

From: s22(1)(a)(ii)
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii)
Subject: RE: ABAC [SEC=UNCLASSIFIED]
Date: Thursday, 7 September 2017 14:30:14

Hi s22(1)(a)(ii)

As discussed the Department will provide a verbal report at the next meeting. I will follow up on his expected return date from leave and let you know who will be participating at the next meeting.

I would also like to introduce our new member s22(1)(a)(ii) who works in the alcohol team. If you could add her to the ABAC distribution list that would be appreciated. I have included her in this email.

Kind regards

s22(1)(a)(ii)

-----Original Message-----

From: s22(1)(a)(ii)
Sent: Thursday, 7 September 2017 2:24 PM
To: s22(1)(a)(ii)
Subject: ABAC [SEC=No Protective Marking]

Hi s22(1)(a)(ii)

Just wondering if David would like to provide a written report for inclusion in the ABAC Management Committee papers that will be circulated on Monday. If not a verbal report is fine.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

From: s22(1)(a)(ii)
To: "ABAC"
Cc: s22(1)(a)(ii)
Subject: RE: ABAC - NT Alcohol Policies & Legislation Review [SEC=UNCLASSIFIED]
Date: Thursday, 14 September 2017 14:34:37
Attachments: [ABAC Information Paper to support the NT review Health Comments.docx](#)

Hi s22(1)(a)(ii),

Please see attached proposed cleared changes to the information paper from Health.

Feel free to give me a call if you have any questions.

Kind Regards

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Thursday, 14 September 2017 2:05 PM
To: 'ABAC'
Subject: RE: ABAC - NT Alcohol Policies & Legislation Review [SEC=UNCLASSIFIED]
Hi s22(1)(a)(ii)

We had a minor adjustment in the information paper methodologies for not getting this back to you sooner, its going through the clearance process. I'll follow up now and see if I can get something back to you before the end of today.

I'll be in touch

Kind Regards

s22(1)(a)(ii)

From: ABAC [<mailto:info@abac.org.au>]
Sent: Thursday, 14 September 2017 1:39 PM
To: s22(1)(a)(ii)
Subject: Fwd: ABAC - NT Alcohol Policies & Legislation Review [SEC=No Protective Marking]
Hi s22(1)(a)(ii),

Given this review is almost complete I am very keen to submit this material asap. Could you please advise whether the submission is approved or if you require amendment?

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

Begin forwarded message:

From: ABAC <info@abac.org.au>

Subject: ABAC - NT Alcohol Policies & Legislation Review

Date: 8 September 2017 4:47:50 pm ACST

To: s22(1)(a)(ii)

s22(1)(a)(ii)

Dear ABAC Management Committee,

Attached is a letter of response to our recent mailout from NT Minister for Health. She has directed us to the Alcohol Policies & Legislation Review Expert Panel. I have reviewed the issues paper for that review and while it is very broad ranging there is a reference to alcohol promotion: How should the promotion of alcohol be managed and what restrictions, if any, should be put in place?

ABAC usually provides information about what we do to these types of review. Recommendations are due to come out later this month, but I believe it would be appropriate to provide an information paper on ABAC to the expert panel. I have updated a previous information paper provided to a similar review body but require Management Committee approval prior to lodging the submission. Given the review is well progressed I would be grateful for everyone's early response and either feedback or approval.

•
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s22(1)(a)(ii)

This document has been released

the Freedom of Information Act 1982 (FOI) Department of Health



Information paper to support the NT Alcohol Policies and Legislation Review

The ABAC Scheme:

Information paper to support the NT Alcohol Policies and Legislation Review

Background

The ABAC Responsible Alcohol Marketing Code (the Code) and the associated Pre-vetting and Complaints Management Systems form the quasi-regulatory¹ ABAC Scheme.

The ABAC Scheme was developed in 1998 by agreement with all major Australian alcohol beverage manufacturing and marketing industry associations and key advertising, media and consumer bodies.

The ~~Federal Australian Government Department of Health is a representative stakeholder being represented~~ on the Management Committee of the Scheme and a Professor of Public Health, ~~nominated by government~~, is part of all adjudication panels.

Under The ABAC Scheme, guidelines for advertising and packaging have been negotiated with government, consumer complaints are handled independently, but all costs are borne by industry.

Operation

The ABAC Scheme is responsible for:

- **The Code**² (first introduced in 1998 and substantially updated in 2004, 2009, 2014 and 2017) which regulates the content of alcohol beverage advertising and packaging in Australia, and alcohol promotion at events. Subject to regular review, the Code aims to reflect community expectations and changes in the media and advertising industries. The Code applies beyond traditional forms of advertising (television, radio, print and outdoor) to alcohol beverage advertisements in emerging digital and social media, user generated content on alcohol company controlled digital and social media, point of sale advertisement and surrogate marketing over which an alcohol company has control.

The Code is not the only set of rules affecting alcohol advertising in Australia. Alcohol advertisements must also comply with relevant legislation and codes of practice including the Competition and Consumer Act 2010 (formerly the Trade Practices Act 1974), State Liquor Licensing Legislation, the Australian Association of National Advertisers (AANA) Code of Ethics, Commercial Television Industry Code of Practice and the Outdoor Media Association (OMA) Code of Ethics.

- **The Alcohol Advertising Pre-vetting Service (AAPS)** which provides independent, confidential advice to advertisers on whether proposed alcohol marketing complies with the Code. This service is offered on a 'user pays' basis. The pre-vetting service is a

¹ Australian Government 2010, Best Practice Regulation Handbook, Canberra

² Annexure A: The ABAC Responsible Alcohol Marketing Code

key component of the ABAC Scheme in that it identifies inappropriate alcohol marketing before it reaches the market.

- AAPS pre-vetters approve, reject or suggest modification to material submitted to them for pre-vetting. The service is available to anyone marketing alcohol including marketers that are not a signatory to the Scheme.
- AAPS has the support of major media associations that either require or encourage their members to check that an alcohol advertisement has AAPS approval prior to placement of advertisements.
- Last year ABAC pre-vetted more than 1,400 advertisements, names or packaging.
- AAPS Pre-vetters are independent of the alcohol beverage industry.
- **The ABAC Adjudication Panel**, headed by Chief Adjudicator Professor Michael Lavarch, considers public complaints about alcohol marketing (including packaging) that fall within the jurisdiction of the Code.
 - The Advertising Standards Bureau (ASB) accepts all complaints in relation to all types of advertising. This avoids a duplication of entry points for advertising-related complaints. In 2016 2.5% of all complaints received by the ASB related to alcohol. All alcohol related complaints received by the ASB are provided to the ABAC Adjudication Panel and the Panel considers all complaints that raise ABAC Code issues.
 - The ASB considers complaints insofar as they raise AANA Code of Ethics issues. The AANA Code of Ethics ensures all advertising is legal, decent, honest and truthful and prepared with a sense of obligation toward the consumer and society thus ensuring that there is a consistent standard for these issues across all advertising for every type of product.
 - The ABAC Adjudication Panel reports its decisions to the ASB, the ABAC Management Committee, the advertiser, and the complainant. Its decisions are also made publicly available through the ABAC website.
 - The Adjudication Panel and its deliberations are independent of the ABAC Management committee and the broader alcohol and advertising industry.

The Adjudication Panel comprises:

- the Chief Adjudicator, Professor The Hon Michael Lavarch AO, who has legal expertise,
- a health sector Panelist, Professor Richard Mattick or Professor Louisa Jorm (both were appointed from a shortlist of health sector professionals provided by the relevant Federal Minister responsible for alcohol issues or his or her nominee); and
- a Panelist with market research, media or advertising expertise, Jeanne Strachan or Debra Richards.

- Each quarter the Chief Adjudicator reports to the ABAC Management Committee on the operation of the ABAC Adjudication Panel and the Chief Adjudicator submits an annual report on the Panel's operation to the ABAC Management Committee for inclusion in its published annual report on the operation of the overall scheme. Annual reports are published to the ABAC website.

- **General operation of the scheme**

- The ABAC Rules and Procedures set out the agreed rules and procedures for the operation of the Scheme and are available on the ABAC website.
- The ABAC website includes scheme information and publications to assist alcohol beverage advertisers and agencies understand all aspects of the scheme and their obligations and to inform consumers about the scheme, in particular the ABAC standards and how complaints can be lodged. The ABAC website was set up in August 2007 and includes a search function for adjudication decisions.
- The three key features of the scheme result in alcohol beverage advertisers having four decision points in relation to advertisements and packaging:

1 st decision point	2 nd decision point	3 rd decision point	4 th decision point
Checked by company and advertising agency staff against the Code	Pre-vetted by non-company assessors using the AAPS service	Any complaints are referred (via the ASB) to the ABAC Chief Adjudicator	Where a complaint is upheld, company asked to withdraw or modify an advert within five business days

Management of the Scheme

The ABAC Management Committee manages and reviews the operations of The ABAC Scheme and considers amendments to the Code and scheme procedures with a view to:

- encouraging industry members, large and small, to participate in the quasi-regulatory system;
- playing an active role to ensure an effective quasi-regulatory system;
- monitoring the implementation of The ABAC Scheme and improving it where necessary; co-ordinating the development and completion of an annual report with copies to be provided to the relevant Ministerial Council for alcohol policy and strategy and the Advertising Standards Bureau; and
- managing AAPS as an effective mechanism to support and strengthen the aims of The ABAC Scheme and to encourage participation by industry members in AAPS.

The ABAC Management Committee comprises:

- the Executive Director of the Brewers Association of Australia & New Zealand;

- the Executive Director of the Distilled Spirits Industry Council of Australia Inc;
- the Chief Executive of the Winemakers Federation of Australia;
- the Chief Executive of the Communications Council Limited;
- a representative of Australian Governments (Assistant Secretary of Commonwealth Department of Health).

The ABAC Management Committee is supported in its role by the ABAC Executive Officer.

The members of the ABAC Management Committee each represent a group of stakeholders in alcohol beverage advertising and packaging regulation. Any member of the Committee may raise issues for consideration by the Committee and the Committee in practice operates on a consensus basis.

The ABAC Management Committee meets at least four times a year and all issues raised by any member of the Committee or referred to the Committee by the ABAC Adjudication Panel or ABAC Pre-vetters receives full consideration by the Committee.

Scheme Coverage

- Membership of, and compliance with the scheme is voluntary. However, the individual members of the Brewers Association of Australia & New Zealand, Distilled Spirits Industry Council of Australia and Winemakers' Federation of Australia have agreed to be bound by the Scheme. This means that the majority of alcohol advertising in Australia is regulated by the Scheme.
- Other companies that advertise alcohol including retail chains, are encouraged to become direct signatories to the Scheme and to utilise the Pre-vetting Service. Currently, Woolworths Liquor Group, Coles Liquor Group, Campari Australia, Coca Cola Amatil and Asahi Premium Beverages are all direct signatories to the scheme. Many non-signatories currently use the Pre-vetting Service and the scheme has the support of media associations.
- The alcohol industry (both signatories and non-signatories) and advertising agencies have access to regular training sessions with the ABAC Chief Adjudicator and a pre-vetter in Sydney and Melbourne where all aspects and obligations of the Code, Pre-vetting Service and complaints scheme are explained. In addition the ABAC pre-vetters, alcohol beverage industry associations and ABAC executive officer are available to explain the Code and the scheme to alcohol beverage advertisers and their agencies.

Recent Initiatives

- **Community Standards Research** - In accordance with ABAC's commitment to monitor and remain aligned or ahead of community expectations for alcohol advertising last year ABAC commissioned an update of community standards research carried out in 2013, that compared ABAC Panel decisions with community reactions to alcohol marketing. The research was carried out independently by Colmar Brunton Social Research. Importantly 12 alcohol ads and packaging were tested and the unprompted reaction of the community was that 11 of the 12 ads were fine, while the Panel found

that 7 of the 12 were in breach of the ABAC Code. This result highlights the high standards that ABAC sets for alcohol marketing that exceed community standards. It was also interesting to note that 64% of those surveyed had no concern or offence about advertising standards generally and 62% were not particularly concerned about alcohol advertising content.

- **Extension of the Code to placement of alcohol marketing** - From 1 November the Code not only sets standards to ensure the content of alcohol marketing is responsible, it also includes a set of placement rules that ensure that alcohol marketing is not placed where the audience is skewed toward an under 18 audience. The rules are:
 - Alcohol marketers must comply with existing media specific codes ie no outdoor ads within 150m of a school & limits on when alcohol ads can be placed on free to air television broadcasts (not between 5am & 8:30pm unless with certain sports broadcasts)
 - Use age restriction controls available on a media platform to exclude minors from audience (ie facebook)
 - Audience to be at least 75% Adults (ie if the audience has greater % of kids than the % of kids in the population it is skewed toward kids and alcohol ads shouldn't appear)
 - No alcohol ads with programs or content primarily aimed at under 18s.
 - No email/mobile marketing to be sent to Minors (exception where Minor provides incorrect date of birth)

Further information about The ABAC Scheme, including Annual Reports and Adjudication decisions are publicly available on the ABAC website www.abac.org.au.

