



The Hon Mr Stephen Mullighan
Minister for Transport & Infrastructure
GPO Box 1533
ADELAIDE SA 5000
Email: ministermullighan@sa.gov.au

25 August 2016

Dear Minister,

Proposed alcohol advertising ban

We would like to seek a meeting with you to discuss the recent announcement to ban alcohol advertising for Adelaide Metro vehicles.

By way of introduction, the AANA is the peak body for advertisers in Australia and has represented national advertisers for over 85 years. It represents the common interests and obligations of companies across all business sectors involved in the advertising, marketing and media industry.

The AANA also protects the rights of consumers by helping to ensure advertising and marketing communication is conducted responsibly, including through its development and administration of industry codes and the overall self-regulatory system. The AANA's self-regulatory system applies to all advertisers and marketers in Australia, regardless of AANA membership. It is also platform neutral and applies in the same way to traditional advertising, outdoor, online and social media.

AANA Codes

The AANA self-regulatory system provides Codes that reflect community standards in relation to the regulation of advertising and marketing and have evolved following public consultation. Complaints about advertising are directed to the Advertising Standards Bureau which administers the operation of the independent adjudicators, who comprise the Advertising Standards Board. The self-regulatory system, including complaints handling, operates at no cost to the consumer or to government.

The system came into operation in 1997 following extensive consultations with advertisers, agencies, media, consumer groups and government representatives. It is recognised through inclusion in other self and co-regulatory systems, and all major media owners have agreed to support the decisions of the Advertising Standards Board. The extent of endorsement of the AANA self-regulatory system is to be contrasted with the arrangement established by the Alcohol Advertising Review Board, which is a self-appointed body that has created its own codes against which it also adjudicates.

Restrictions on alcohol advertising

The AANA Code of Ethics is the cornerstone of the advertising self-regulatory system and is supplemented by a range of other Codes including the Advertising and Marketing Communication to Children Code (the Children's Code). The Code of Ethics contains a provision that marketing material must not depict material contrary to prevailing community standards on health and safety, while the Children's Code specifically provides that "advertising or marketing communications to children must not be for, or relate in any way to, alcohol products or draw any association with companies that supply alcohol products".



This ban on directing alcohol advertising to children is supported by the Alcoholic Beverages Advertising Code (ABAC). The ABAC is co-regulatory, with a government-nominated representative on the management committee in addition to industry and advertising representatives. ABAC's independent adjudication panel is run at arm's length from the industry. The key ABAC requirements in relation to children are that advertisements for alcoholic products must not have a strong or evident appeal to children or adolescents, and adults appearing in advertisements must be over 25 years of age so that they can be clearly identified as adults.

In addition to the AANA and ABAC, there are a range of other media-specific regulatory codes of conduct, including for outdoor media, commercial free to air television, commercial free to air radio and subscription television. These restrictions, together, provide a comprehensive landscape of regulation of alcohol products in Australia to ensure alcohol advertising and messaging does not have strong appeal to children and is not directed primarily to them.

Impact of regulation

The advertising, marketing and media industry plays a fundamental economic role in society and contributes around \$40 billion to the Australian economy annually. It is the driver of consumer choice and, by promoting competition, helps consumers get better value for money. It enables innovation to be brought to market and stimulates economic growth and jobs.

When dealing with an industry that operates across a range of media, and particularly where consumers can access the same or similar material across a range of platforms, it is an expensive burden on industry to impose different regulatory requirements depending on the media used, the product category or the geographical location of the material.

There is also a need to consider whether there is a clear rationale to increase commercial and regulatory burden on the advertising industry when there is no substantive evidence to show that responsible advertising drives consumption, particularly harmful consumption.

We hope you will be able to meet with us to discuss these issues further, to enable you to gain a greater understanding of the self-regulatory system for advertising in Australia. If you or a representative are able to attend a meeting please contact our Director of Policy & Regulatory Affairs, Simone Brandon (simone@aana.com.au), and we will liaise with your office to arrange a suitable date and time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sunita Gloster', written over a light blue circular stamp.

Sunita Gloster
CEO