# Submission to the draft guidelines to support changes to liquor legislation (Tasmania)

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### FARE's submission to the Tasmanian Government’s Draft guidelines to support changes to liquor legislation – advertising and promotion of alcohol recommends that this opportunity be used to clearly articulate liquor licensees’ obligations in regards to advertising and promotion of alcohol under the Liquor Licensing Act 1990.

The Foundation for Alcohol Research and Education (FARE)'s submission to the Tasmanian Government’s *Draft guidelines to support changes to liquor legislation – advertising and promotion of alcohol* (the Guidelines) recommends that this opportunity be used to clearly articulate liquor licensees’ obligations in regards to advertising and promotion of alcohol under the *Liquor Licensing Act 1990*.

## Recommendations

FARE’s comments on the Guidelines are divided into two sections: structure and content.

##### Structure

The Guidelines must be structured in a clear and logical format which reinforces the need for liquor licensees to abide by the law. Given alcohol is a harmful substance, the Guidelines should not include sections which directly or inadvertently encourage liquor licensees to engage in alcohol advertising and promotions. For this reason, the section titled “Tips for running responsible alcohol advertising and promotions” should be removed from the Guidelines.

As a minimum, the Guidelines should consist of three parts. Part 1 should explain the alcohol advertising and sponsorship law as well as the penalties associated with non-compliance. Part 2 should specify who the Guidelines apply to and the types of advertising and promotion they cover. Part 3 should outline detailed criteria, including explanations and evidence, for determining prohibited and restricted alcohol promotion or advertising. The criteria and accompanying examples must be relevant to all licence and permit types.

##### Content

*Part 1 – What is the law?*

As per the draft Guidelines, the Guidelines clearly outline section 68 of the Act relating to prohibited or restricted advertising or promotion. Part 1 should also be strengthened to include any complementary and/or underpinning sections of the Act. This section should also emphasise liquor licensees’ responsibilities and obligations in regards to complying with the law and reinforce the penalties associated with non-compliance. Clearly stating the sections within the legislation that are relevant to promotional activity provides clear information on the legal responsibilities associated with promoting alcohol.

*Part 2 – Application of the Guidelines*

Application of the Guidelines must be comprehensive to effectively protect Tasmanians from irresponsible advertising or promotion. The Guidelines must clearly specify upfront who they apply to and the types of advertising and promotion they cover. Firstly, the Guidelines should apply to all liquor licences and permits i.e. any liquor licensee or permit holder who sells alcohol for consumption on and/or off premises. Secondly, the Guidelines must cover the range of mediums licensees use to advertise and promote liquor sales in Tasmania. In addition to more traditional forms of advertising and promotion such as via television, radio, print (e.g. newspapers) and signage (e.g. banners), the Guidelines must also cover digital promotions to remain relevant.

*Part 3 – Criteria for determining prohibited and restricted alcohol promotion or advertising*

FARE recommends that the section titled “What could be considered irresponsible promotion or advertising?” be strengthened and must acknowledge advertising and promotions that occur at off?licence premises. Each ‘principle’ needs to be explained further with evidence used to justify why this type of advertising or promotion is a problem.

As per the draft Guidelines, each principle must then be accompanied by examples which are relevant to all licence and permit types. FARE recommends inclusions and amendments to the examples included in the draft Guidelines for: appeals to minors; extreme discounts; irresponsible, rapid or excessive consumption; and public interest.

*Tips for running responsible alcohol advertising and promotions*

FARE recommends that this section not be included in the Guidelines as the Tasmanian Government should not be encouraging liquor licensees to engage in the advertising and promotion of alcohol.

[view the submission](https://fare.org.au/wp-content/uploads/FARE-Submission-Draft-guidelines-to-support-changes-to-liquor-legislation_TAS_FINAL.pdf)

### Metadata