Alan Ferguson
Chair, ABAC Management Committee
9/17

ABAC RESPONSIBLE ALCOHOL MARKETING CODE

(Effective 1 November 2017)

1 PREAMBLE

The ABAC Responsible Alcohol Marketing Code is designed to ensure that alcohol is marketed in a responsible manner. Signatories to the Code are committed to ensuring that the content of their marketing complies with the Code's spirit and intent.

The Code complements Australian legislation, the AANA Code of Ethics and media-specific codes relevant to the placement of marketing.

From time to time, the ABAC Scheme may publish best practice advice to industry. The advice does not form part of the Code but complements it by assisting industry to achieve high levels of responsibility in the management of its marketing.

2 APPLICATION

- (a) The Code APPLIES to all Marketing Communications in Australia generated by or within the reasonable control of a Marketer, except as set out in Section 2(b). This includes, but is not limited to:

- brand advertising (including trade advertising)
- competitions
- digital communications (including in mobile and social media and user generated content)
- Alcohol Beverage product names and packaging
- advertorials
- alcohol brand extensions to non-alcohol beverage products
- point of sale materials
- retailer advertising
- Marketing Collateral

- (b) The Code does NOT apply to:

- (i) materials or activities whose sole purpose is to educate about misuse or abuse of alcohol beverages and which do not include a company's product branding;
- (ii) information in company annual reports, corporate public affairs messages or internal company communications;
- (iii) the name or packaging of an Alcohol Beverage product, including the use of a trademark on a product which a supplier can demonstrate, to the satisfaction of the Adjudication Panel, had been supplied for bona fide retail sale in the ordinary course of business in Australia prior to 31 October 2009;
- (iv) point of sale Marketing Communications initiated by Alcohol Beverage retailers (as these are regulated by liquor licensing legislation), provided that a producer or distributor of Alcohol Beverages has no control over the point of sale Marketing Communication;
- (v) Sponsorship.

3 STANDARDS TO BE APPLIED

(a) Responsible and moderate portrayal of Alcohol Beverages

A Marketing Communication must NOT:

- (i) show (visibly, audibly or by direct implication) or encourage the excessive or rapid consumption of an Alcohol Beverage, misuse or abuse of alcohol or consumption inconsistent with the Australian Alcohol Guidelines;
- (ii) show (visibly, audibly or by direct implication) or encourage irresponsible or offensive behaviour that is related to the consumption or presence of an Alcohol Beverage;
- (iii) challenge or dare people to consume an Alcohol Beverage; or
- (iv) encourage the choice of a particular Alcohol Beverage by emphasising its alcohol strength (unless emphasis is placed on the Alcohol Beverage's low alcohol strength relative to the typical strength for similar beverages) or the intoxicating effect of alcohol.

(b) Responsibility toward Minors

A Marketing Communication must NOT:

- (i) have Strong or Evident Appeal to Minors;
- (ii) depict a person who is or appears to be a Minor unless they are shown in an incidental role in a natural situation (for example, a family socialising responsibly) and where there is no implication they will consume or serve alcohol;
- (iii) depict an Adult who is under 25 years of Age and appears to be an Adult unless:
 - they are not visually prominent; or
 - they are not a paid model or actor and are shown in a Marketing Communication that has been placed within an Age Restricted Environment; or
- (iv) be directed at Minors through a breach of any of the Placement Rules.

(c) Responsible depiction of the effects of alcohol

A Marketing Communication must NOT:

- (i) suggest that the consumption or presence of an Alcohol Beverage may create or contribute to a significant change in mood or environment;
- (ii) show (visibly, audibly or by direct implication) the consumption or presence of an Alcohol Beverage as a cause of or contributing to the achievement of personal, business, social, sporting, sexual or other success;
- (iii) if an Alcohol Beverage is shown (visibly, audibly or by direct implication) as part of a celebration, imply or suggest that the Alcohol Beverage was a cause of or contributed to success or achievement; or
- (iv) suggest that the consumption of an Alcohol Beverage offers any therapeutic benefit or is a necessary aid to relaxation.

(d) Alcohol and Safety

A Marketing Communication must NOT show (visibly, audibly or by direct implication) the consumption of an Alcohol Beverage before or during any activity that, for safety reasons, requires a high degree of alertness or physical co-ordination, such as the control of a motor vehicle, boat or machinery or swimming.

4 NO FAULT BREACH

A breach of this Code that is reasonably unforeseeable by or outside the reasonable control of the Marketer or their agency will be classified as a no fault breach.

5 INTERPRETATION

Compliance of a Marketing Communication with the Code is to be assessed in terms of the probable understanding of the Marketing Communication by a reasonable person to whom the material is likely to be communicated, and taking its content as a whole.

Capitalised terms have the meanings set out in section 6 below.

Headings do not expand the Code.

6 DEFINITIONS

In this Code:

AANA Code of Ethics means the Australian Association of National Advertisers Code of Ethics.

ABAC Scheme means The ABAC Scheme Limited.

Adjudication Panel means the panel convened to adjudicate a complaint received by the ABAC Scheme.

Adult means a person who is of legal purchase age in Australia.

Age-Restricted Environment means:

- licensed premises that do not permit entry by Minors; or
- a non alcohol-specific age-restricted digital platform (including, for example, a social media website or application) which:
 - requires users to register and login to use the platform, including the provision of their full date of birth; and
 - is able to hide the existence of any alcohol-related pages, sites and content such that they are not visible other than to a user who has registered on the platform as being 18 years of age or over.

Alcohol Beverage means a beverage containing at least 0.5% alcohol by volume.

Australian Alcohol Guidelines means the electronic document 'Australian Guidelines to Reduce Health Risks from Drinking Alcohol (1-2)' published by the National Health & Medical Research Council ("NHMRC") as at 1st January 2010.

Code means this ABAC Responsible Alcohol Marketing Code.

Marketer means a producer, distributor or retailer of Alcohol Beverages.

Marketing Collateral means material used by a Marketer to promote a brand and support the sales and marketing of Alcohol Beverages, including gifts with purchase, competition prizes and branded merchandise.

Marketing Communications means marketing communications in Australia generated by or within the reasonable control of a Marketer (apart from the exceptions listed in Section 2(b)), including but not limited to brand advertising (including trade advertising), competitions, digital communications (including in mobile and social media), product names and packaging, advertorials, alcohol brand extensions to non-alcohol beverage products, point of sale materials, retailer advertising and Marketing Collateral.

Minor means a person who is under 18 years of age and therefore not legally permitted to purchase an Alcohol Beverage in Australia.

Placement Rules means:

- (i) A Marketing Communication must comply with codes regulating the placement of alcohol marketing that have been published by Australian media industry bodies (for example, Commercial Television Industry Code of Practice and Outdoor Media Association Alcohol Guidelines).
- (ii) If a media platform on which a Marketing Communication appears has age restriction controls available, the Marketer must utilise those age restriction controls to exclude Minors from the audience.

- (iii) If a digital, television, radio, cinema or print media platform does not have age restriction controls available that are capable of excluding Minors from the audience, a Marketing Communication may only be placed where the audience is reasonably expected to comprise at least 75% Adults (based on reliable, up-to-date audience composition data, if such data is available).
- (iv) A Marketing Communication must not be placed with programs or content primarily aimed at Minors.
- (v) A Marketing Communication must not be sent to a Minor via electronic direct mail (except where the mail is sent to a Minor due to a Minor providing an incorrect date of birth or age).

Strong or Evident Appeal to Minors means:

- (i) likely to appeal strongly to Minors;
- (ii) specifically targeted at Minors;
- (iii) having a particular attractiveness for a Minor beyond the general attractiveness it has for an Adult;
- (iv) using imagery, designs, motifs, animations or cartoon characters that are likely to appeal strongly to Minors or that create confusion with confectionary or soft drinks; or
- (v) using brand identification, including logos, on clothing, toys or other merchandise for use primarily by Minors.

Sponsorship means any agreement or part of an agreement involving payment or other consideration in lieu of payment by a Marketer to support a sporting or cultural property, event or activity, in return for which the sponsored party agrees to be associated with or promote the sponsor's Alcohol Beverage or outlet. Sponsorship also includes naming rights of events or teams and the inclusion of a brand name and/or logo on an event venue or on uniforms of participants (excluding branded merchandise).

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
To: "ABAC"
Cc: s22(1)(a)(ii)
Subject: RE: ABAC - NT Alcohol Policies & Legislation Review [SEC=UNCLASSIFIED]
Date: Thursday, 14 September 2017 16:22:44

Hi s22(1)(a)(ii)

I have talked to s22(1)(a)(ii) re: these changes and we are happy to use the proposed original wording for consistency reasons (in line with the 2016 annual report).

More than happy for you to contact me if you have any questions

Kind Regards

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Thursday, 14 September 2017 2:35 PM
To: 'ABAC'
Cc: s22(1)(a)(ii)
Subject: RE: ABAC - NT Alcohol Policies & Legislation Review [SEC=UNCLASSIFIED]
Hi s22(1)(a)(ii)

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From: s22(1)(a)(ii)
Sent: Thursday, 14 September 2017 2:05 PM
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Kind Regards

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Hi s22(1)(a)(ii)

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Kind Regards

s22(1)(a)(ii)

www.abac.org.au

Begin forwarded message:

From: ABAC <info@abac.org.au>

Subject: ABAC - NT Alcohol Policies & Legislation Review

Date: 8 September 2017 4:47:50 pm ACST

To: s22(1)(a)(ii)

Dear ABAC Management Committee,

Attached is a letter of response to our recent mailout from NT Minister for Health. She has directed us to the Alcohol Policies & Legislation Review Expert Panel. I have reviewed the issues paper for that review and while it is very broad ranging there is a reference to alcohol promotion:

- How should the promotion of alcohol be managed and what restrictions, if any, should be put in place?

ABAC usually provides information about what we do to these types of review.

Recommendations are due to come out later this month, but I believe it would be appropriate to provide an information paper on ABAC to the expert panel. I have updated a previous information paper provided to a similar review body but require Management Committee approval prior to lodging the submission. Given the review is well progressed I would be grateful for everyone's early response and either feedback or approval.

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s22(1)(a)(ii)

From: ABAC
To: s22(1)(a)(ii)
Cc:
Subject: Re: ABAC - NT Alcohol Policies & Legislation Review [SEC=UNCLASSIFIED]
Date: Thursday, 14 September 2017 17:14:45

Thanks s22(1)(a)(ii)

That is a big help in getting this out quickly.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

On 14 Sep 2017, at 3:52 pm, s22(1)(a)(ii) wrote:

Hi s22(1)(a)(ii)

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Date: 8 September 2017 4:47:50 pm ACST

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s22(1)(a)(ii)

www.abac.org.au

From: s22(1)(a)(ii)
To: "ABAC"
Cc: s22(1)(a)(ii)
Subject: TRIM: RE: Approval of correspondence [SEC=UNCLASSIFIED]
Date: Friday, 13 October 2017 15:32:35
Attachments: [ABAC Letter to Freetv 29 September 2017.docx](#)
[Draft ABAC Management Committee Minutes 29 September 2017 health comments.doc](#)

Hi s22(1)(a)(ii)

David Laffan, Assistant Secretary of Drug Strategy Branch has approved the following documents:

- Letter to FreeTv Australia – attached with minor edit as discussed.
- 29 September committee meeting minutes – attached with edits
- Letter to Australian Liquor Markets – no edits
- Information Paper to NSW Legislative Council's Portfolio Committee No.1 - No edits

If you have any comments or queries on our edits, please feel free to contact me

Have a great weekend.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Friday, 13 October 2017 11:43 AM
To: s22(1)(a)(ii)
Subject: Fwd: Approval of correspondence [SEC=No Protective Marking]
Hi s22(1)(a)(ii)

Hoping you can respond today approving the below letters as I am keen to respond to Freetv asap.

Thanks,

s22(1)(a)(ii)

www.abac.org.au

Begin forwarded message:

From: ABAC <info@abac.org.au>

Subject: Approval of correspondence

Date: 10 October 2017 3:25:31 pm ACDT

To: s22(1)(a)(ii)

s22(1)(a)(ii)

Dear Management Committee,

Could you all please confirm by the end of this week that you approve the attached correspondence arising from the last ABAC meeting.

