

## **SUBSIDIARY LEGISLATION 350.24**

### **REQUIREMENTS AS TO ADVERTISEMENTS, METHODS OF ADVERTISING AND DIRECTIONS APPLICABLE TO ALCOHOLIC DRINK ADVERTISING, SPONSORSHIP AND TEleshopping**

22nd March, 2007

*GOVERNMENT NOTICE 267 of 2007.*

The title of these requirements is the Requirements as to Advertisements, Methods of Advertising and Directions applicable to Alcoholic Drink Advertising, Sponsorship and Teleshopping. Citation.

**1.** Applicability of these Requirements as to Advertisements, Methods of Advertising and Directions

1.1 These Requirements as to Advertisements, Methods of Advertising and Directions shall be read in conjunction with paragraph 19 of the Third Schedule to the Broadcasting Act (Cap. 350 of the Laws of Malta), and shall apply principally to advertisements for alcoholic drinks and to teleshopping of alcoholic drinks. However the incidental portrayal of alcoholic consumption in advertisements or teleshopping for other products and services shall always be carefully considered to ensure that it does not contradict the spirit of these Requirements as to Advertisements, Methods of Advertising and Directions.

1.2 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

**2.** Distribution of Advertisements and Teleshopping for alcohol

2.1 Advertisements and teleshopping for alcoholic drinks shall not be broadcast between 6.00a.m. and 9.00p.m.

2.2 In sponsored programmes, it shall not be permitted to use the name of an alcoholic drink as the name of the sponsor between 6.00a.m. and 9.00p.m.

2.3 It shall not be permissible to use the brand name of an alcoholic drink for a sponsored activity between 6.00a.m. and 9.00p.m.

**3.** Protection of young people

3.1 Alcoholic drink advertising and teleshopping shall not be directed at people under 18 years of age or use treatments likely to be of particular appeal to them.

3.2 Advertisements and teleshopping for alcoholic drinks shall not include any personality whose example people under 18 years

of age are likely to follow or who has a particular appeal to people under 18 years of age.

3.3 Children shall not be seen or heard in advertisements and teleshopping for alcoholic drinks.

#### **4. Unacceptable treatments**

4.1 Advertisements and teleshopping shall not blatantly imply that drinking is essential to social success or acceptance or that refusal is a sign of weakness. Nor shall they blatantly imply that the successful outcome of a social occasion is dependent on the consumption of alcohol.

4.2 Advertisements and teleshopping shall not suggest that regular solitary drinking is acceptable or that drinking is a means of resolving personal problems.

4.3 Advertisements and teleshopping shall not imply that drinking is an essential part of daily routine or can bring about a change in mood.

4.4 Advertisements and teleshopping shall not suggest or imply that drinking is an essential attribute of masculinity or femininity. References to daring, toughness or bravado in association with drinking are not acceptable.

4.5 Alcoholic drinks shall not be advertised or referred to in a teleshopping programme in a context of aggressive, anti-social or irresponsible behaviour.

4.6 Advertisements and teleshopping shall not depict or imply excessive drinking in any manner whatsoever.

4.7 Advertisements and teleshopping shall not offer alcohol as therapeutic, or as a stimulant, sedative, tranquilliser or source of nourishment. While advertisements and teleshopping may refer to refreshment after physical performance, they shall not give any impression that performance can be improved by drink.

4.8 Advertisements and teleshopping shall not suggest that a drink is preferable because of its higher alcohol content or intoxicating effect and shall not place undue emphasis on alcoholic strength.

#### **5. Safety**

5.1 Nothing in any advertisement or teleshopping may promote drinking while driving or whilst using potentially dangerous machinery.

5.2 Alcoholic drinks shall not be seen to be consumed in a working place environment.

#### **6. Cut-price Offers, etc.**

6.1 Reference to "cut-price drinks", "happy hour drinks", "buy two and get one free", "money-off coupons" and similar advertisements or teleshopping that encourage excessive or immoderate consumption are unacceptable. Alcoholic drink retailers may however refer to price reductions for their stock.

**7. Humour**

7.1 Advertisements and teleshopping may employ humour but not so as to circumvent the intention of these Requirements.

**8. Non-applicability of these Requirements as to Advertisements, Methods of Advertising and Directions**

8.1 These Requirements as to Advertisements, Methods of Advertising and Directions shall not apply to any advertisements or promotional campaigns undertaken to dissuade the public from excessive or immoderate drinking.

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