

The ABAC Scheme

Frequently Asked Questions

What is the ABAC Scheme?

The ABAC Scheme is the short title for the centrepiece of Australia's system of alcohol advertising regulation. Australia has a quasi-regulatory system of alcohol advertising regulation. Advertising guidelines have been negotiated with government and complaints are handled independently. Industry bears all costs of administering the ABAC Scheme.

What is the Alcohol Beverages Advertising Code?

The Alcohol Beverages Advertising Code outlines the standards for alcohol advertising in Australia.

Where can I find a copy of the Code?

The Code, and a range of other useful information, can be found on the ABAC Scheme website www.abac.org.au.

What types of advertising are covered by the ABAC Scheme?

The ABAC Scheme applies to print media, billboard, internet, cinema, television and radio advertising, and covers the content of advertising, not its placement. There are restrictions on alcohol advertising placement in other codes, for example those administered by Free TV Australia and the Outdoor Media Association of Australia. By the end of 2009, it is expected that ABAC provisions will also apply to product naming and packaging.

Who funds the ABAC Scheme?

The ABAC Scheme is jointly funded by the Brewers Association of Australia and New Zealand, the Distilled Spirits Industry Council of Australia and the Winemakers Federation of Australia. Pre-vetting of advertisements is undertaken on a user-pays basis where costs are borne by advertisers.

Who manages the ABAC Scheme?

The Scheme is governed by a Management Committee comprised of representatives from the Brewers Association of Australia and New Zealand, Winemakers Federation of Australia, Distilled Spirits Industry Council of Australia, the Advertising Federation of Australia, and a government representative.

When was the ABAC Scheme created?

The ABAC Scheme came into operation on 1 July 1998.

Can anybody complain about an alcohol advertisement?

Yes. Complaints can be lodged on a confidential basis.

How are complaints lodged?

All complaints must be lodged through the Advertising Standards Bureau (www.advertisingstandardsbureau.com.au).

How are complaints adjudicated?

When a complaint is received it is sent to the Chief Adjudicator of the ABAC Scheme, Professor the Hon Michael Lavarch, who may refer the complaint to the full Adjudication Panel for a determination. Adjudications are overseen by a five-member panel and each adjudication decision must be undertaken by at least three Adjudicators. Members of the alcohol industry are barred from adjudicating complaints.

Are adjudication decisions made public?

Yes. Past adjudication decisions are available for download on the ABAC Scheme website www.abac.org.au.

How do I know if my advertisement complies with the Code?

The ABAC Scheme Management Committee recommends that all proposed advertisements are initially checked against the provisions of the Code, which can be found on the ABAC Scheme website (www.abac.org.au). The website also contains guidance notes to assist in the interpretation of the Code. It is recommended that you read past adjudication decisions to familiarise yourself with issues that have attracted complaints in the past; these can also be found on the ABAC Scheme website.

The ABAC Scheme also offers advertisers a confidential, user-pays pre-vetting service where proposed advertisements can be assessed against the provisions of the code by experienced pre-vetters in the early stages of campaign development. This pre-vetting service cannot 'guarantee' that an advertisement will not generate a complaint, nor the outcome of any complaints.

How do I access the alcohol advertising pre-vetting service?

Information and contact details for the pre-vetting service are available on the ABAC Scheme website www.abac.org.au.

Is the Alcohol Beverages Advertising Code the only set of rules my advertisement must comply with?

No. There are other rules affecting advertising in Australia, including:

- the Trade Practices Act and state fair trading legislation;
- the Australian Association of National Advertisers Code of Ethics;
- the Commercial Television Industry Code of Practice;
- the Commercial Radio Codes of Practice; and
- the Outdoor Media Association Code of Ethics.

Does the Adjudication Panel examine complaints covered by other advertising guidelines or codes?

No. The Adjudication Panel solely examines issues against the Alcohol Beverages Advertising Code. If the complaint covers an issue outside the provisions of the Code (i.e. not **alcohol**-specific), it will be referred back to the Advertising Standards Board for action.

What happens if my advertisement is complained against?

If the nature of the complaint is relevant to the Alcohol Beverages Advertising Code, the complaint will be examined by the ABAC Adjudication Panel, although the advertisement can also be referred to the Advertising Standards board for co-existing issues outside of ABAC. Advertisers may be asked to provide the Panel with copies of the relevant advertisement, and advertisers will be provided with the opportunity to provide the Panel with a response to the complaint. If the complaint is upheld, the Panel advises the advertiser of the decision and the advertiser or its agency must advise the Panel within five (5) business days as to whether the advertiser agrees to modify the advertisement or its use must be discontinued.

Does the Adjudication Panel examine issues that are not detailed in a complaint?

No. The Adjudication Panel will only examine the issue(s) raised by the complainant. Separate complaints raising different issues will be adjudicated individually.