Thanks

s22(1)(a)(ii)

www.abac.org.au

This document has been released under the Freedom of Information Act 1982 by the Department of Health



THE
ABAC
SCHEME
LIMITED

29 September 2017

s22(1)(a)(ii)

Acting Chief Executive Officer
Free TV Australia
First floor, 44 Avenue Road
Mosman NSW 2088

Dear s22(1)(a)(ii) ,

Thank you for your letter dated 22 September in relation to the new ABAC placement rules. The ABAC Management Committee has carefully considered the request in your letter to exempt advertising material broadcast on free to air television from the new placement provisions.

The Committee has decided not to amend its code to grant the exemption. While we understand that the Commercial Television Industry Code of Practice (CTICP) regulates time of broadcast and in most cases this significantly reduces exposure to minors we note that:

- The CTICP does not apply to free to air catch up television (digital).
- There were examples last year of complaints about alcohol advertising that didn't breach the CTICP but involved placement during children's programming (due to a different definition of what comprises alcohol advertising) and during a movie primarily aimed at under 18s (highlighting that movies for children and teenagers are still being broadcast after 8:30pm when alcohol advertising is permissible under the CTICP).
- Many movies that are arguably primarily aimed at under 18s have an M classification (Harry Potter, Hunger Games, Percy Jackson). M rated movies are considered suitable for 15-18 year olds.
- Complaints received by ABAC about television placement have not been considered by the Panel because ABAC will not cover placement until 1 November. Several complaints would have been upheld against the new provisions.
- The new rules have been disseminated widely among policy makers and the alcohol industry.
- The 75/25 rule is used extensively overseas and the alcohol industry is committed to maintaining international best practice in alcohol marketing regulation.
- One of the largest alcohol marketers in Australia has advised us that they have required broadcasters to check audience data prior to placement of their ads across all media (including free to air television) for at least 4 years.

We have considered your advice that the new provisions will have an unnecessary and burdensome impact on broadcasters. While ABAC and its members do not wish to place an unnecessary burden on broadcasters, the committee and our members strongly believe that the new requirements are necessary having regard to both community and political concerns. While no changes to the placement rules will be made at this time, the ABAC Management Committee has decided to review the ABAC placement rules twelve months after implementation.

Yours sincerely,

The Hon Alan Ferguson
Chair, ABAC Management Committee

PO Box 519
Stirling SA 5152
s22(1)(a)(ii)
E info@abac.org.au
abac.org.au
ABN 77 139 761 130

ABAC Management Committee

Minutes of Meeting held 29 September 2017

Venue: 65 York Street, Sydney.

Present:	Alan Ferguson	Chair
	Alec Wagstaff	DSICA
	Brett Heffernan	BAANZ
	Tony Battaglione	WFA
	s22(1)(a)(ii)	Department of Health
	s22(1)(a)(ii)	ABAC Executive Officer
	Michael Lavarch	Chief Adjudicator

1. Welcome

Mr Ferguson opened the meeting at 10.30am.

2. Apologies

Tony Hale

3. Confirmation of Minutes of Meeting 22 June 2017

The minutes of the meeting held 22 June 2017 were accepted.

Moved: Mr Battaglione, Mr Wagstaff

CARRIED

4. Chief Adjudicator's Report

Professor Lavarch presented the Chief Adjudicators report. The Committee thanked Professor Lavarch for his report and for presenting the industry briefings on the new ABAC Code.

5. AAPS Report

s22(1)(a)(ii) presented the AAPS report.

The committee noted the matter raised by pre-vetters but decided it did not require any action.

The committee discussed the results of the AAPS Annual Performance Review and

s22(1)(a)(ii) recommendations and agreed with the first but not the second and third of recommendations. Mr Wagstaff suggested and the committee agreed that awareness of the ability to seek a review of AAPS decisions should be promoted via a footer on pre-vetter emails.

s22(1)(a)(ii) will provide the results of the review to each pre-vetter.

6. Government Report

s22(1)(a)(ii) provided the following report:

1. The new National Drug Strategy has been finalised and is available from the National Drug Strategy website. Link will be provided.

2. The National Alcohol Strategy is the next priority with the forum meeting in late November this year. Whether to have an additional round of consultation is still under consideration.
3. The ~~National~~-FASD Strategy is being developed with consultation having taken place in August and September. s22(1)(a)(ii) thanked the industry members that participated in the consultation and provided a written submission. Siggins Miller will provide the final strategy to the Department of Health in mid November for consideration.
4. The pregnancy warning label final report will be considered by the Australia and New Zealand Forum on Food Regulation (the Forum) in November. After that, it is anticipated that the final report will be made available.

In response to a query from the Chair, s22(1)(a)(ii) clarified that Minister Hunt has portfolio responsibility for alcohol and Minister Gillespie is a food minister at the Forum, that will be considering ~~is responsible for food, including pregnancy warning labels on alcohol products, alcohol labelling.~~

In response to a query on the Commonwealth's views on alcohol marketing, s22(1)(a)(ii) advised that this information could be emailed through ~~will arrange for Mr Laffan to provide information~~ to the committee with the link to the new ADS.

Mr Ferguson noted that State governments are not aware of ABAC and wondered if anything can be done to make State Governments aware ~~of~~ the work that ABAC is doing. s22(1)(a)(ii) advised that the ~~National Drug Strategy~~ Alcohol and Other Drug secretariat could resend the information about the new Code provisions to make them aware of ABAC.

7. Pre-vetter Contract Renewal

The Committee discussed the pre-vetting performance review findings in relation to s22(1)(a)(ii) and decided to renew her contract for a further three year term.

Moved: Mr Battaglione, Mr Heffernan

CARRIED

8. Amended ABAC Documents

The Committee discussed and approved the proposed amendments to the ABAC Rules & Procedures, Guidance Notes and 4 Key Message Sheet.

Moved: Mr Wagstaff, Mr Heffernan

CARRIED

9. Freetv Request

The Committee discussed the request by Freetv to exempt television from the placement rules. The Committee considered the request and while they do not want to place an onerous obligation on television networks, they noted that AUSTAM and Nielsen figures are readily available, audience data has been required by one of ABAC's larger members for more than 4 years, and there were 4 complaints last year about television ads during children's broadcasts that did not breach the CTICP but would have been found in breach of the new ABAC Placement rules.

The Chair will send a letter to Freetv outlining the reasons that the request was declined. The Committee agreed the operation of the new Code placement rules will be reviewed in 12 months.

Moved: Mr Wagstaff, Mr Heffernan

CARRIED

10. Direct Signatories

Recent progress and future action in relation to possible direct signatories was noted:

- **ALSA** – ALSA is working on a statement of support for ABAC.

The Committee discussed other large advertisers that are not currently signatories:

- **Delegat** – BVE are a WFA member (Delegat's Australian interest).
- **Australian Vintage** – Not a WFA member but WFA will encourage them to be an ABAC signatory
- **Metcash (ALM Liquor)** – ABAC will write to ALM Liquor inviting them to become an ABAC signatory. Alec will supply suitable contacts.

11. Revised ABAC Code – Placement Rules

The Committee discussed the launch of the new ABAC Placement Rules. The Committee thanked s22(1)(a)(ii) and the Communications Council for arranging the education briefings.

Mr Battaglione and Mr Wagstaff advised that s22(1)(a)(ii) has accepted the new placement rules require age gates on websites.

12. ABAC Awareness

The Chair reported on his briefings in SA and WA. He noted that the SA Minister for Health and Assistant Minister for Health have resigned and so there will be a need for engagement with the new Minister responsible for alcohol issues in SA.

The Chair will be presenting on ABAC at a VCGLR community stakeholder forum in Melbourne in October and will also be meeting with the Chair and CEO of VCGLR and Victorian Minister and Shadow Minister for Liquor Regulation.

The Committee agreed that a regular update briefing on the activities undertaken by ABAC could be sent through by the Federal Department of Health to the National Drug Strategy Committee by the Department of Health Forum would be helpful.

13. Other Business

Mr Ferguson advised that his appointment as Chair expires in June 30 next year and he does not believe he will be seeking to have it renewed. Mr Wagstaff thanked Mr Ferguson for his thoughtfulness in providing generous notice and for his leadership.

s22(1)(a)(ii) advised that Tony Hale had been approached in his role at the Communications Council to be involved in advocating against SA government policy changes regarding alcohol advertising on public transport. They have asked if ABAC will become involved and s22(1)(a)(ii) advised Mr Hale that it would not be appropriate for ABAC to take an advocacy role but would be available to inform policy makers about ABAC. The Committee agreed with that advice.

14. Next Meetings:

It was noted that the next meeting scheduled for Thursday 23 November in Adelaide will need to be rescheduled.

[Meeting closed at 12pm]

Alan Ferguson
Chair

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
To: "ABAC"
Cc: s22(1)(a)(ii)
Subject: RE: ABAC response for approval [SEC=UNCLASSIFIED]
Date: Tuesday, 12 December 2017 16:58:47

Hi s22(1)(a)(ii)

David Laffan has cleared this letter with no changes.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Saturday, 9 December 2017 8:07 AM
To: s22(1)(a)(ii)

Subject: ABAC response for approval [SEC=No Protective Markings]

Dear Management Committee,

This week I received a letter from s47F (attached), with whom we have previously corresponded in relation to his child viewing a Bundaberg Rum ad while watching a Dora the Explorer video on Youtube a couple years ago. s47F(1) has some questions on how the new placement rules will operate. I have prepared a draft response and ask that you provide feedback or approval by Wednesday 13 December.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
To: "ABAC"
Cc: s22(1)(a)(ii)
Subject: RE: ABAC Contribution to National Liquor News Annual Leaders Forum [SEC=UNCLASSIFIED]
Date: Monday, 18 December 2017 14:48:25
Attachments: [image001.jpg](#)
[image002.png](#)

Hi s22(1)(a)(ii),

The proposed response has been cleared by David Laffan with no comments.

With thanks,

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Monday, 18 December 2017 1:01 PM
To: s22(1)(a)(ii)

Subject: ABAC Contribution to National Liquor News Annual Leaders Forum [SEC=No Protective Marking]

Dear Management Committee,

ABAC has again been asked to contribute to this publication.

I have prepared a response to the questions posed which will be submitted this Friday (and 2017 stats will be updated if any further complaints come in or decisions are made between now and then).

If you have any feedback on the response for inclusion in the publication please let me know by 5 PM this Wednesday.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

ABAC Management Committee Meeting
Thursday 22 June 2017, 2pm

Location:

Brewers Association of Australia & New Zealand
Level 1
27 Murray Crescent
Manuka ACT

Teleconference details:

Dial – s22(1)(a)(ii)

Guest Code – s22(1)(a)(ii)

Attendees: - TBC!

Alan Ferguson – Chair

Alec Wagstaff - Chief Executive Distilled Spirits Industry Council Inc

Brett Heffernan - Brewers Association of Australia & New Zealand

Tony Hale - CEO the Communications Council

Tony Battaglene - Chief Executive, Winemakers Federation of Australia

Michael Lavarch – Chair of ABAC Adjudication Panel

s22(1)(a)(ii) – Executive Officer and Company Secretary, ABAC

David Laffan – Commonwealth Government Representative

Agenda

1. **Chair's Welcome**

2. **Apologies**

3. **Confirmation of previous meeting minutes – 16/3/17 (refer to agenda Attachment A)**

Noted. We have no edits to the minutes.

4. **Chief Adjudicator's Report (refer to agenda Attachment B)**

Noted. There is no input to offer for this item.

Health notes that there have been 88 determinations made since the January 2017 with 15 determinations and 2 being upheld.

5. **AAPS Report (refer to agenda Attachment C)**

Noted. No further comments.

6. **Government Report**

You will be asked to provide a verbal update.

Government updates are as follows:

Evaluation of the voluntary pregnancy warning labels initiative

- The final report was provided to the Department at the end of May 2017. It has been referred in the first instance to the Food Regulation Standing Committee (FRSC), which meets on 23 June, for consideration and advice to go to Food Ministers later in 2017.
- The report is expected to be publically released after it has been considered by Food Ministers. However, I can report the findings show a significant improvement in take-up since the first evaluation and it is evident industry has got behind the initiative.
- The only product area which needs improvement is the craft brewers, noting this is a small market share of products.

National Drug Strategy

The National Drug Strategy was endorsed by Ministers, with some small data updates to be actioned, in May 2017. Once the data updates are completed the NDS will be ready for public release. This means the National Alcohol Strategy is the next strategy to be considered.

