



LOOPHOLES GALORE AS GAMBLING AD SATURATION TO CONTINUE BEFORE 8.30PM IN SOUTH AUSTRALIA, WESTERN AUSTRALIA AND THE NORTHERN TERRITORY.

Thursday, February 8, 2018

Free TV Australia, Commercial Radio Australia and ASTRA appear to be succeeding in a bid to keep showing gambling ads before 8.30pm in South Australia, Western Australia and the Northern Territory.

Evidence given to the Senate Standing Committee on Environment and Communications by the Department of Communications and the Arts indicates that the Government has not defined what 8.30pm means, leaving this to the Australian Communications and Media Authority to determine. (See page 41 of [this Hansard](#))

The Draft Commercial Television Industry [Code of Practice](#), [Commercial Radio Code of Practice](#), and Subscription Television and Broadcasting and Newscasting [Codes of Practice](#) have all tied the 8.30pm gambling advertising restrictions to Australian Eastern Standard Time or Australian Eastern Daylight Time.

This means that viewers in South Australia, including children, will be subjected to saturation gambling advertising after 8pm, and viewers in Western Australia, including children, could be subjected to saturation gambling ads from 5.30pm onwards! In the Northern Territory, the ads could start at 7pm.

The Alliance for Gambling Reform Acting Executive Officer, Kelvin Thomson, who gave evidence to the Senate Committee on February 1 in Melbourne (see pages 30-33 of [the Hansard](#)) said that Central and Western Australians account for 20% of Australia's population.

"The Federal Government should not subject children in South Australia, Western Australia and the Northern Territory to a lesser standard of protection than their eastern states counterparts. If it's good enough for Eastern Australia, then it's good enough for South and Western Australia and the Northern Territory as well."

There has been considerable public disquiet over saturation gambling advertising on TV and radio around sporting events, with concern that children are being groomed to gamble. A [Discussion Paper](#) published in 2017 by the Victorian Responsible Gambling Foundation found that:

- In 2015 the Australian gambling industry spent \$236 million on advertising
- 5 in 10 adolescents have high levels of exposure to sports betting marketing
- Over 2/3rds of children aged 8 to 16 can recall the name of at least one sports betting brand
- About 1 in 5 children can identify 3 or more sports betting brands
- 1 in 5 adults with gambling problems started gambling before they were 18
- Teenagers are 4 times more likely to develop gambling problems than adults.

"The justification given by commercial TV and radio for this giant loophole is lame. They say that subscription TV, because it has a national signal, will be disadvantaged by not being able to show gambling ads during these times in the eastern states," Mr Thomson said.

“However, their proposed remedy for this allows ALL broadcasters to go for it after 5.30pm in Western Australia, and after 8pm in South Australia, which is nonsense. Moreover, many of us can remember when Pay TV was introduced that it was supposed to be the best thing since sliced bread because it wouldn’t have ads!”

“The Department’s evidence to the Senate Standing Committee on Environment and Communications is disturbing. It appears the commercial TV and radio networks are winning, and that South Australian, Western Australian and Northern Territory children will be deemed less worthy of protection than those in the eastern states”.

“The Federal Government should step in and regulate to ensure consistent gambling ads regulation around the nation. 8.30pm should mean 8.30pm, wherever you live.”

The Senate Committee is enquiring into the Government’s Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017 and is due to report on February 12 with the new rules scheduled to commence on April 1 after the legislation has passed. Other loopholes in the broadcasters Draft Codes include –

- An exemption for so-called “long form” sporting events. This means viewers, including children, would still be exposed to gambling advertising during cricket, golf, and tournaments such as the Olympics and the Commonwealth Games.
- ASTRA plans to completely exempt beIN SPORTS 1-3, ESPN, ESPN 2, Eurosport and EPL club team channels from gambling ad restrictions.
- All Codes seek to exempt advertising and promotions from “fantasy sports” and “sports tipping competitions”, and Free TV is also trying to exempt betting on the outcome of lotteries from the ad restrictions.

OTHER RELEVANT DOCUMENTS AND LINKS

[February 8 story](#) on ABC radio’s AM program about the exemption.

See the [joint submission](#) to the Senate committee from the Victorian Inter-Church Gambling Taskforce, The Alliance for Gambling Reform and the Victorian Local Governance Association.

See all of the [other submissions](#) to the Senate Committee, including, most relevantly [ASTRA](#), [Free TV Australia](#) and [Commercial Radio Australia](#).

See links below for the code review processes and various submissions to the three major commercial media peak bodies in Australia:

[Free TV Australia code review process, including submissions](#)

[ASTRA code review process, including submissions](#)

[Commercial Radio Australia call for submissions on code review](#)

Alliance for Gambling Reform Contact:

Stephen Mayne: 0412 106 241, stephen@agr.org.au

Kelvin Thomson: 0458 750 700, kelvin@agr.org.au