

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Additional Estimates Hearings February 2015

Communications Portfolio

Australian Communications and Media Authority

Question No: 25

Program No. Australian Communications and Media Authority

Hansard Ref: Page 47-48, 24/02/2015

Topic: Gambling Ads

Senator Xenophon asked:

Can I go to you, Mr Chapman. I refer to a report in The Age on 15 November 2014 headed, 'Gambling ads soar following ACMA 2013 live odds ban'—and I should say that I supported the live odds ban; I thought it was a good thing to do. The report found that gambling advertising has soared more than 250 per cent since the August 2013 ban on live betting odds during sports coverage and, according to the advertising monitoring firm Ebiquity, 'between January and October 2013, there were 19,953 gambling ads. During the same period in 2014, the number had jumped to 50,037.' The report went on to say that broadcasters have reaped an extra \$19 million from the advertising windfall. Are you in a position to comment on that? I was a great supporter of what the former government had done in respect of that. Do you consider that the ban has worked as intended? And is there a need for further regulation in this area, in the context of what the ban proposed to do—in other words, to reduce the number of gambling ads that people were subjected to?

Mr Chapman: Senator, we too were very supportive of the multi-layered government initiatives. We played our part to expedite the consideration of those changes at the time. My recollection is that it had a review period attached to it, but I just cannot off the top of my head—I will have to take it on notice.

Answer:

a. Does the ACMA consider that the live odds ban has worked as intended?

Background

In July 2013, the ACMA registered codes of practice submitted by Commercial Radio Australia, Free TV Australia and the Australian Subscription Television and Radio Association, applying to the five industry sectors:

- Commercial radio
- Commercial television
- Subscription broadcast television
- Subscription narrowcast television
- Subscription narrowcast radio

The purpose of the 'live odds codes' was to reduce and control the promotion of odds and the advertising of gambling during live sports events. Gambling advertising and live odds promotion broadcast in other programming (i.e. not live sport) were not contemplated as part of the 2013 code amendments.

Complaints and enquiries

The ACMA has received no complaints relating to the codes of practice for Commercial Radio or Subscription Broadcast/Narrowcast television and radio. The ACMA has received one valid complaint about live odds during a sports broadcast on Commercial television in October 2013 – the ACMA investigated this matter and concluded that there had not been a breach of the live odds codes.

In addition, the ACMA has received fewer ‘complaints’ on the topic of gambling and live odds promotion since the registration of the codes. Between February and July 2013, the ACMA received 28 enquiries about gambling and live odds whereas, in the 20 months since registration of the live odds codes (up to 28 February 2015) the ACMA received 26 enquiries.

Many enquiries received by the ACMA have related to gambling advertising in general programming on Commercial television, not live sports broadcast (to which the codes apply). Around 17 of the 26 enquiries made since July 2013 have concerned gambling advertisements or betting odds promotion during other ‘prime time’ programs, such as news rather than raising compliance issues under the live odds codes.

Based on the above information, the live odds codes seem to have delivered on their purpose to reduce and control the specified advertising during live sport broadcasts.

b. Is there a need for further regulation in this area to reduce the number of gambling ads that people were subjected to?

As noted above, the ‘live odds ban’ was proposed to reduce the number of gambling advertisements and live odds promotion that were broadcast in the specific context of live sporting coverage. For the reasons set out above, the ACMA considers that the live odds codes are currently operating effectively to achieve this across each of the five industry sectors who developed codes registered by the ACMA.

Free TV have released their draft new Code of Practice for public consultation and the consultation includes the live odds code in section 10 of the Codes of Practice. Submissions were received in relation to this issue prior to 3 April 2015.