7. **Matters for discussion and Direction**

7.1 Colmar Brunton Research (refer to agenda Attachment E)

Note: The ABAC Secretariat has observed the report was not well written and contained a range of notable errors, some of which may have skewed the results if not noticed by ABAC. Industry participants in focus groups observed some facilitators were in some cases inexperienced and were not able to manage and respond to the complexity of the issues.

This item also links to item 7.4.

Questions for discussion:

1. What action if any should ABAC take to address the low level of community awareness of the scheme?

ABAC has been trying to meet with Ministers in State and Territory Government but has not had a lot of success. There is merit in raising awareness of the scheme, but this is not something the Federal Government can facilitate.

2. What action should be taken to improve alignment with the scheme and community views?

There is always a case for ensuring the ABAC Code aligns strongly with community expectations.

A copy of the Colmar Brunton report is attached.

7.2 Direct Signatories (refer to agenda Attachment F)

Since the last meeting Asahi Premium Beverages, has become a signatory

There is as noted no change re position of ALSA.

7.3 Placement of Alcohol Marketing (refer to agenda Attachment G)

There will be discussion of the draft paper and proposed rules.

There are no particular issues identified.

This is a good first step and the code if approved it will need to be monitored to measure how effective it is in addressing complaints, breaches or any unforeseen placements issues which may arise.

7.4 ABAC Awareness (refer to agenda Attachment H)

A paper – the Engagement Proposal - has been prepared which aims to raise awareness of the ABAC Scheme and outlines a schedule for meeting between the ABAC Chair s and range of Ministers and officials.

ABAC has been trying to meet with Ministers in State and Territory Government but has not had a lot of success. There is merit in raising awareness of the scheme, but this is not something the Federal Government can facilitate.

7.5 Product Placement and Sponsorship (refer to agenda Attachment I)

To discuss the ABAC Code in relation to product placement and sponsorship.

Industry is well placed to talk to this item.

There may be merit in providing further clarity and better described differentiation of the terms sponsorship and placement.

8. **Other business:** None advised.

9. **Next meetings:** Friday, 29 September 2017 – Sydney
Thursday, 23 November 2017 - Adelaide

From: ABAC
To: s22(1)(a)(ii) LAFFAN, David; s22(1)(a)(ii)
Subject: Proposed ABAC Placement Rules [SEC=No Protective Marking]
Date: Wednesday, 14 June 2017 15:09:34
Attachments: [Draft ABAC Responsible Alcohol Marketing Code 14-6-17.doc](#)
[Draft ABAC Guidance Notes - 14-6-17.doc](#)

Dear David

As I have foreshadowed, ABAC has been developing a set of placement rules to address concern in relation to placement of alcohol advertising with content that targets minors. It has taken some time as having not previously regulated placement and given the mechanics of placement of advertising vary among the different media platforms, education and careful consideration of the practical process for placement of alcohol advertising was required.

I am pleased to advise that a draft set of placement rules has received the support of the member signatories of the scheme and has been incorporated into the attached revised draft Code and Guidance Notes. These documents will be included in the papers for consideration at the ABAC Management Committee meeting next Thursday, 22 June at 2pm which will be circulated soon.

I had hoped to provide these drafts earlier and meet with you to discuss in person but given the Management Committee meeting is imminent, if you have any queries or would like to discuss the provisions, a telephone call may be easier?

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

This document has been released under the Freedom of Information Act 1982 by the Department of Health

DRAFT ABAC RESPONSIBLE ALCOHOL MARKETING CODE

1 PREAMBLE

The ABAC Responsible Alcohol Marketing Code is designed to ensure that alcohol is marketed in a responsible manner. Signatories to the Code are committed to ensuring that [the content](#) of their marketing complies with the Code's spirit and intent.

The Code complements Australian legislation, the AANA Code of Ethics and media-specific codes relevant to the placement of marketing.

From time to time, the ABAC Scheme may publish best practice advice to industry. That advice does not form part of the Code but complements it by assisting industry to achieve high levels of responsibility in the management of its marketing.

2 APPLICATION

- (a) The Code APPLIES to all Marketing Communications in Australia generated by or within the reasonable control of a Marketer, except as set out in Section 2(b). This includes, but is not limited to:

- brand advertising (including trade advertising)
- competitions
- digital communications (including in mobile and social media and user generated content)
- [Alcohol Beverage](#) product names and packaging
- advertorials
- alcohol brand extensions to non-alcohol beverage products
- point of sale materials
- retailer advertising
- Marketing Collateral

- (b) The Code does NOT apply to:

- (i) [materials](#) or activities whose sole purpose is to educate about misuse or abuse of alcohol beverages and which do not include a company's product branding;
- (ii) information in company annual reports, corporate public affairs messages or internal company communications;
- (iii) the name or packaging of an [Alcohol Beverage](#) product, including the use of a trademark on a product which a supplier can demonstrate, to the satisfaction of the Adjudication Panel, had been supplied for bona fide retail sale in the ordinary course of business in Australia prior to 31 October 2009;
- (iv) point of sale Marketing Communications initiated by Alcohol Beverage retailers (as these are regulated by liquor licensing legislation), provided that a producer or distributor of Alcohol Beverages has no control over the point of sale Marketing Communication;
- (v) Sponsorship;
- ~~(vi) the placement of a Marketing Communication, except in relation to part 3(b)(iv) and to the extent that placement may impact on how the Marketing Communication is understood in accordance with [Part 5](#).~~

3 STANDARDS TO BE APPLIED

(a) Responsible and moderate portrayal of Alcohol Beverages

A Marketing Communication must NOT:

- (i) show (visibly, audibly or by direct implication) or encourage the excessive or rapid consumption of an Alcohol Beverage, misuse or abuse of alcohol or consumption inconsistent with the Australian Alcohol Guidelines;
- (ii) show (visibly, audibly or by direct implication) or encourage irresponsible or offensive behaviour that is related to the consumption or presence of an Alcohol Beverage;
- (iii) challenge or dare people to consume an Alcohol Beverage; or
- (iv) encourage the choice of a particular Alcohol Beverage by emphasising its alcohol strength (unless emphasis is placed on the Alcohol Beverage's low alcohol strength relative to the typical strength for similar beverages) or the intoxicating effect of alcohol.

(b) Responsibility toward Minors

A Marketing Communication must NOT:

- (i) have Strong or Evident Appeal to Minors;
- (ii) depict a person who is or appears to be a Minor unless they are shown in an incidental role in a natural situation (for example, a family socialising responsibly) and where there is no implication they will consume or serve alcohol; or
- (iii) depict an Adult who is under 25 years of Age and appears to be an Adult unless:
 - they are not visually prominent; or
 - they are not a paid model or actor and are shown in a Marketing Communication that has been placed within an Age Restricted Environment.

(iv) be directed at Minors through a breach of any of the Placement Rules.

(c) Responsible depiction of the effects of alcohol

A Marketing Communication must NOT:

- (i) suggest that the consumption or presence of an Alcohol Beverage may create or contribute to a significant change in mood or environment;
- (ii) show (visibly, audibly or by direct implication) the consumption or presence of an Alcohol Beverage as a cause of or contributing to the achievement of personal, business, social, sporting, sexual or other success;
- (iii) if an Alcohol Beverage is shown (visibly, audibly or by direct implication) as part of a celebration, imply or suggest that the Alcohol Beverage was a cause of or contributed to success or achievement; or
- (iv) suggest that the consumption of an Alcohol Beverage offers any therapeutic benefit or is a necessary aid to relaxation.

(d) Alcohol and Safety

A Marketing Communication must NOT show (visibly, audibly or by direct implication) the consumption of an Alcohol Beverage before or during any activity that, for safety reasons, requires a high degree of alertness or physical co-ordination, such as the control of a motor vehicle, boat or machinery or swimming.

4 NO FAULT BREACH

A breach of this Code that is reasonably unforeseeable by or outside the reasonable control of the Marketer or their agency will be classified as a No Fault Breach.

45 INTERPRETATION

Compliance of a Marketing Communication with the Code is to be assessed in terms of the probable understanding of the Marketing Communication by a reasonable person to whom the material is likely to be communicated, and taking its content as a whole.

Capitalised terms have the meanings set out in section 5 below.

Headings do not expand the Code.

56 DEFINITIONS

In this Code:

AANA Code of Ethics means the Australian Association of National Advertisers Code of Ethics.

ABAC Scheme means The ABAC Scheme Limited.

Adjudication Panel means the panel convened to adjudicate a complaint received by the ABAC Scheme.

Adult means a person who is of legal purchase age in Australia.

Age-Restricted Environment means:

- licensed premises that do not permit entry by Minors; or
- a non alcohol-specific age-restricted digital platform (including, for example, a social media website or application) which:
 - requires users to register and login to use the platform, including the provision of their full date of birth; and
 - is able to hide the existence of any alcohol-related pages, sites and content such that they are not visible other than to a user who has registered on the platform as being 18 years of age or over.

Alcohol Beverage means a beverage containing at least 0.5% alcohol by volume.

Australian Alcohol Guidelines means the electronic document 'Australian Guidelines to Reduce Health Risks from Drinking Alcohol (1-2)' published by the National Health & Medical Research Council ("NHMRC") as at 1st January 2010.

Code means this ABAC Responsible Alcohol Marketing Code.

Marketer means a producer, distributor or retailer of Alcohol Beverages.

Marketing Collateral means material used by a Marketer to promote a brand and support the sales and marketing of Alcohol Beverages, including gifts with purchase, competition prizes and branded merchandise.

Marketing Communications means marketing communications in Australia generated by or within the reasonable control of a Marketer (apart from the exceptions listed in Section 2(b)), including but not limited to brand advertising (including trade advertising), competitions, digital communications (including in mobile and social media), product names and packaging, advertorials, alcohol brand extensions to non-alcohol beverage products, point of sale materials, retailer advertising and Marketing Collateral.

Minor means a person who is under 18 years of age and therefore not legally permitted to purchase an Alcohol Beverage in Australia.

Placement Rules means:

- (i) [A Marketing Communication must comply with codes regulating the placement of alcohol marketing that have been published by Australian media industry bodies \(for example, Commercial Television Industry Code of Practice and Outdoor Media Association Alcohol Guidelines\).](#)

- (ii) If a media platform on which a Marketing Communication appears has age restriction controls available, the Marketer must utilise those age restriction controls to exclude Minors from the audience.
- (iii) If a digital, television, radio, cinema or print media platform does not have age restriction controls available that are capable of excluding Minors from the audience, a Marketing Communication may only be placed where the audience is reasonably expected to comprise at least 75% Adults (based on reliable, up-to-date audience composition data, if such data is available).
- (iv) A Marketing Communication must not be placed with programmes or content primarily aimed at Minors.
- (v) A Marketing Communication must not be sent to a Minor via electronic direct mail (except where the mail is sent to a Minor in error due to a Minor providing an incorrect date of birth or age).

Strong or Evident Appeal to Minors means:

- (i) likely to appeal strongly to Minors;
- ~~(#)(ii)~~ (ii) specifically targeted at Minors;
- ~~(#)(iii)~~ (iii) having a particular attractiveness for a Minor beyond the general attractiveness it has for an Adult;
- ~~(iii)(iv)~~ (iv) using imagery, designs, motifs, animations or cartoon characters that are likely to appeal strongly to Minors or that create confusion with confectionary or soft drinks; or
- (v) using brand identification, including logos, or clothing, toys or other merchandise for use primarily by Minors.

Sponsorship means any agreement or part of an agreement involving payment or other consideration in lieu of payment by a Marketer to support a sporting or cultural property, event or activity, in return for which the sponsored party agrees to be associated with or promote the sponsor's Alcohol Beverage or outlet. Sponsorship also includes naming rights of events or teams and the inclusion of a brand name and/or logo at an event venue or on uniforms of participants (excluding branded merchandise).



Draft Guidance Notes - ABAC Responsible Alcohol Marketing Code

Overview

The ABAC Scheme is an initiative in quasi-regulation funded by industry and administered with the support of government. The key components of the Scheme are the ABAC Responsible Alcohol Marketing Code (Code), the Alcohol Advertising Pre-vetting Service (AAPS) and the ABAC complaints handling process (ABAC Adjudication Panel).

All [marketing](#) for alcohol beverages are required to comply with the ABAC as well as the Australian Association of National Advertisers' (AANA) Code of Ethics. In addition, where appropriate, alcohol advertisements must comply with other codes of Practice such as the Commercial Television Industry Code of Practice, the Codes for Commercial Radio and the Outdoor Media Association Code of Ethics and Alcohol Guidelines.

Purpose of the Guidance Notes

The ABAC Management Committee has developed the following Guidance Notes to assist advertisers and agencies in interpreting the essential meaning and intent of the Code by providing clarification through definition, explanation or example. The Guidance Notes are not intended to replace or extend the provisions of the Code itself.

