, Alcohol Beverages Australia, pp. 6–7.
[31] Based on ACMA analysis of Nielsen Ad Intel spend estimates, July 2024 to June 2025.
[32] Submission 56, Cancer Council, p. 8.
[33] See Submission 66, Foundation for Alcohol Research and Education (FARE), p. 6 and discussion at Submission 60, Department of Health, Disability and Ageing, p. 2.

[34] Department of the Prime Minister and Cabinet, Unlocking the prevention potential: Report of the Rapid Review of prevention approaches, Australian Government, 23 August 2024, pp. 105 and 109.
[35] Submission 50, Alcohol Beverages Australia, pp. 4–5.
[36] Submission 53, Australian Distillers Association, pp. 3–4.
[37] Submission 55, Brewers Association, pp. 1–2.
[38] Submission 60, Department of Health, Disability and Ageing, p. 1.
[39] Meaning 6 pm to 8:30 pm on Fridays, and 5 am to 8:30 pm on Saturdays and Sundays. Finding based on ACMA analysis of Nielsen Ad Intel spend estimates, July 2024 to June 2025.
[40] Finding based on ACMA analysis of Nielsen Ad Intel spend estimates, July 2024 - June 2025.
[41] Submission 60, Department of Health, Disability and Ageing, p. 3.
[42] See for example, Submission 59, Coalition of Major Professional and Participation Sports (COMPPS); Submission 80, Retail Drinks Australia; Submission 72, LIV Golf; Submission 71, LION; Submission 86, Venues NSW and Submission 95, National Rugby League.
[43] Submission 80, Retail Drinks Australia.
[44] Department of Health, Disability and Ageing, National alcohol strategy 2019–2028, Australian Government, p. 4.
[45] Submission 77, Pernod Ricard, p. 3.
[46] Submission 67, Free TV Australia, p. 28: '… *further regulatory restriction would place on the industry an additional burden on a revenue stream already in marked decline'*; see also Submission 80, Retail Drinks Australia, p. 7: '… *sporting organisations, broadcasters and event organisers rely on sponsorship and advertising revenue to support the production and free-to-air distribution of content. A reduction in this revenue base may impact the viability of certain broadcasts and diminish the accessibility of sport to the Australian public.'*
[47] Submission 84, ABAC Scheme, p. 5.
[48] Submission 46, George Institute for Global Health.
[49] ABAC, ABAC responsible alcohol marketing code (ABAC code), section 8. '*Alcohol Alternative means a beverage that is at or less than 0.5% alcohol by volume that: has an appearance and style commonly associated with Alcohol; and uses a brand or descriptors commonly associated with Alcohol, such as, beer, wine, spirit or other; and is not a beverage commonly understood as non-alcoholic, such as fruit juice, soft drink, flavoured milk or other which fall outside the Code remit*'.
[50] Submission 30, National Drug Research Institute (NDRI); Submission 56, Cancer Council Australia, p. 10–11; Submission 57, Centre for Alcohol Policy Research, p. 3 and Submission 58, Children and Media Australia, p. 4.
[51] Nielsen Ad Intel spend estimates, July 2024 to June 2025.
[52] Ad Standards and Roy Morgan Community sentiment tracker report, wave 1 – Q2 FY26.
[53] See, for example, Submission 67, Free TV Australia, p. 4.
[54] Submission 84, the ABAC Scheme, pp. 11–12.
[55] Submission 84, the ABAC Scheme, p. 9.
[56] ACMA, What TV viewers expect: Safeguards for free-to-air and on-demand TV content, ACMA website, February 2026.
[57] Submission 60, Australian Government Department of Health, Disability and Ageing.
[58] See, for example, Submission 5: The Dalgarno Institute, pp. 3–4; Discussion in Submission 30: National Drug Research Institute, p. 2; Submission 40: Injury Matters, pp. 1–2; Submission 49: Alcohol and Drug Foundation, pp. 4–5; Submission 94, Australian Medical Association.
[59] Department of the Prime Minister and Cabinet, Unlocking the prevention potential: Report of the rapid review of prevention approaches, Australian Government, 23 August 2024, p. 105.
[60] Submission 60, Department of Health, Disability and Ageing.
[61] Department of Health, Disability and Ageing, National drug strategy 2017–2026, Australian Government, 18 September 2017, and National alcohol strategy 2019–2028, Australian Government.
[62] House of Representatives' Standing Committee on Health, Aged Care and Disability, Report on the health impacts of alcohol and other drugs, 14 September 2026.