



Inventory Alcohol Marketing Regulations

With this form STAP, the Dutch Institute for Alcohol Policy, would like to ask you to fill out information regarding alcohol marketing regulations in your country.

First, we will ask you to give an overview of the different alcohol marketing regulations that exist in your country. Next, some general questions about time bans and the monitoring system in your country will follow. Finally, we will ask you to fill out more specific questions per regulation. We have included separate Regulation Forms for this part of the questionnaire. For each alcohol marketing regulation that exists, please fill out a separate Regulation Form (please let the number of the form correspond with the number in the table on page 1 of this questionnaire, where you summarized all existing regulations).

Thank you very much for participating and providing the data!

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

1. Overview Alcohol Marketing Regulations

Below, please fill out all regulations on alcohol advertisement and alcohol sponsorship and promotion that exist in your country.

**With Coverage we would like to know which types of alcohol marketing are being covered by the regulation (e.g. cinema, digital media, event sponsoring, outdoor, print, promotional items, radio, tv, sport sponsoring, etc.)*

Alcohol Marketing Regulations Questionnaire

No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	Bundesgesetz über den österreichischen Rundfunk (ORF-Gesetz)	Federal Act on the Broadcasting Corporation (ORF Act)	20-12-2007	http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000785	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: only tv and radio programmes and websites that belong to the ORF
2.	Bundesgesetz, mit den Bestimmungen für privaten Hörfunk (Privatradiogesetz, PrR-G)	Privat Radio Act	05-02-2009	http://www.rtr.at/de/rf/PrR-G	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: only privat radio
3.	Bundesgesetz, mit den Bestimmungen für privates Fernsehen (Privatfernsehgesetz, PrTV-G)	Privat Television Act	05-02-2009	http://www.rtr.at/de/rf/PrTV-G	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: only privat tv
4.	Selbstbeschränkungscode des Österreichischen Werberat	Self Regulation Codex of the Austrian Advertising Council	19-04-2005	http://www.werberat.or.at/richtlinien.asp?mid=11	<input type="checkbox"/> Statutory/ Legal <input checked="" type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:

Alcohol Marketing Regulations Questionnaire

No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
5.	Bundesgesetz über die Ordnung von Unterricht und Erziehung in den im Schulorganisationsgesetz geregelten Schulen (Schulunterrichtsgesetz 1986 - SchUG)	Schooleductaion Law	Schooleducation Law: 08-08-2008	Schooleducation Law: http://www.bmukk.gv.at/schulen/recht/gvo/schug.xml	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input type="checkbox"/> Tv <input type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: Advertising at school events, in schools and in the surroundings of schools
6.	Allgemeine Geschäftsbedingungen des ORF für Werbesendungen	General terms and conditions of the ORF for comercial broadcasting	01-01-2009	http://enterprise.orf.at/typo3conf/ext/up_downloadcluster/pi1/downloadfile.php?filename=2009_AGB_TV_Radio_01.pdf	<input type="checkbox"/> Statutory/ Legal <input checked="" type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely: only tv and radio programmes and websites that belong to the ORF

2. Watersheds / Time bans

We would like to know more about time bans or watersheds in your country on alcohol marketing on TV, radio and in the cinema. Also if no alcohol advertising is allowed at all for this type of medium, please indicate.

Time ban on TV?		
1	Is there a watershed (time ban) for alcohol advertising on TV in your country?	<input checked="" type="checkbox"/> Yes, namely: Advertising for alcoholic mixed beverages is on the TV programs of ORF only allowed after 7.25pm (Self regulation) <input type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	General terms and conditions of the ORF for commercial broadcasting
3	Is sponsorship of TV <i>programmes</i> during this watershed still permitted? (e.g. a movie or soap series sponsored by an alcohol producer)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4	Is sponsorship of <i>events</i> that are televised during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5	Are Corporate Social Responsibility messages of an alcohol producer still permitted on TV during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the radio in your country?	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	
8	Is sponsorship of radio <i>programmes</i> during this watershed still permitted? (e.g. a radio program sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input type="checkbox"/> No
9	Is sponsorship of <i>events</i> that are broadcast on the radio during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input type="checkbox"/> Yes <input type="checkbox"/> No
10	Are Corporate Social Responsibility messages of an alcohol producer still permitted on the radio during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input type="checkbox"/> Yes <input type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the cinema in your country?	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No → go to next part (3)
12	In which regulation is the cinema time ban embedded?	