The Guidance Notes represent the opinions of ABAC's administrators and are based in part on previous decisions made by the independent ABAC Adjudication Panel. The ABAC website – www.abac.org.au – includes an advanced search facility that enables all adjudication decisions relating to a particular issue or provision to be located and accessed and may be useful in providing further understanding of the issues involved in a particular clause of the Code. Insofar as the Code contains new or amended provisions untested by the Panel, these Guidance Notes will evolve as those provisions are interpreted by the ABAC Adjudication Panel and precedent is set.

Notwithstanding the content of these Guidance Notes, the AAPS Pre-vetter remains the final arbiter on how the Code should be interpreted and applied at the pre-vetting stage. Likewise the ABAC Adjudication Panel remains the final arbiter on how the Code should be interpreted and applied at the complaints adjudication stage.

Whilst AAPS Pre-vetters undertake to provide the best possible advice, any complaint regarding an alcohol advertisement will be assessed through the ABAC complaints handling process. It should be noted that successful pre-vetting does not serve as a guarantee or an argument that a complaint should be dismissed. The ABAC complaints handling process and the AAPS Pre-vetting Service are conducted separately by independent experts.

1. Preamble

The ABAC Responsible Alcohol Marketing Code is designed to ensure that alcohol is marketed in a responsible manner. Signatories to the Code are committed to ensuring that [the content of](#) their marketing complies with the Code's spirit and intent.

The Code complements Australian legislation, the AANA Code of Ethics and media-specific codes relevant to the placement of marketing.

From time to time, the ABAC Scheme may publish best practice advice to industry. That advice does not form part of the Code but complements it by assisting industry to achieve high levels of responsibility in the management of its marketing.

Guidance Note: Section 1

Users of these Guidance Notes are strongly encouraged to work within both the spirit and the letter of the Code as it stands. Advertisers are reminded that examples, real or perceived, of attempts to circumvent the provisions of the Code threaten the industry's reputation for responsible regulation and are in direct conflict with the interests of industry and the wider community.

2. Application

- (a) The Code APPLIES to all Marketing Communications in Australia generated by or within the reasonable control of a Marketer, except as set out in Section 2(b). This includes, but is not limited to:
- brand advertising (including trade advertising)
 - competitions
 - digital communications (including in mobile and social media and user generated content)
 - [Alcohol Beverage](#) product names and packaging
 - advertorials
 - alcohol brand extensions to non-alcohol beverage products
 - point of sale materials
 - retailer advertising
 - Marketing Collateral
- (b) The Code does NOT apply to:
- (i) Materials or activities whose sole purpose is to educate about misuse or abuse of alcohol beverages and which do not include a company's product branding;
 - (ii) information in company annual reports, corporate public affairs messages or internal company communications;
 - (iii) the name or packaging of an [Alcohol Beverage](#) product, including the use of a trademark on a product which a supplier can demonstrate, to the satisfaction of the Adjudication Panel, had been supplied for bona fide retail sale in the ordinary course of business in Australia prior to 31 October 2009;
 - (iv) point of sale Marketing Communications initiated by Alcohol Beverage retailers (as these are regulated by liquor licensing legislation), provided that a producer or distributor of Alcohol Beverages has no control over the point of sale Marketing Communication;
 - (v) Sponsorship.

- (vi) ~~the placement of a Marketing Communication, except (in relation to part 3 (b)(iv) and to the extent that placement may impact on how the Marketing Communication is understood in accordance with section 4~~Part 5.

Guidance Note: Section 2

Remit

The remit of the Code is set out in section 2 and must be read together with the section 5 definitions. The ABAC applies to marketing communications in Australia generated by or within the reasonable control of an alcohol beverage producer, distributor or retailer apart from the exceptions specified in Section 2(b). The Panel has found (in the context of product placement complaints) that while a marketing communication does not need to have been physically created in Australia it must have a direct connection with an alcohol industry entity which has a presence in Australia.

Reasonable control

This term has been included in recognition that a brand may be included in a communication that is not generated by the brand owner and is not in the reasonable control of a brand owner.

Examples of marketing communications that are not likely to meet the reasonable control test are:

- unauthorised product fan sites
- product placement over which a brand owner has no reasonable control
- user profiles of facebook fans that appear on a brand owners facebook page, as they are automatically updated on the brand owner's page whenever a user changes their profile

Examples of marketing communications that are likely to meet the reasonable control test are:

- brand extension (use of a brand on a non-alcohol beverage product)
- marketing communications by an agent or employee of a brand owner
- user generated content on a brand controlled social media site or page
- posts by a social media influencer where the brand has reasonable control over the post (for example pre-campaign influencer recruitment and post moderation of content)
- product placement where a company has reasonable control over the way in which their brand is portrayed

Exceptions

Part (b) sets out clearly the limited circumstances in which the Code will not apply to a marketing communication by an alcohol beverage producer, distributor or retailer.

Placement Exception

~~The ABAC is a code which principally deals with the content and not the placement of advertisements within a particular medium, location or timeslot. This can be contrasted with the Commercial Television Industry Code of Practice and the~~

~~Outdoor Media Association Alcohol Guidelines which do contain provisions that restrict when an alcohol beverage advertisement can be broadcast or where it can be placed. The Interpretation section does however indirectly raise the placement of advertising by reference to "the class of persons to whom the material is likely to be communicated".~~

3. Standards to be applied

(a) Responsible and moderate portrayal of Alcohol Beverages

A Marketing Communication must NOT:

- (i) show (visibly, audibly or by direct implication) or encourage the excessive or rapid consumption of an Alcohol Beverage, misuse or abuse of alcohol or consumption inconsistent with the Australian Alcohol Guidelines;
- (ii) show (visibly, audibly or by direct implication) or encourage responsible or offensive behaviour that is related to the consumption or presence of an Alcohol Beverage;
- (iii) challenge or dare people to consume an Alcohol Beverage; or
- (iv) encourage the choice of a particular Alcohol Beverage by emphasising its alcohol strength (unless emphasis is placed on the Alcohol Beverage's low alcohol strength relative to the typical strength for similar beverages) or the intoxicating effect of alcohol.

Guidance Note: Section 3(a)

Responsible and Moderate Portrayal of Alcohol Beverages

Alcohol marketing cannot show or encourage:

- *excessive or rapid consumption of alcohol*
- *misuse or abuse of an alcohol beverage*
- *alcohol related irresponsible or offensive behaviour (eg violence, vandalism, providing alcohol to an animal)*
- *a challenge or dare to consume alcohol*
- *emphasising the strength or intoxicating effect of an alcohol beverage to encourage consumption of a higher than typical strength alcohol beverage*

Australian Alcohol Guidelines

The 2010 Australian Guidelines to Reduce Health Risks from Drinking Alcohol advise that to reduce the lifetime risk of harm from alcohol-related disease or injury, healthy men and women should drink no more than 2 standard drinks on any day and to reduce the risk of alcohol related injury arising from a single occasion of drinking healthy men and women should drink no more than 4 standard drinks on a single occasion. There can be no encouragement of consumption contrary to these guidelines.

(b) Responsibility toward Minors

A Marketing Communication must NOT:

- (i) have Strong or Evident Appeal to Minors;
- (ii) depict a person who is or appears to be a Minor unless they are shown in an incidental role in a natural situation (for example, a family socialising responsibly) and where there is no implication they will consume or serve alcohol; or
- (iii) depict an Adult who is under 25 years of Age and appears to be an Adult unless:
 - (A) they are not visually prominent; or
 - (B) they are not a paid model or actor and are shown in a Marketing Communication that has been placed within an Age Restricted Environment.

(iv) be directed at Minors through a breach of any of the Placement Rules.

Guidance Note: Section 3(b)

Strong or evident appeal to Minors

*There can be no strong or evident appeal to Minors. This is defined in Section 5 as meeting any one or more of the following tests. To breach section 3(b)(i) only **one** of these tests must be met.*

- *likely to appeal strongly to Minors*
- *specifically targeted at Minors*
- *having a particular attractiveness for a Minor beyond the general attractiveness it has for an Adult*
- *using imagery, designs, motifs, animations or cartoon characters that are likely to appeal strongly to Minors or that create confusion with confectionary or soft drinks*
- *using brand identification, including logos, on clothing, toys or other merchandise for use primarily by Minors*

Whether material is in breach of any one of the above sub-points is determined looking at the material as a whole. Assessment requires a weighing up of factors such as the visual techniques, themes, age of actors and characters and overall look and feel.

Images of Minors

People who are or look under 18 may only be shown where:

- *they are in an incidental role only*
- *they are in a natural situation (for example a family socialising responsibly)*
- and
- *there is no implication they will consume or serve alcohol*

Images of 18-24 year olds

There are restrictions on the use of images of 18-24 year olds that appear to be over 18 years of age that need to be considered carefully. The images may only be shown in marketing communications in the following circumstances:

- *if the images are not visually prominent they may be shown in any medium;*
- or**

- if the image is visually prominent and is of a real person in a real scenario, rather than an image of a paid model or actor, it may appear in a marketing communication placed in either:
 - licensed premises that do not permit entry by Minors **or**
 - in a non-alcohol specific age restricted digital platform. This is a digital platform that meets **all** of the following criteria:
 - non-alcohol specific – this is a digital platform that has not been set up for the purpose of promotion of an alcohol beverage, but for a wide variety of uses. Examples of non-alcohol specific digital platforms are Facebook, Youtube or Twitter. Examples of alcohol specific digital platforms are alcohol company or brand websites, **and**
 - requires users to register by provision of date of birth and then login to use the platform, **and**
 - is **also** able to hide the existence of alcohol pages from those registered as under 18 years of age - Facebook pages can use age restriction settings so that the page is not visible to users under the age of 18.

Facebook pages **that elect to use all available age restriction controls** currently qualify as a non-alcohol specific age restricted digital platform as defined in the Code and therefore allow the use of images of visually prominent 18-24 year olds on their websites. Alcohol brand websites which require entry of a date of birth to enter the site do not fall within this narrow exception and may **not** include images of visually prominent 18-24 year olds. Alcohol marketers must be diligent in ensuring that a platform's age restriction controls meet the specific criteria and that age profiles are reliably obtained before including images of 18-24 year olds on that platform.

The apparent age of the talent in an advertisement will often be a subjective test. To avoid ambiguity, the pre-vetter will always take a conservative view of the apparent age of the talent. Therefore agencies should do likewise, irrespective of the actual age of the talent.

Directed to Minors

This provision was implemented in 2017 to expand the standards to responsible placement of alcohol marketing. The provisions represent accepted practice in the alcohol industry for taking reasonable steps to ensure alcohol marketing is directed to adults and does not appear in media for children and young people and media where children and young people make up a significant proportion of the audience. ABAC has also published a best practice guide that addresses content management and placement in digital media and assists alcohol marketers to manage their marketing responsibly in this medium.

There are five placement rules for alcohol marketing:

- Must comply with codes regulating the placement of alcohol marketing that have been published by Australian media industry bodies. Alcohol marketers must ensure they comply with the Outdoor Media Association Alcohol Guidelines and alcohol provisions in the Commercial Television Industry, Australian Subscription Television & Radio and Commercial Radio Codes of Practice.
- If a media platform on which a Marketing Communication appears has age restriction controls available, the Marketer must use those age restriction controls to exclude Minors from the audience. Many digital media platforms such as Facebook have age restriction controls. In addition, alcohol marketers can set up age verification requirements before allowing access to alcohol marketing on company websites. Age restriction techniques should always be used to limit exposure to minors if available. There are circumstances where a minor may register for a platform with an incorrect date of birth or log in via a parent's device but these are parental control issues and outside the reasonable control of alcohol marketers.
- There are media platforms for which age restriction controls capable of excluding Minors from the audience are not currently available but audience composition data is usually available. Examples include free to air television, radio, cinema, print and some digital media platforms. In these circumstances international best practice is to minimise exposure to Minors by only placing alcohol marketing where the media or platform has a higher proportion of adults in its audience than the proportion in the general population. Marketers are responsible for obtaining reliable, up-to-date, audience composition data, where available, to satisfy themselves (and in the event of a complaint, the ABAC Panel) as to reasonable expectations of audience composition. ABAC acknowledges that the nature and precision of audience data available to marketers varies between media but marketers are encouraged to make best use of the data available to them to identify the audience of a medium, platform or content (for example this could include available data for a platform where the content is similar). Where audience data is unavailable or unreliable, the Panel will assess likely audience composition based on data for similar platforms or content or if unavailable will apply a common-sense approach based on an assessment of the media content and other available information. In relation to outdoor advertising where advertisements are visible to the general public, including in community spaces via billboards, and on public transport, signatories observe supplementary protections, to recognise that there can be higher concentrations of minors in the vicinity of certain advertising sites. In particular, in addition to the universal content requirements of the ABAC Code which protects against appeal to minors in any event, signatories apply the OMA policy which requires OMA members and ABAC signatories to ensure alcohol advertising is not placed on fixed signs that are located within a 150 metre sight line of a primary or secondary school (save licensed premises).
- be placed with programmes or content primarily aimed (ie obviously directed) at Minors (examples are advertising before or during a children's cartoon or a Harry Potter movie or within a magazine targeted at teenagers)
- be sent to a Minor via electronic direct mail. Alcohol marketers must ensure that all electronic direct mail databases are reliably age verified to only

include adults. There may be circumstances where a minor is on an age verified list as they have entered an incorrect date of birth or age but this is again a parental control issue and outside the reasonable control of alcohol marketers.

