

THE COALITION OF MAJOR PROFESSIONAL AND PARTICIPATION SPORTS INCORPORATED

SUBMISSION TO OFFICE OF LIQUOR, GAMING AND RACING DEPARTMENT OF JUSTICE AND REGULATION

STATIC BETTING ADVERTISING



1. INTRODUCTION

COMPPS consists of the following organisations (the Sports):

- Australian Football League (**AFL**);
- Australian Rugby Union (**ARU**);
- Cricket Australia (**CA**);
- Football Federation Australia (**FFA**);
- National Rugby League (**NRL**);
- Netball Australia (**NA**); and
- Tennis Australia (**TA**).

The Sports play a huge role in developing, promoting and presenting sport in Australia from the grass roots through to the international level. They are not-for-profit bodies and are responsible for the long-term development and sustainability of their sports. Between them, they have 8.95 million participants and 16,000 clubs.

Each of these organisations is the governing body and custodian of a major professional sport in Australia. One of COMPPS' roles is to provide a collective response on behalf of its member sports where their interests are aligned.

2. STATIC BETTING ADVERTISING

The Government of the State of Victoria has announced a policy proposal to limit the proliferation of advertising by wagering service providers (**WSPs**) by prohibiting the display of static betting advertising on public transport infrastructure and within a certain distance of a school. The Government has sought submissions from interested parties.

COMPPS is an interested party.

3. INDUSTRY SELF-REGULATION MAY BE APPROPRIATE

The COMPPS members have been extremely active in negotiating legislation, policies and codes of practice that regulate and protect the interests of the sports in this area. We believe that we have succeeded in creating a strong integrity framework around our sports by co-operating with police forces, regulators and wagering operators.

COMPPS members place a high value on the regulation of sports betting, particularly measures that support the integrity of sport. The *Gambling Regulation Act 2003 (Vic)* (**Gambling Act**) provides a comprehensive and enforceable framework for betting on sport, pursuant to which each of the COMPPS members is a 'Sports Controlling Body'. The Sports value this framework and have used it to put in place extensive agreements, protocols and practices with licensed betting operators in Australia, including information sharing arrangements that support the integrity of the Sports.

Through the relationships fostered as a result of the collaboration mandated by the Gambling Act, the COMPPS members are acutely aware that the Australian sports betting industry has taken numerous steps to ensure appropriate self-regulation (in addition to steps mandated by legislative requirements) when dealing with the responsible promotion of sports betting.

One such example of self-regulation involves the Australian Association of National Advertisers (**AANA**). On 1 July 2016, the AANA introduced the Wagering Advertising and Marketing Code (**the Code**). AANA is the peak national body *championing the interests of Australia's advertisers*. The introductory paragraph of the Code states:

“The Code has been adopted by AANA as part of advertising and marketing self-regulation. The object of this Code is to ensure advertisers and marketers develop and maintain a high sense of social responsibility in advertising and marketing wagering products in Australia.”

The first three sections of the Code are specific provisions that relate to minors and young adults, being:

- 2.1 *Advertising and Marketing Communication for a Wagering Product or Service must not, having regard to the theme, visuals and language used, be directed primarily to Minors. (This is an expansion of the wording of Section 4.7.8 b. of the Gambling Act).*
- 2.2 *Advertising and Marketing Communications for a Wagering Product or Service must not depict a person who is a minor unless the person is shown in an incidental role in a natural situation and where there is no implication that they will engage in wagering activities.*
- 2.3 *Advertising or Marketing Communication for a Wagering Product or Service must not depict a person aged 18-24 years old engaged in wagering activities.*

We note the matters raised under section 1.2 of the Consultation Paper that deal with Advertising activity and impact on gambling. While COMPPS members acknowledge that there is community concern over the pervasiveness of betting advertising and problem gambling – it may not, in the absence of definitive evidence of a causative link between advertising and problem gambling – be a proportionate or appropriate response to simply legislatively prohibit numerous forms of advertising for an activity that is still a legal past-time in Australia.

In the same way as governments seek to have interplay with codes of self-regulation and practice when dealing with the television advertising regulatory landscape, the COMPPS members feel that sports betting industry-developed and implemented code/s of self-regulation and practice (like the Code referred to above) may be the most appropriate, effective and proportionate way/s to address issues associated with the advertising of sports betting.

The Sports support the proposed prohibition not extending to static betting advertising displayed at sporting venues.

Yours sincerely



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