

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Budget Estimates May 2017
Communications Portfolio
The Australian Communications and Media Authority

Question No: 155

The Australian Communications and Media Authority

Hansard Ref: Page 20-22, 25/05/2017

Topic: Compliance measures against broadcasters – betting ads

Senator Xenophon, Nick asked:

Senator XENOPHON: Have any sanctions been imposed in relation to betting advertising?

Ms McNeill: When you say 'sanctions', not formal sections of that kind, but we have obtained the agreement of broadcasters to modify their processes—again, directed to future compliance. That was one of the circumstances you identified earlier.

Senator XENOPHON: Could you take on notice what compliance measures or actions have been taken against broadcasters over the last three years in respect of complaints about betting ads.

Ms McNeill: Yes.

Answer:

Since 1 July 2014, the Australian Communications and Media Authority (ACMA):

- received 41 complaints or enquiries about gambling advertising on commercial free-to-air television
- received three complaints or enquiries about gambling advertising on subscription television
- received one enquiry about gambling advertising on commercial radio

Since 1 July 2014, the ACMA commenced seven investigations into broadcasters' compliance with code provisions related to gambling advertising.

Two investigations were conducted into compliance by subscription television broadcasters – resulting in one no breach finding. One investigation concluded without a finding being made.

Five investigations were conducted into compliance by commercial free-to-air television licensees – resulting in one breach finding and two no breach findings. Two investigations were concluded without a finding being made.

With respect to the one breach finding (Investigation No. BI-265 – *The Spiderwick Chronicles – Nine* – 2017) the ACMA considered the actions taken by the licensee to minimise the risk of a future breach addressed the compliance issues raised by the investigation.