(c) Responsible depiction of the effects of alcohol

A Marketing Communication must NOT:

- (i) suggest that the consumption or presence of an Alcohol Beverage may create or contribute to a significant change in mood or environment;
- (ii) show (visibly, audibly or by direct implication) the consumption or presence of an Alcohol Beverage as a cause of or contributing to the achievement of personal, business, social, sporting, sexual or other success;
- (iii) if an Alcohol Beverage is shown (visibly, audibly or by direct implication) as part of a celebration, imply or suggest that the Alcohol Beverage was a cause of or contributed to success or achievement; or
- (iv) suggest that the consumption of an Alcohol Beverage offers any therapeutic benefit or is a necessary aid to relaxation.

Guidance Note: Section 3(c)

There can be no portrayal of the presence of alcohol as having any causal relationship with mood change, a celebration, success of any kind, a therapeutic benefit or being necessary to relax.

There is no intention to prevent the depiction of alcohol as incidental to a friendly and lively social environment or celebration, but the presence or introduction of alcohol cannot be seen to transform an occasion or directly contribute to its success.

Similarly there is no intention to restrict the depiction of alcohol being responsibly consumed by successful or attractive people, provided there is no suggestion that it has caused or contributed to their circumstance. It is also possible to depict the presence of alcohol in a romantic situation provided there is no suggestion it has caused or contributed to the achievement of sexual or other success.

A marketing communication must not suggest that consuming the product is beneficial for a persons health or wellbeing but may make claims about nutritional content such as calories, sugar or carbohydrate levels and compare this information with other alcohol products.

It should be noted that the presence of alcohol includes any elements of the product or brand (such as packaging or brand marks) intended to represent the product.

(d) Alcohol and Safety

A Marketing Communication must NOT show (visibly, audibly or by direct implication) the consumption of an Alcohol Beverage before or during any activity that, for safety reasons, requires a high degree of alertness or physical co-ordination, such as the control of a motor vehicle, boat or machinery or swimming.

Guidance Note: Section 3(d)

There is no intention to exclude every association between alcohol and activities that, for safety reasons, require a high degree of alertness or physical co-ordination; however any such association must not depict the consumption of alcohol taking place before or during the engagement in any such activities. The types of activities that have been found to require a high degree of alertness or physical co-ordination include:

- responsibility for a large barbecue fire (however tending a barbecue did not fall within this category)*
- person in control of a motor vehicle, including directing the driver (but not passengers)*
- traversing a clifftop near the edge*

Showing consumption of alcohol is more than just actual drinking and includes language and images which invoke consumption.

4. No Fault Breach

A breach of this Code that is reasonably unforeseeable or outside the reasonable control of the Marketer or their agency will be classified as a No Fault Breach.

Guidance Note: Section 4

It is for Marketers to satisfy themselves that they have taken appropriate steps to comply with the ABAC Code. It is not an acceptable defence to argue that a third party failed to execute or direct a marketing communication appropriately. However, where a Marketer or its agency satisfies the ABAC Panel that it took all reasonable steps to correctly and adequately brief a medium or body as to the execution or placement of a marketing communication and an error was made by that third party resulting in a breach of the ABAC Code, the breach will be recorded as a “No Fault Breach” and the breach will not be included in the list of breaches published on the ABAC website and in the ABAC Annual reports.

An example may be where a television network incorrectly classified a programme for children as a programme for adults resulting in placement of an alcohol ad with children’s content. This would be a breach of the ABAC but is outside the control of the marketer.

4.5. Interpretation

Compliance of a Marketing Communication with the Code is to be assessed in terms of the probable understanding of the Marketing Communication by a reasonable person to whom the material is likely to be communicated, and taking its content as a whole.

Capitalised terms have the meanings set out in section 5 below.

Headings do not expand the Code.

Guidance Note: Section 5

For the purposes of the ABAC Code, and as it is applied in Australian law, the test of the reasonable person is intended as a reflection of the standards and attitudes of contemporary Australian society. The test of the reasonable person exists

specifically to ensure the perceived views and standards of the broader community prevail over those of any individual or minority group. In relation to the context in which alcohol is presented in advertising, we have adopted the test of the reasonable person as it is reflected in widely observed and accepted practice and public opinion, to determine where, when, by whom and how alcohol consumption is portrayed.

The headings in section 3 are not separate standards but only instructive as to the aims of each set of standards.

5.6. Definitions

In this Code:

AANA Code of Ethics means the Australian Association of National Advertisers Code of Ethics.

ABAC Scheme means The ABAC Scheme Limited.

Adjudication Panel means the panel convened to adjudicate a complaint received by the ABAC Scheme.

Adult means a person who is of legal purchase age in Australia.

Age-Restricted Environment means:

- licensed premises that do not permit entry by Minors;
- a non alcohol-specific age-restricted digital platform (including, for example, a social media website or application) which:
 - requires users to register and login to use the platform, including the provision of their full date of birth; and
 - is able to hide the existence of any alcohol-related pages, sites and content such that they are not visible other than to a user who has registered on the platform as being 18 years of age or over.

Alcohol Beverage means a beverage containing at least 0.5% alcohol by volume.

Australian Alcohol Guidelines means the electronic document 'Australian Guidelines to Reduce Health Risks from Drinking Alcohol (1-2)' published by the National Health & Medical Research Council ("NHMRC") as at 1st January 2010.

Code means the ABAC Responsible Alcohol Marketing Code.

Marketer means a producer, distributor or retailer of Alcohol Beverages.

Marketing Collateral means material used by a Marketer to promote a brand and support the sales and marketing of Alcohol Beverages, including gifts with purchase, competition prizes and branded merchandise.

Marketing Communications means marketing communications in Australia generated by or within the reasonable control of a Marketer (apart from the exceptions listed in Section 2(b)), including but not limited to brand advertising (including trade advertising), competitions, digital communications (including in mobile and social media), product names and packaging, advertorials, alcohol brand extensions to non-alcohol beverage products, point of sale materials, retailer advertising and Marketing Collateral.

Minor means a person who is under 18 years of age and therefore not legally permitted to purchase an Alcohol Beverage in Australia.

Placement Rules means:

- (i) A Marketing Communication must comply with codes regulating the placement of alcohol marketing that have been published by Australian media industry bodies (for example, Commercial Television Industry Code of Practice and Outdoor Media Association Alcohol Guidelines)
- (ii) If a media platform on which a Marketing Communication appears has age restriction controls available, the Marketer must utilise those age restriction controls to exclude Minors from the audience.
- (iii) If a digital, television, radio, cinema or print media platform does not have age restriction controls available that are capable of excluding Minors from the audience, a Marketing Communication may only be placed where the audience is reasonably expected to comprise at least 75% Adults (based on reliable, up-to-date audience composition data).
- (iv) A Marketing Communication must not be placed with programmes content primarily aimed at Minors.
- (v) A Marketing Communication must not be sent to a Minor via electronic direct mail (except where the mail is sent to a minor in error due to a Minor providing an incorrect date of birth or age).

Strong or Evident Appeal to Minors means:

- ~~(i)~~(vi) likely to appeal strongly to Minors;
- ~~(ii)~~(vii) specifically targeted at Minors;
- ~~(iii)~~(viii) having a particular attractiveness for a Minor beyond the general attractiveness it has for an Adult;
- ~~(iv)~~(ix) using imagery, designs, motifs, animations or cartoon characters that are likely to appeal strongly to Minors or that create confusion with confectionary or soft drinks; or
- ~~(v)~~(x) using brand identification, including logos, on clothing, toys or other merchandise for use primarily by Minors

Sponsorship means any agreement or part of an agreement involving payment or other consideration in lieu of payment by a Marketer to support a sporting or cultural property, event or activity, in return for which the sponsored party agrees to be associated with or promote the sponsor's Alcohol Beverage or outlet. Sponsorship also includes naming rights of events or teams and the inclusion of a brand name and/or logo at an event venue or on uniforms of participants (excluding branded merchandise).

From: s22(1)(a)(ii)
To: s22(1)(a)(ii) LAFFAN, David; s22(1)(a)(ii)
Subject: RE: ABAC Management Committee meeting - reschedule [SEC=UNCLASSIFIED]
Date: Monday, 9 October 2017 15:25:00

Hi s22(1)(a)(ii)

Hope you are well. David, s22(1)(a)(ii) and s22(1)(a)(ii) are all available on 30 November for the next ABAC Management Committee meeting.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Wednesday, 4 October 2017 11:21 AM
To: s22(1)(a)(ii) LAFFAN, David; s22(1)(a)(ii)
Subject: ABAC Management Committee meeting - reschedule [SEC=No Protective Marking]
Dear David, s22(1)(a)(ii)

I hope you are all well. I need to reschedule the next ABAC Management Committee meeting scheduled for 23 November in Adelaide. Are you available 30 November?

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
Sent: Thursday, 7 January 2016 3:55 PM
To: ABAC (info@abac.org.au)
Cc: s22(1)(a)(ii)
Subject: FW: ABAC Complaints 1-8/16 - Various [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

Can you please also add my name to this email list? I work with s22(1)(a)(ii) s22(1)(a)(ii) in the Drug and Alcohol Strategic Policy Section, Drug Strategy Branch. As you are aware, s22(1)(a)(ii) has left our team and s22(1)(a)(ii) and I will be working on alcohol advertising and ABAC so will be the new contacts for the Department. Kind

Regards

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Thursday, 7 January 2016 3:09 PM
To: 'ABAC'
Cc: s22(1)(a)(ii)
Subject: RE: ABAC Complaints 1-8/16 - Various [SEC=No Protective Marking]

Hi s22(1)(a)(ii),

Happy new year! Can you please remove my name from this list and add s22(1)(a)(ii) above?

Thanks

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Thursday, 7 January 2016 3:07 PM
To: s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii) MCGLYNN, Lisa; s22(1)(a)(ii)

Subject: ABAC Complaints 1-8/16 - Various [SEC=No Protective Marking]

To: ABAC Management Committee

ASB Case Managers

ABAC Complaint No: 1/16

ASB ID: 232335

Received by ABAC: 4 January 2016

Complainant: Confidential

Product: Great Northern Beer

Advertisement: TVC

The Chief Adjudicator has decided that this complaint (set out below) raises an issue under Part 3(d) of the ABAC. Accordingly the complaint will be referred to the ABAC Panel.

ABAC Complaint No: 2/16
ASB ID: 232342
Received by ABAC: 4 January 2016
Complainant: s47F
Product: Pure Blonde

Advertisement: Digital

The Chief Adjudicator has decided that this complaint (set out below) does not raise ABAC issues. Accordingly the ABAC Panel will not consider the complaint. The complainant will be referred to the relevant fair trading office.

ABAC Complaint No: 3/16

ASB ID: 232348

Received by ABAC: 4 January 2015

Complainant: Confidential

Product: Just Wines

Advertisement: Email advertisement

The Chief Adjudicator has decided that this complaint (set out below) does not raise ABAC issues. Accordingly the ABAC Panel will not consider the complaint. The advertiser will be sent a copy of the complaint together with a copy of ABAC's digital alcohol marketing best practice.

ABAC Complaint No: 4/16

ASB ID: 232427

Received by ABAC: 4 January 2015

Complainant: s47F

Product: Aldi Liquor (Scotch Whisky)

Advertisement: Radio advertisement

The Chief Adjudicator has decided that this complaint (set out below) does not raise ABAC issues. Accordingly the ABAC Panel will not consider the complaint.

ABAC Complaint No: 5/16

ASB ID: 232352

Received by ABAC: 4 January 2015

Complainant: s47F

Product: Thirsty Camel

Advertisement: Radio advertisement

The Chief Adjudicator has decided that this complaint (set out below) does not raise ABAC issues. Accordingly the ABAC Panel will not consider the complaint.