3. Monitoring system

We would like to know more about organizations that monitor the adherence to alcohol marketing (regulations) in your country.

Please fill out in the table below as many organizations you know in your country that monitor whether (part of) the alcohol marketing regulations are being adhered to by the parties that the regulations concern (e.g. alcohol producers, broadcasters, etc).

We are interested in the monitoring of statutory as well as non-statutory regulations or co-regulation.

** In the final column you can indicate which types of data are used by the monitoring organization. Where do the data come from? You can select multiple options if necessary.*

Name organization	Which regulation is/are monitored?	Independent from commercial interests?	Official part of the regulation system?	Monitoring routinely/systematically ?	Includes marketing other than on TV, radio, print or outdoor?	Source data used:*
Kommunikationsbehörde Austria: http://www.rtr.at/de/rf/Institution	Federal Act on the Broadcasting Corporation (ORF Act), Privat Radio Act, Privat Television Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input type="checkbox"/> Government <input checked="" type="checkbox"/> Own inventarisation <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:



Regulation Form No. 1

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 1 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 1:	Federal Act on the Broadcasting Corporation (ORF Act)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/ marketing does Regulation No. 1 contain?	2

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 1. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
§13 (4)	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:typ of alcohol (spirits)	<p>Original text: Unter der Wahrnehmungsgrenze liegende Werbesendungen sowie jede Form der Werbung für Spirituosen und Tabakwaren sind untersagt.</p> <p>English translation: Comercials that are designed to pass beneath the sensory threshold as well as all kind of advertisement for spirits and tobacco are forbidden.</p>
§16 (4)	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Fernsehwerbung für alkoholische Getränke muss folgenden Kriterien entsprechen:</p> <ol style="list-style-type: none"> 1. Sie darf nicht speziell an Minderjährige gerichtet sein und insbesondere nicht Minderjährige beim Alkoholgenuss darstellen. 2. Es darf keinerlei Verbindung zwischen einer Verbesserung der physischen Leistung und Alkoholgenuss oder dem Führen von Kraftfahrzeugen und Alkoholgenuss hergestellt werden. 3. Es darf nicht der Eindruck erweckt werden, Alkoholgenuss fördere sozialen oder sexuellen Erfolg. 4. Sie darf nicht eine therapeutische, stimulierende, beruhigende oder konfliktlösende Wirkung von Alkohol suggerieren. 5. Unmäßigkeit im Genuss alkoholischer Getränke darf nicht gefördert oder Enthalttsamkeit oder Mäßigung nicht negativ dargestellt werden. 6. Die Höhe des Alkoholgehalts von Getränken darf nicht als positive Eigenschaft hervorgehoben werden. <p>English translation: Television advertising for alcoholic beverages has to comply with the following criteria:</p> <ol style="list-style-type: none"> 1. It must not be aimed specifically at minors or, in particular, depict minors consuming these beverages. 2. It must not link the consumption of alcohol to enhanced physical performance or to driving; 3. It must not create the impression that the consumption of alcohol contributes towards social or sexual success. 4. it must not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal conflicts. 5. It must not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light. 6. It must not place emphasis on high alcoholic content as being a positive quality of the beverages.

Next, we have some general questions about Regulation No. 1.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation only covers advertisement on tv, radio and websites belonging to the ORF, so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:

Comments on Regulation No. 1: Complaints can be made at the Austrian Advertising Council, there you have also the Copy Advice Service (Pre-screening) - www.werberat.at, a regularly monitoring system we have with the Kommunikationsbehörde Austria - www.rtr.at



Regulation Form No. 2

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 2 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 2:	Privat Radio Act
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/ marketing does Regulation No. 2 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 2. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

Article (paragraph)*	Type of restriction**	Text article
§19 (2)	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: type of alcohol (spirits)	Original text: Werbesendungen für Tabakwaren und Spirituosen sowie unter der Wahrnehmungsgrenze liegende Werbung sind unzulässig. English translation: Comercials for tobacco and spirits as well as comercials that are designed to pass beneath the sensory threshold are forbidden..

