

Alcohol Advertising Review Board Procedures

1 Structure

1.1 Auspices, Management and Secretariat

- a) The Alcohol Advertising Review Board will work under the auspices of the McCusker Centre for Action on Alcohol and Youth and Cancer Council WA.
- b) A Steering Committee from McCusker Centre for Action on Alcohol and Youth and Cancer Council WA will guide day-to-day operations. An Advisory Board will oversee key decisions relating to the Alcohol Advertising Review Board.
- c) The secretariat will be provided by the McCusker Centre for Action on Alcohol and Youth.

1.2 Board

The Alcohol Advertising Review Board will:

- (a) Monitor the implementation of the Alcohol Advertising Review Board Code (“the Code”) and Alcohol Advertising Review Board Procedures (“the Procedures”), and consider amendments where necessary;
- (b) Encourage alcohol advertisers to comply with the Code;
- (c) Actively encourage an effective regulatory system; and
- (d) Report to stakeholders and the community.

2 Review

2.1 Review Panel

A Review Panel (“the Panel”) will be formed to review complaints concerning advertisements for alcohol beverages which are made to the Alcohol Advertising Review Board.

2.2 Appointment of the Panel

The Panel will be appointed by the Steering Committee from a relevant range of expertise.

No member of the Panel may, at the time of or during the term of his or her appointment to the Panel –

- (a) Be a current employee or member of the alcohol beverages industry; or
- (b) Accept money from any aspect of the alcohol beverages industry.

2.3 Complaints Procedure

- (a) There will be a commitment to processing complaints and responding to complaints as speedily as possible, with:
 - (i) A target of 20 working days on average for the handling of complaints, and
 - (ii) A need to ensure privacy as appropriate.
- (b) The identity of complainants will be kept confidential, unless the complainant requests to be identified. Anonymous complaints will be accepted.
- (c) Complaints will be accepted for current advertisements and advertisements which have ended within 4 weeks of the complaint being submitted.
- (d) All complaints received by the Alcohol Advertising Review Board for which a copy of the advertisement can be accessed will be considered, except where a majority of the Steering Committee deems a complaint to be outside the scope of the Alcohol Advertising Review

Board Code. If this occurs, the complainant will be notified and the complaint will not be referred to the Panel for review.

- (e) The advertisers responsible for advertisements which are the subject of complaints will be notified of the complaint in writing and invited to provide a written response within 7 working days (provided the advertiser can be identified and located). Non-response will not prevent the complaint being reviewed.
- (f) Complaints will be referred on to three Panel members for review. Copies of the advertisement against which a complaint has been lodged will be provided to the Panel members to assist them with their deliberations. Copies of the advertisers' response, if received, will also be provided. The Secretariat will seek to keep Panel members up to date with relevant prior complaints and determinations.
- (g) The Panel's determination will be by a simple majority.
- (h) If the Panel decides that the complaint is to be upheld, the Alcohol Advertising Review Board will contact the advertiser to request withdrawal or modification of the advertisement.
- (i) A record of all decisions will be maintained. Determinations will be communicated in writing and reports of determinations will be available online. Any responses to the complaint from the advertisers will be published in the determination report.
- (j) The Alcohol Advertising Review Board will, at the discretion of the Chair or another member of the Advisory Board, accept appeals from the complainant or the advertiser. If a determination is appealed, both parties will be invited to provide comment that will be considered as part of the second review. The original complaint and submitted comments will be considered by three Panel members who were not involved in the initial review of the complaint. The Panel's decision in the appeal process is final, and the complainant and advertiser will be notified of the outcome.

2.4 Annual and Interim Reports

The Steering Committee will prepare interim and annual reports summarising the complaints received by the Panel and the resulting decisions. Reports will be made available online.