ABAC Complaint No: 6/16

ASB ID: 232607

Received by ABAC: 5 January 2016

Complainant: Confidential

Product: Johnny Walker

Advertisement: TVC

The Chief Adjudicator has decided that this complaint (set out below) raises an issue under Part 3(a)(i) of the ABAC. Accordingly the complaint will be referred to the ABAC Panel.

ABAC Complaint No: 7/16

ASB ID: 232691

Received by ABAC: 6 January 2016

Complainant: Confidential

Product: Carlton Dry

Advertisement: Packaging

The Chief Adjudicator has decided that this complaint (set out below) raises an issue under Part 3(a) of the ABAC. Accordingly the complaint will be referred to the ABAC Panel.

ABAC Complaint No: 8/16

ASB ID: 232699

Received by ABAC: 6 January 2016

Complainant: s47F

Product: Great Northern Beer

Advertisement: TVC

The Chief Adjudicator has decided that this complaint (set out below) raises an issue under Part 3(a)(ii) of the ABAC. Accordingly the complaint will be referred to the ABAC Panel and will be considered together with complaint 1/16

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

ABAC Complaint 1/16

ASB ID	232335
Complaint received on	Sun 27-Dec-2015 05:33
Confidentiality Requested	YES
Advertisement Subject	Beer
Advertisement Type	TV-Free to air
Advertisement Location	Win TV
When	26th December 2015, during the Cricket test match
Advertiser Name	Great Northern Beer
Advertised Product or Service	Alcohol
Advertisement Description	Win TV
Advertisement Objection Reason	A six pack of beer is being floated down the fast flowing river to people below and then out the sea. This is irresponsible advertising as the beer will be smashed and people enjoying the great outdoors will be cutting themselves on jagged broken glass, not to mention sea creatures and children swimming.

ABAC Complaint 2/16

ASB ID	232342
Complaint received on	Mon 28-Dec-2015 05:20
Confidentiality Requested	NO
Name	s47F
Advertisement Subject	Pure blonde beer
Advertisement Type	TV-Free to air
Advertisement Location	Ch 9
When	2pm dec 28

Advertiser Name Pure blonde beer

Advertised Product or Service Alcohol

Advertisement Description Glass of wine and a stubby of pure blond placed on a bar. The wine sinks in implying it's much heavier. Voiceover states the beer has half the calories. Fine print says per ml.

Advertisement Objection Reason The beer has roughly half the alcohol content and a standard drink is roughly twice the volume. So in the real world the two drinkers will consume roughly the same amount of calories. The ad is misleading calorie conscious drinkers to think they will consume fewer calories if they choose the beer.

ABAC Complaint 3/16

ASB ID 232348

Complaint recieved on Tue 29-Dec-2015 12:10

Confidentiality Requested YES

Advertisement Subject Promotional offers for wine

Advertisement Type Internet

Advertisement Location Electronic direct mail to my daughter's email account (once a day for 11 days)

When

Advertiser Name Just Wines Australia Pty Ltd

Advertised Product or Service Alcohol

Advertisement Description My daughter started receiving daily wine newsletters to her email account from Just Wines Australia. These emails contained daily wine deals (e.g. discount codes, 3 cases for the price of 1 multi-buy deals etc).

My daughter is 11 years old and should not be receiving these email newsletters or marketing for wine.

When we click on the link "Why am I receiving these emails" it states that it's because she subscribed to their newsletter. My daughter has never had any interaction with Just Wines.

However, when I asked the company for an explanation - I was then told that they buy email addresses and date of births etc from a lead generation company, which are harvested as part of Internet competitions, and then screened for people over 18. This is not declared under the website's explanation for why she would be receiving emails.

Advertisement Objection Reason I don't dispute that my daughter may have falsified her date of birth to enter an Internet competition that has harvested her email address. A lot of these 'lead gen' competitions are to win something like an iPad, which creates an incentive for a child to falsify their date of birth.

However I believe this organisation has failed in their duty of reasonable care to avoid marketing alcohol to minors given they are buying email addresses and dates of birth from a third-party lead generation company. In particular, the NSW Privacy Act (principle 9) makes it clear that this organisation has a legal obligation to "Make sure the personal information is relevant and accurate before using it", and it's not clear to me how they've verified my daughter's date of birth before enrolling her in an email marketing campaign for wine.

ABAC Complaint 4/16

ASB ID 232427

Complaint recieved on Fri 01-Jan-2016 04:45

Confidentiality Requested NO

Name s47F

Advertisement Subject Aldi scotch whisky

Advertisement Type Radio

Advertisement Location Kiss 106.5

When 1st Jan 2016 1615hrs during adverts

Advertiser Name Aldi

Advertised Product or Service Alcohol

Advertisement Description The advert has a scotsman taking about the whisky and and interpreter translating what he says.

Advertisement Objection Reason This advert is racist towards Scottish people, as a scotsman I am offended by the racist implications that I do not speak clearly and cannot be understood. Advertisements like this perpetuate the stereotype that as a nation we cannot be understood. This should be taken in the context of would it be acceptable to put an interpreter on an advert for an aboriginal product? No! There would be uproar. Why is it acceptable to be racist towards the Scottish?

ABAC Complaint 5/16

ASB ID 232352

Complaint recieved on Wed 30-Dec-2015 02:36

Confidentiality Requested NO

Name s47F

Advertisement Subject Thirsty Camel

Advertisement Type Radio

Advertisement Location No. 100 radio station

When

Advertiser Name Thirsty Camel

Advertised Product or Service Alcohol

Advertisement Description Thirsty camel advertisement for free water.

Advertisement Objection Reason The water is advertised as a super model's lunch which is derogatory and offensive to the modelling industry. It portrays models in a bad light and demeans their intelligence. A lot of super models work extremely hard to maintain a high standard of fitness and nutrition and can be positive role models to young women in leading a healthy life. The ad perpetuates negative views of the modelling industry which are no longer representative of the majority of super models. This ad is a form of ridicule and promotes body shaming. I respectfully ask that you review and remove this ad from the radio.

ABAC Complaint 6/16

ASB ID	232607
Complaint recieved on	Tue 05-Jan-2016 10:58
Confidentiality Requested	YES
Advertisement Subject	Alcohol consumption
Advertisement Type	TV-Free to air
Advertisement Location	Channel 10
When	Evening
Advertiser Name	Johnny walker
Advertised Product or Service	Alcohol
Advertisement Description	Man works on a deck then mixes a drink as reward.
Advertisement Objection Reason	Promotes alcohol consumption in an 'reward' manner I find offensive.

ABAC Complaint 7/16

ASB ID	232691
Complaint recieved on	Wed 06-Jan-2016 12:37
Confidentiality Requested	YES
Advertisement Subject	Carlton Dry
Advertisement Type	TV-Pay
Advertisement Location	channel 111 of Foxtel
When	WEDNESDAY 6 January approx 11.40pm
Advertiser Name	Carlton Dry
Advertised Product or Service	Alcohol
Advertisement Description	Carlton Dry has a competition underneath lids of bottles of Carlton dry, you only have 48hrs to submit winning bottle top, So this encourages people to drink more than they usually would., to see if they won anything.
Advertisement Objection Reason	Carlton Dry has a competition underneath lids of bottles of Carlton dry, you only have 48hrs to submit winning bottle top, So this encourages people to drink more than they usually would., to see if they won anything.

ABAC Complaint 8/16

ASB ID	232699
Complaint recieved on	Wed 06-Jan-2016 09:34
Confidentiality Requested	NO
Name	s47F
Advertisement Subject	Beer
Advertisement Type	TV-Free to air
Advertisement Location	On NBN during the test cricket
When	Wide World of Sports throughout the second Australia West Indies test
Advertiser	Great Northern Brewing Company

Name

Advertised

**Product or
Service**

Alcohol

**Advertisement
Description**

The advert depicts people floating glass bottles of beer down a river, over cascades and waterfalls and eventually out to sea.

During the Test Cricket, an advert by the Great Northern Brewing Company was shown on television by NBN. I wish to make a complaint about this advert as what it depicts is extremely socially irresponsible.

The advert depicts people floating glass bottles of beer down a river, over cascades and waterfalls and eventually out to sea. The potential for environmental damage and risk to health and safety is clear (contrary to AANA Code of Ethics Section 2.4). It also contravenes community standards of activity in the bush including the prevention of littering.

**Advertisement
Objection
Reason**

The storyline is essentially impossible. The advert shows people, possibly already intoxicated to some degree, floating a six-pack of glass bottles down a river, starting at the top of a mountain, clearly about to go over waterfalls, down to friends at the bottom, where people take out three bottles and then put the rest back to float down river out to sea to be picked up by people on a boat at sea. This is essentially impossible and hence dishonest and liable to entice people (especially teenagers) to test out whether it might work like the program, Myth Busters, in the process potentially doing serious environmental damage. The people shown in the ad seem to think this is a great joke. The advert clearly contravenes prevailing community standards and should be stopped immediately. The Great Northern Brewing Company should be asked to apologise for the ad and put out on a contrary ad which points out how irresponsible the actions shown would be.

This document has been released under the Freedom of Information Act 1992 by the Department of Health

From: s22(1)(a)(ii)

Sent: Friday, 5 May 2017 12:27 PM

To: 'ABAC'

Cc: s22(1)(a)(ii)

Subject: RE: ABAC Media Release - Asahi Premium Beverages joining ABAC [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

Please find attached amendments on the draft media release from the Department. Please let me know if you have any further queries.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]

Sent: Wednesday, 3 May 2017 3:44 PM

To: s22(1)(a)(ii)

s22(1)(a)(ii) LAFFAN, David; s22(1)(a)(ii)

Subject: Re: ABAC Media Release - Asahi Premium Beverages joining ABAC [SEC=No Protective Marking]

I am circulating a revised draft media release incorporating an amendment suggested by s22(1)(a)(ii). Please respond to this draft.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au



MEDIA RELEASE

Asahi Premium Beverages becomes a signatory to the Alcohol Beverages Responsible Alcohol Marketing Code

The Management Committee of the Alcohol Beverages Responsible Alcohol Marketing Code (the Code) today announced that Asahi Premium Beverages has become a signatory to the Code. Asahi Premium Beverages is a member of the Asahi Beverages Group, one of Australia and New Zealand's leading beverage companies, which is owned by Asahi Group Holdings, a Japanese-based global alcohol, soft drinks, and food company.

Asahi Premium Beverages makes, sells and markets a range of alcohol and non-alcohol products. The range includes premium imported and craft beer brands, ciders and a leading ready-to-drink portfolio.

Chair of The ABAC Scheme, the Hon Alan Ferguson, today "welcomed the involvement of Asahi Premium Beverages as a large manufacturer, distributor and marketer of alcohol products in Australia".

Australia has a quasi-regulatory system for alcohol marketing: guidelines for marketing have been negotiated with government, consumer complaints are handled independently, but all costs are borne by industry. The ABAC Scheme is the centrepiece of Australia's quasi-regulatory system for responsible alcohol marketing and is administered by a management committee which includes industry, advertising and government representatives.

In becoming a signatory, Asahi Premium Beverages will follow the ABAC Responsible Alcohol Marketing Code, commit funding toward the scheme and will participate in the service for checking of proposed marketing and packaging of alcohol products.

Asahi Premium Beverages joins a large number of alcohol marketers, representing the vast majority of alcohol marketing in Australia, that have committed to the objectives of the Code to ensure that alcohol marketing does not encourage irresponsible or unsafe consumption or consumption by underage persons.

ENDS.

For further information contact:

The Hon Alan Ferguson, Chair for The ABAC Management Committee s22(1)(a)
(ii)

or s22(1)(a)(ii)

Background:

The ABAC Responsible Alcohol Marketing Code regulates the content of alcohol marketing (including packaging) in Australia. Subject to regular reviews, the Code reflects community expectations and changes in the media and advertising industries.

The Alcohol Advertising Pre-vetting Service provides independent, confidential advice to advertisers on whether proposed marketing communications comply with the Code. This service is offered on a 'user pays' basis.

The ABAC Adjudication Panel, headed by the Chief Adjudicator, Professor the Hon Michael Lavarch AC, considers public complaints about alcohol marketing communications that fall within the jurisdiction of the Code. The Panel and its deliberations are independent of the Management Committee and the broader alcohol and advertising industry.

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)

Sent: Thursday, 22 June 2017 1:12 PM

To: s22(1)(a)(ii)

Cc: s22(1)(a)(ii)

Subject: Health's (David Laffan)' Attendance at today's ABAC meeting [SEC=UNCLASSIFIED]

Importance: High

Hi s22(1)(a)(ii)

I just wanted to contact you to advise that David Laffan will now be teleconferencing in to the ABAC teleconference at 2pm today.

