



44 Avenue Road
Mosman NSW
Australia 2088

T : 61 2 8968 7100
F : 61 2 9969 3520
W : freetvaust.com.au

12 July 2004

Robert Chappell
Director
Independent Gambling Authority
Level 4, 45 Grenfell Street
ADELAIDE SA 5000

Dear Mr Chappell

We refer to your letter of 13 May 2004 in relation to the Second Stage Issues for the Advertising and Responsible Gambling Codes of Practice. Free TV Australia (formerly CTVA) makes this submission as representative of the 48 commercial television licensees in Australia.

Free TV Australia wishes to comment only on the proposed 'Mandatory Warnings' which the Authority has indicated it will require on all gambling advertising by gambling service providers licensed in South Australia.

Only for advertising of gambling products

As is the case for the existing requirements in the Advertising and Responsible Gambling Codes of Practice, Free TV Australia submits that any Mandatory Warning should only be required on advertising for gambling products.

Advertising by regulated gambling providers should not be required to carry a warning to the extent that it relates solely to non-gambling activities, such as advertising by racing organisations for a particular race day or event, or advertising by the Casino of dining and entertainment facilities.

Only for material broadcast in return for valuable consideration

In addition, as is the case under the existing Codes, any Mandatory Warning should only apply to material broadcast in return for valuable consideration.

Mandatory warnings should not be required in relation to bona fide program content such as news, current affairs, sport and entertainment programs, where any incidental reference to a gambling product or activity is not the result of a commercial arrangement with a product provider.

Presentation of the proposed warning

Free TV Australia requests that advertisers should be given as much flexibility as possible in relation to the presentation of the relevant warning within the advertisement, provided that the warning is conveyed in a manner that would adequately bring it to the attention of a reasonable viewer. However, if the presentation of the warning is to be prescribed, Free TV would request that, for television, it would be most appropriate for the Mandatory Warning to be written rather than spoken.

Wording of the proposed warning

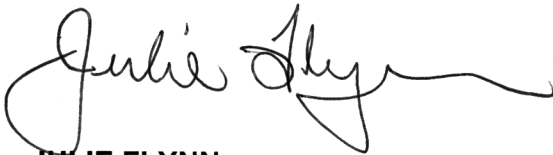
In determining the wording of the mandatory warning we would ask the IGA to consider that in the broadcast media, where advertising is generally in the form of 10–30 second spots, it is essential that the warning should be uncomplicated and brief.

We would also ask the IGA to take into account that not all gambling products carry the same risks in relation to problem gambling. This was confirmed by the Productivity Commission in particular in relation to products such as lotteries and lotto. In addition, unlike products such as cigarettes, the majority of gambling product consumers are not problem gamblers and are able to enjoy the recreational activity without any negative consequences. Therefore, Free TV Australia submits that the wording of the proposed warning should not be unnecessarily alarmist or intrusive.

Free TV Australia would support mandatory warnings consistent with the current industry approach of including contact details for a relevant support service for problem gamblers, or messages which teach responsible gambling habits, such as the current slogan 'Have fun but play it safe'.

We thank you for giving us the opportunity to comment on this issue. Given the relatively straightforward nature of our concerns we were not proposing to attend the public hearings on 29 July. However, please let us know if the Authority has any queries in relation to the matters we have raised.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Julie Flynn', with a long, sweeping horizontal line extending to the right.

JULIE FLYNN
Chief Executive Officer