Alcohol Marketing Regulations Questionnaire

Next, we have some general questions about Regulation No. 2.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation only covers advertisement on privat radio, so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast/published.*

How publicly available?		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:
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Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:



Regulation Form No. 3

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 3 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 3:	Privat Television Ac
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/ marketing does Regulation No. 3 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 3. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
§42	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: type of alcohol (spirits)	<p>Original text: Werbesendungen und Teleshopping für Spirituosen sind unzulässig. Darüber hinaus müssen Werbung und Teleshopping für alkoholische Getränke folgenden Kriterien entsprechen:</p> <ol style="list-style-type: none"> 1. Sie dürfen nicht speziell an Minderjährige gerichtet sein und insbesondere nicht Minderjährige beim Alkoholgenuss darstellen. 2. Es darf keinerlei Verbindung zwischen einer Verbesserung der physischen Leistung mit Alkoholgenuss oder dem Führen von Kraftfahrzeugen und Alkoholgenuss hergestellt werden. 3. Es darf nicht der Eindruck erweckt werden, Alkoholgenuss fördere sozialen oder sexuellen Erfolg. 4. Sie dürfen nicht eine therapeutische, stimulierende, beruhigende oder konfliktlösende Wirkung von Alkohol suggerieren. 5. Unmäßigkeit im Genuss alkoholischer Getränke darf nicht gefördert oder Enthaltensamkeit oder Mäßigung nicht negativ dargestellt werden. 6. Die Höhe des Alkoholgehalts von Getränken darf nicht als positive Eigenschaft hervorgehoben werden. <p>English translation: Television advertising and teleshopping for spirits are forbidden. Furthermore television advertising and teleshopping for alcoholic beverages have to comply with the following criteria:</p> <ol style="list-style-type: none"> 1. It must not be aimed specifically at minors or, in particular, depict minors consuming these beverages. 2. It must not link the consumption of alcohol to enhanced physical performance or to driving; 3. it must not create the impression that the consumption of alcohol contributes towards social or sexual success. 4. it must not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal conflicts. 5. it must not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light. 6. it must not place emphasis on high alcoholic content as being a positive quality of the beverages.

Next, we have some general questions about Regulation No. 3.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation only covers advertisement on privat tv, so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.

** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.

How publicly available?		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Alcohol Marketing Regulations Questionnaire

6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure

8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:



Regulation Form No. 4

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 4 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 4:	Self Regulation Codex of the Austrian Advertising Council
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/ marketing does Regulation No. 4 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 4. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
2.1.	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 2.1 Alkohol Präambel Ungeachtet des legitimen Bekenntnisses der Werbewirtschaft zu einem freien, gesunden und lauterem Wettbewerb und ungeachtet der Tatsache, dass der maßvolle Konsum von alkoholischen Getränken durchaus positive Wirkungen haben und das Leben der Menschen bereichern kann, muss sich Werbung im Zusammenhang mit Alkohol ihrer Verantwortung gegenüber der Gesellschaft bewusst sein. Werbung soll keine Sujets einsetzen, die geeignet sind, als Aufforderung zum Alkoholmissbrauch oder als Anreiz zum übermäßigen Konsum von alkoholischen Getränken missverstanden zu werden.</p> <ol style="list-style-type: none"> 1. Werbung soll nicht zu übermäßigem oder missbräuchlichem Alkoholkonsum ermutigen. 2. Alkoholwerbung soll sich nicht an die Zielgruppe Kinder wenden. 3. Werbung soll sich keiner verharmlosenden Darstellungen bedienen. Darstellungen wie z.B. das Lenken von Fahrzeugen oder das Bedienen von Maschinen im Zusammenhang von Alkoholkonsum sind zu vermeiden. 4. Werbung soll nicht den Eindruck erwecken, Alkoholkonsum hätte therapeutische Wirkungen. <p>English translation: 2.1. Alcohol Preamble Although the advertising industry legitimately admits to a free, healthy and fair competition and although it is a fact, that modest consumption of alcohol can have positive effects and enrich peoples lives, when advertising for alcohol we must be aware of our social responsibility. Advertising shall not be designed in a way that it can be misunderstood in the way that it encourages immoderate or abusive consumption of alcohol.</p> <ol style="list-style-type: none"> 1. Advertising shall not encourage immoderate or abusive consumption of alcohol. 2. Advertising for alcoholic beverages shall not be aimed specifically at children. 3. Advertising shall not trivalise. For example to link the consumption of alcohol to driving or to operating machines should be avoided. 4. Advertising shall not claim that alcohol has therapeutic qualities.