Please feel free to contact me if you require any additional information

Kind Regards,

s22(1)(a)(ii)

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)

Sent: Friday, 30 June 2017 11:24 AM

To: 'ABAC'

Subject: RE: ABAC Management Committee Meeting Minutes [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

Please find attached Dept of Health's comments on the ABAC Management Committee meeting minutes.

Feel free to contact me if you have any queries.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]

Sent: Friday, 23 June 2017 3:41 PM

To: s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii) LAFFAN, David; s22(1)(a)(ii)

Subject: ABAC Management Committee Meeting Minutes [SEC=No Protective Marking]

Dear Management Committee,

Thank you for attending the ABAC Management Committee meeting held yesterday in Canberra. I have attached draft minutes of the meeting. Please let me know if you have any corrections to the minutes.

A proposal for the launch of the revised ABAC Code will follow soon.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

ABAC Management Committee

Minutes of Meeting held 22 June 2017

Venue: 27 Murray Crescent, Manuka, ACT.

Present:	Alan Ferguson	Chair
	Alec Wagstaff	DSICA
	Brett Heffernan	BAANZ
	Tony Battaglione	WFA
	Tony Hale	The Communications Council
	David Laffan	Assistant Secretary Drug Strategy branch (Phone)
	s22(1)(a)(ii)	Drug Strategy branch (Phone)
	s22(1)(a)(ii)	ABAC Executive Officer
	Michael Lavarch	Chief Adjudicator (Phone)

1. Welcome

Mr Ferguson opened the meeting at 2.05pm.

2. Apologies

Nil.

3. Confirmation of Minutes of Meeting 16 March 2017

The minutes of the meeting held 16 March 2017 were accepted.

Moved: Mr Battaglione, Mr Hale

CARRIED

4. Chief Adjudicator's Report

Professor Lavarch discussed two of the determinations made since the last meeting, Beluga Vodka and Carlton Draught product placement complaints. Professor Lavarch observed that the Carlton Draught determination is the first time the Panel has decided a product placement falls within the Code.

5. Product Placement & Sponsorship

The Committee discussed with Professor Lavarch the issues raised in his report and the paper included with the meeting papers.

The Chair thanked Professor Lavarch for his work with the ABAC Panel and for bringing these matters to the attention of the Management Committee.

6. Placement of Alcohol Marketing

Professor Lavarch advised he had been consulted during the development of the placement rules and was comfortable with the changes and feel they are workable for the Panel. He noted there will be judgment decisions to be made as there is with the current code provisions, for example the requirement not to place alcohol marketing with programs and content primarily aimed at minors.

[Professor Lavarch left the meeting]

The Committee discussed the proposed placement rule. Mr Wagstaff advised that DSICA strongly support the amendments. Mr Heffernan advised Brewers Association support the placement requirements. Mr Battaglione expressed strong support and was pleased with the consultation process. Mr Hale supported the inclusion of placement rules particularly as he is increasingly seeing lack of control particularly in digital spaces. s22(1)(a)(ii) confirmed that the member signatories had been consulted via industry associations and support the proposed provisions. In addition, the draft has been provided in confidence internally and to direct signatories, advertising/media industry associations and ABA and minor feedback received. Mr Laffan advised he supports the new placement rules.

S22(1)(a)(ii) confirmed that some minor drafting suggestions had been incorporated as per the revised draft documents emailed to committee members the previous day. The members approved the draft revised Code and Guidance Notes circulated yesterday and agreed to an implementation date of 1 November 2017.

Moved: Mr Wagstaff, Mr Battaglione

CARRIED

S22(1)(a)(ii) will circulate a fact sheet and proposal for launch of the new Code.

The members discussed whether the placement rules would be pre-vetted. It was agreed that they would be optional but not mandatory to prevent.

7. AAPS Report

S22(1)(a)(ii) presented the AAPS report. Mr Wagstaff noted that Spirits Platform is a signatory associated with Remy-Cointreau.

8. Government Report

Mr Laffan provided the following report.

1. Evaluation of voluntary pregnancy warning labels is complete and the final report will be considered by the Food Regulation ~~Industry~~ Standing Committee before being provided to Food Ministers at the Australia and New Zealand Ministerial Forum on food Regulation for final consideration and next steps. The Committee will prepare advice to go to relevant Food Ministers. The report won't be released until it has been considered by Food the MinistersMinisters; however the report reflects a high uptake of the initiative by industry but it shows that industry has been taking up the initiative although small craft breweries are lagging.
2. Ministers endorsed the new National Drug Strategy on 29 May and it will be available in a few weeks. The National Alcohol Strategy will now be considered. The Commonwealth will be discussing with States and Territories soon and the draft strategy will be before the Ministerial forum in mid September to October this year. The Ministerial Forum will decide whether there is to be further consultation on the National Alcohol Strategy
3. Data from the ~~recent~~ AIHW 2016 National Drug Strategy Household alcohol sSurvey showed ~~trends of a reduction in young people's alcohol consumption -drinking, an increase in the age of first drink and the proportion of 12-17 year olds an increase in choosing to abstaining from alcohol significantly increased. consumption.~~ For categories over 40 years of age it shows an increase in risky drinking behaviours. The results are available on the AIHW website.
4. Information about treatment services is to be released by AIHW and will be available on their website.

5. The Department has engaged Siggins Miller to ~~conduct~~ develop a Commonwealth National FASD Strategy ~~regarding FASD~~. There will be a consultation process through August and September with a view to the strategy being available by the end of this year or early next year.

9. Colmar Brunton Research

The Committee discussed the research report and s22(1)(a)(ii)'s observations and suggestions. Mr Wagstaff agreed with the comments and recommended that committee members take up the opportunity to observe focus groups when the next research is conducted. Mr Hale suggested that when talking to potential researchers ABAC provides its observations on prior research but not the suggestions as they may influence the advice received from researchers. When altering the research methodology it is important to consider the value of benchmarking with previous studies.

The Committee decided that the research should be considered again in two years, after placement provisions have been tested. There should be a thorough evaluation of the objectives of the research before seeking tenders.

10. Direct Signatories

Recent progress and future action in relation to possible direct signatories was noted:

- **Asahi** – Have joined as signatories. Media release has gone out and logo is on the ABAC website.
- **ALSA** – Mr Battaglione reported that he had a brief discussion with s22(1)(a)(ii) from ALSA who advised ALSA are unlikely to join as a signatory but may be interested in a memorandum of understanding. s22(1)(a)(ii) will contact s22(1)(a)(ii) to discuss.

11. ABAC Awareness

The Chair reported on his briefing with Minister Vlahos, who has responsibility for alcohol issues in SA. During the briefing the Minister and SA Health advised that they are aware of and have kept up to date with ABAC via Annual reports and also information periodically provided by alcohol industry associations and signatories to ABAC. SA Health enquired about the absence of placement provisions in the Code and an update was provided which was well received. The Minister was pleased to hear that ABAC was contemporising and responding to community expectations and welcomed an annual update from ABAC with the next briefing to be scheduled in January-February 2018.

The Chair attended the recent WFA event and observed that most people he spoke to at the event were aware of ABAC.

The members discussed the ABAC engagement proposal and offering briefings for politicians on the new placement provisions within the ABAC Code. It was agreed it isn't a priority to meet with Ministers in NT, but that WA is a priority.

12. Next Meetings:

Friday 29 September 10.00am - Sydney
Tuesday 23 November 10.00am - Adelaide

[Meeting closed at 3.30 pm]

Alan Ferguson
Chair

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
Sent: Friday, 14 July 2017 2:47 PM
To: 'ABAC'
Subject: RE: ABAC Letter [SEC=UNCLASSIFIED]
Hi s22(1)(a)(ii)

Thank you for sending through this letter. I will forward this onto the relevant area as we discussed and ask that they circulate to relevant State and Territory Health dept contacts on Tuesday afternoon.

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]
Sent: Friday, 14 July 2017 9:58 AM
To: s22(1)(a)(ii)
Subject: ABAC Letter [SEC=No Protective Marking]
Dear s22(1)(a)(ii)

As we discussed I would be grateful if you could arrange for the attached letter to be forwarded to relevant State and Territory Department of Health personnel with responsibility for alcohol issues next week on the afternoon of Tuesday, 18 July.

I have posted similar letters to relevant Federal State & Territory Ministers, Police Commissioners and Liquor Licensing Commissioners. The new Code will be formally released on Wednesday, 19 July.

The letter includes an invitation to provide contact details in order to be kept informed of significant ABAC developments. It would be great if that invitation could be reiterated when the letters are forwarded.

Thank you

s22(1)(a)(ii)

www.abac.org.au

From: s22(1)(a)(ii)

Sent: Tuesday, 18 July 2017 3:30 PM

To: 'ABAC'

Subject: RE: ABAC Letter [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

Just an update on this, we have sent this information through to the secretariat who will be sending this out to relevant contacts via email. I just wanted to clarify that individual letters to each contact are not being emailed as I note you mention that in your email below.

If you have any concerns please don't hesitate to contact me

Kind Regards

s22(1)(a)(ii)

From: ABAC [mailto:info@abac.org.au]

Sent: Friday, 14 July 2017 9:58 AM

To: s22(1)(a)(ii)

Subject: ABAC Letter [SEC=No Protective Marking]

Dear s22(1)(a)(ii)

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The letter includes an invitation to provide contact details in order to be kept informed of significant ABAC developments. It would be great if that invitation could be reiterated when the letters are forwarded.

Thank you

s22(1)(a)(ii)

From: s22(1)(a)
Sent: Monday, 3 April 2017 11:51 AM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii)
Subject: RE: Asahi Premium Beverages [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

The circular resolution you mentioned in the below email didn't seem to be attached, do you mind sending it please so we can arrange for signature.

Many thanks

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Monday, 3 April 2017 11:18 AM
To: s22(1)(a)(ii)
s22(1)(a)(ii)
s22(1)(a) LAFFAN, David; s22(1)(a)(ii)
Subject: Asahi Premium Beverages [SEC=No Protective Marking]
Importance: High

Dear Management Committee,

I am very pleased to advise that Asahi have formally applied to become a direct signatory to ABAC. This is great news as they are the largest alcohol producer/distributor by media spend that is not currently a signatory to ABAC.

The ABAC Management Committee must approve each application to become a direct signatory to ABAC. Asahi have previously cooperated with Panel decisions and use the AAPS pre-vetting service. By applying they have agreed to abide by the Code, Panel decisions and to use the pre-vetting service where required. I recommend that the application is approved by the Management Committee.

Please sign, date and return to me via email the attached circular resolution approving the application by Asahi to become a direct signatory to ABAC.

Please let me know if you have any questions.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

Begin forwarded message:

From: s22(1)(a)(ii)
Subject: RE: ABAC
Date: 31 March 2017 3:17:57 pm ACDT
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii)
s22(1)(a)(ii)

Hi s22(1)(a)(ii)

Please find attached our signed form. Could you please liaise with s22(1)(a)(ii) who will set you up in our system as a vendor so that we can arrange payment.

I'm heading off on leave for a couple of weeks, and would be happy to meet up with you when I return.

Kind regards

s22(1)(a)(ii)

From: s22(1)(a)(ii)

Sent: Wednesday, 8 March 2017 6:33 PM

To: s22(1)(a)(ii)

Cc: s22(1)(a)(ii)

Subject: Re: ABAC

Thanks s22(1)(a)(ii)

I have attached the ABAC Direct Signatory Information paper which sets out all the requirements/benefits. I am happy to have a discussion or respond to any questions you may have.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au

This document has been released under the Freedom of Information Act 1982 by the Department of Health

From: s22(1)(a)(ii)
Sent: Thursday, 7 September 2017 2:30 PM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii)
Subject: RE: ABAC [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

As discussed the Department will provide a verbal report at the next meeting. I will follow up on his expected return date from leave and let you know who will be participating at the next meeting.

I would also like to introduce our new member s22(1)(a)(ii) who works in the alcohol team. If you could add her to the ABAC distribution list that would be appreciated. I have included her in this email.

Kind regards

s22(1)(a)(ii)

From: s22(1)(a)(ii)
Sent: Thursday, 7 September 2017 2:24 PM
To: s22(1)(a)(ii)
Subject: ABAC [SEC=No Protective Marking]

Hi s22(1)(a)(ii)

Just wondering if David would like to provide a written report for inclusion in the ABAC Management Committee papers that will be circulated on Monday. If not a verbal report is fine.

Kind regards,

s22(1)(a)(ii)

www.abac.org.au