Next, we have some general questions about Regulation No. 4.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: included are all kinds of "economic advertising", not included are sponsoring, product placement, ect. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input checked="" type="checkbox"/> Retailers <input checked="" type="checkbox"/> Catering & Hospitality service <input checked="" type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure

8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:



Regulation Form No. 5

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 5 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 5:	Schooleductaion Law
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 5 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 5. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

* To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).

**The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

Article (paragraph)*	Type of restriction**	Text article
Schooleducation Law §46 (3)	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: total ban in schools, at school events and at events directly connected to schools	<p>Original text: In der Schule, bei Schulveranstaltungen und bei schulbezogenen Veranstaltungen darf für schulfremde Zwecke nur dann geworben werden, wenn die Erfüllung der Aufgaben der österreichischen Schule (§ 2 des Schulorganisationsgesetzes) hierdurch nicht beeinträchtigt wird.</p> <p>English translation: In Schools, at school events and at events directly connected to schools it is only allowed to advertise if the duties and responsibilities of the Austrian school system (§2 of Schoolorganisation Law) are preserved.</p> <p>This paragraph doesn't explicitly mention alcoholic beverages, but includes them in practice. It is understood that you can't advertise in schools for products like alcohol, tobacco, computer games insuitable, sects or destructive cults.</p>

Next, we have some general questions about Regulation No. 5.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation covers only advertisement in schools, at school events and at events directly connected to schools, so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input checked="" type="checkbox"/> Other, namely: Schools

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure

8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:



Regulation Form No. 6

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 6 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 6:	General terms and conditions of the ORF for commercial broadcasting
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 6 contain?	2

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 6. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

Article (paragraph)*	Type of restriction**	Text article
3 g, h	<input checked="" type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: type of alcohol (spirits)	<p>Original text: 3. BESCHRÄNKUNGEN Ausgeschlossen ist/sind: ... g) Werbung für Tabakwaren und Spirituosen; h) Werbung, die den Umgang mit Alkohol sowie mögliche Auswirkungen von Alkoholkonsum verharmlost; </p> <p>English translation: 3. RESTRICTIONS Forbidden is/are: ... g) Advertising for tobacco and spirits; h) Advertising, that trivialises the consumption of alcohol as well as possible impacts of consumption.</p>

Article (paragraph)	Type of restriction	Text article
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<p>4 e</p>	<p><input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: time, type of alcohol (mixed alcoholic beverages)</p>	<p>Original text: 4. SONSTIGE BESCHRÄNKUNGEN e) Alkoholwerbung: Jegliche Alkoholwerbung im Zusammenhang mit Kindern, Jugendlichen oder Kraftfahrern ist verboten. In der Alkoholwerbung ist jede nicht-produktbezogen argumentierende Werbung in Wort und Bild ausgeschlossen. Die Werbeaussage hat sich auf die Empfehlung eines bestimmten Produktes oder einer bestimmten Produktgruppe zu beschränken. Darüber hinaus ist Werbung für alkoholische Getränke nur unter Einhaltung folgender Kriterien zulässig: I. Es darf keinerlei Verbindung zwischen einer Verbesserung der physischen Leistung und Alkoholgenuss oder dem Führen von Kraftfahrzeugen und Alkoholgenuss hergestellt werden; II. es darf nicht der Eindruck erweckt werden, Alkoholgenuss fördere sozialen oder sexuellen Erfolg; III. die Werbung darf nicht eine therapeutische, stimulierende, beruhigende oder konfliktlösende Wirkung von Alkohol suggerieren; IV. Unmäßigkeit im Genuss alkoholischer Getränke darf nicht gefördert und Enthaltbarkeit oder Mäßigung nicht negativ dargestellt werden; V. die Höhe des Alkoholgehalts von Getränken darf nicht als positive Eigenschaft hervorgehoben werden; VI. es darf nicht zum Genuss von alkoholischen Getränken aufgefordert werden, z.B. „Trinkt ...“. Werbung für alkoholische Mischgetränke kann für eine Schaltung im Fernsehen erst ab der Prime Time (19.25 Uhr) gebucht werden.</p> <p>English translation: 4. OTHER RESTRICTIONS e) Advertising for alcohol: Any advertising for alcohol that is linked to children, minors or drivers is forbidden. Within advertising for alcohol it is not allowed to argue not product-related with words or pictures. The message of the advertising has to be restrained to recommendations of a special product or a special group of products. Furthermore all advertising for alcohol must comply with the following criteria: I. It must not link the consumption of alcohol to enhanced physical performance or to driving; II. It must not create the impression that the consumption of alcohol contributes towards social or sexual success. III. It must not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal conflicts; IV. It must not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light; V. It must not place emphasis on high alcoholic content as being a positive quality of the beverages. VI. It is not allowed to request somebody to drink alcoholic beverages, for example "drink ...". Advertising for mixed alcoholic beverages are only allowed at the Prime Time (7.25p.m.).</p>
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Next, we have some general questions about Regulation No. 6.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation only covers advertisement on tv, radio and websites belonging to the ORF, so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.

** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.

How publicly available?		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Alcohol Marketing Regulations Questionnaire

6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure

8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely:



Regulation Form No. 7

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	09.07. 2009

Below, please indicate the name of Regulation No. 1 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 1:	FIS ADVERTISING RULES SEASON 2008/09 The Austiran Ski Federation (ÖSV - Österreichischer Skiverband) is subject to the advertising rules of the FIS (International Ski Federation)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 1 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 1. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

Alcohol Marketing Regulations Questionnaire

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
1.7.	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text: Advertisements for alcohol and tobacco may not occupy more than 25 % of the total authorised advertising space. English translation: Advertisements for alcohol and tobacco may not occupy more than 25 % of the total authorised advertising space.

Alcohol Marketing Regulations Questionnaire

Next, we have some general questions about Regulation No. 1.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation covers only advertising connected to the FIS (International Ski Federation) and the ÖSV (Austrian Ski Federation), so all others are not covered. <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input checked="" type="checkbox"/> Other, namely: FIS - International Ski Federation and ÖSV - Austrian Ski Federation

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:
Complaint system		



Regulation Form No. 8

Organization:	Ludwig Boltzmann Institute for Addiction Research
Country:	Austria
Date:	27.07. 2009

Below, please indicate the name of Regulation No. 2 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 2:	SPECIFICATIONS FOR COMPETITION EQUIPMENT AND COMMERCIAL MARKINGS Edition 2008 (valid as from the season 2008/09) The Austiran Ski Federation (ÖSV - Österreichischer Skiverband) is subject to the advertising rules of the FIS (International Ski Federation)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Alcohol Marketing:
How many articles about alcohol advertising/ marketing does Regulation No. 2 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 2. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

Alcohol Marketing Regulations Questionnaire

****The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).**

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
B.3.	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:total ban for alcohol advertising in advertising with athletes	Original text: B.3 Not allowed in advertising with athletes: B.3.1 Any kind of advertising with alcohol, tobacco, and narcotics. English translation: B.3 Not allowed in advertising with athletes: B.3.1 Any kind of advertising with alcohol, tobacco, and narcotics.

Next, we have some general questions about Regulation No. 2.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: the regulation covers only advertising with athletes of the FIS (International Ski Federation) and so also of the ÖSV (Austrian Ski Federation) <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input checked="" type="checkbox"/> Other, namely: athletes of the FIS (International Ski Federation) and so also of the ÖSV (Austrian Ski Federation)

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.

** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.

How publicly available?		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.werberat.at <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Alcohol Marketing Regulations Questionnaire

9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.werberat.at (copy advice service of the Austrian Advertising Council) <input type="checkbox"/> Other, namely:

Complaint system

11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Österreichischer Werberat English translation: Austrian Advertising Council
13	What is the composition of the 'evaluating committee'?	about 90 representative experts that are elected for 3 years, people from the advertising industry, the media, clients, agencies, psychologist, scientists and lawyers
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: general assembly Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

