



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:	VAD, Association for Alcohol and other Drug Problems
Country:	Belgium
Date:	30.09.2009

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.	wet betreffende de bescherming van de gezondheid van de gebruikers op het stuk van de voedingsmiddelen en andere produkten	law to protect the health of consumers	24-07-2008	http://www.ejustice.ju st.fgov.be/wet/wet.htm (ingeven van dossiernummer 1977-01-24/31)	<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 checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input checked="" type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:
2.	Arnoldusconvenant inzake gedrag en reclame met betrekking tot alcoholhoudende dranken	Arnoldus covenant on practice and advertising for alcoholic beverages	12-05-2005	http://www.jep.be/media/pdf/sectoriele_covenant/alcohol_nl.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 checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input checked="" type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:
3.	Vlaams mediadecreet betreffende de radio-omroep en de televisie	Flemish act on radio and television broadcasting	24-07-2009	http://www.vlaamseregulatormedia.be/media/10719/mediadecreet%2027%20maart%202009%20-%20decreetwijziging%2024%20juli%202009.pdf	<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 type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:

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: Any advertising for an alcoholic beverage shall be prohibited during a period covering five minutes prior to and five minutes after a programme mainly intended for children. Television and radio advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes. <input type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	Arnoldus covenant on practice and advertising for alcoholic beverages; Flemish act on radio and television 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 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 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 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 checked="" type="checkbox"/> Yes, namely: Television and radio advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes. <input type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	Flemish act on radio and television broadcasting
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

Alcohol Marketing Regulations Questionnaire

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 checked="" type="checkbox"/> Yes, namely: Any advertising for an alcoholic beverage shall be prohibited when a film mainly intended for children is being shown in a cinema. <input type="checkbox"/> No → go to next part (3)
12	In which regulation is the cinema time ban embedded?	Arnoldus covenant on practice and advertising for alcoholic beverages

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:*
De Vlaamse Regulator voor de Media (The Flemish Regulator for the Media)	Flemish act on radio and television broadcasting	<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:
Jury voor Ethische Praktijken inzake Reclame (Jury for ethical practices concerning publicity)	Arnoldus covenant on practice and advertising for alcoholic beverages; law to protect the health of consumers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input 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:	VAD, Association for Alcohol and other Drug Problems
Country:	Belgium
Date:	30.09.2009

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:	wet betreffende de bescherming van de gezondheid van de gebruikers op het stuk van de voedingsmiddelen en andere produkten (law to protect the health of consumers)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: Als reclame en sponsoring worden beschouwd elke mededeling of handeling die rechtstreeks of onrechtstreeks tot doel heeft de verkoop te bevorderen, ongeacht de plaats, de aangewende communicatiemiddelen of de gebruikte technieken. (advertising and sponsoring are defined as every announcement or action which directly or indirectly aims at promoting sale, regardless of place, the applied communication resources or used techniques.) 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
art.7 § 2	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: not specified	Original text: art.7 § 2 (In het belang van de volksgezondheid kan de Koning regels stellen en verbodsmaatregelen voorschrijven (...) in verband met de reclame voor alcohol en alcoholhoudende dranken.) English translation: In the interest of public health the king can prescribe rules and prohibition measures (...) concerning alcohol advertising

Alcohol Marketing Regulations Questionnaire

<p>art 7 bis</p>	<p><input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: not specified</p>	<p>Original text: Art. 7bis. § 1. Behoudens toepassing van de bepalingen van artikel 7, kan de Koning geheel of gedeeltelijk de overeenkomsten gesloten tussen de verenigingen bedoeld in § 3 van dit artikel goedkeuren, indien hun bedoeling is om een redelijk gebruik van alcoholhoudende dranken aan te moedigen. § 2. De bepalingen van de overeenkomsten die zijn goedgekeurd door de Koning worden gepubliceerd in het Belgisch Staatsblad. § 3. De overeenkomsten bedoeld in § 1 moeten tenminste gesloten zijn met :</p> <ol style="list-style-type: none"> 1. twee beroepsverenigingen die minstens 80 % van de Belgische producenten van alcoholhoudende dranken vertegenwoordigen; 2. twee verenigingen die de belangen van de consument vertegenwoordigen; 3. twee beroepsverenigingen die de Horeca sector vertegenwoordigen en vertegenwoordigd zijn binnen het paritair Comité voor het hotelbedrijf, ingesteld krachtens de collectieve arbeidsovereenkomst nr 58954/CO/302 van 27 augustus 2001. <p>English translation: Art. 7bis. § 1. Subject to application of the provisions of Article 7, the king can entirely or partially approve the agreements closed between the associations meant in § 3 of this Article, if their intention is encouragement of a reasonable use of alcohol. §2. The provisions of the agreements which have been approved by the king are published in the Belgian Bulletin of Acts, Orders and Decrees. §3. The agreements meant in § 1 must be at least closed with:</p> <ol style="list-style-type: none"> 1. two professional associations which represent at least 80% of the Belgian alcohol producers; 2. two associations which represent the interests of consumers; 3. two professional associations which represent the hotel and catering industry and which are represented within the joint committee for the hotel company, established under the collective labour agreement no. 58954/CO/302 of 27 augusts 2001.
------------------	---	--

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 checked="" type="checkbox"/> No <input 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 type="checkbox"/> Yes, namely: <input checked="" 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 type="checkbox"/> Retailers <input checked="" 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: consumer associations

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:

Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input type="checkbox"/> Yes, see www. <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: not relevant
6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see www. <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: not relevant
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <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: not relevant
Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input 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: not relevant
9	Is the use of the pre-screening procedure voluntary?	<input 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: not relevant
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 type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely: not relevant

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input 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: not relevant
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: English translation:
13	What is the composition of the 'evaluating committee'?	
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <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: not relevant
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input 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: not relevant

Comments on Regulation No. 1: This is a general law with a few articles on alcohol advertising. Questions 4-16 are difficult to answer since the law does not specify a complaint procedure regarding these articles. The Royal Decree needed for the practical implementation of the articles on alcohol advertising is not yet available.



Regulation Form No. 2

Organization:	VAD, Association for Alcohol and other Drug Problems
Country:	Belgium
Date:	30.09.2009

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:	Arnoldusconvenant inzake gedrag en reclame met betrekking tot alcoholhoudende dranken (Arnoldus covenant on practice and advertising for alcoholic beverages)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	<p>Alcohol Advertising: Voor de toepassing van deze Convenant wordt als reclame beschouwd elke mededeling die rechtstreeks of onrechtstreeks ten doel heeft de verkoop van alcoholhoudende dranken te bevorderen, ongeacht de plaats of de aangewende communicatiemiddelen. (Pursuant to this Covenant, advertising shall be regarded as any communication that is directly or indirectly designed to promote the sale of alcoholic beverages, irrespective of the location or the communication tools deployed.)</p> <p>Alcohol Marketing: "Op de markt brengen" heeft de betekenis er aan gegeven in artikel 1.5 van de wet betreffende de handelspartijken. (The term "Marketing" shall mean the same as in article 1.5 of the Law on Consumer Protection.)</p>
How many articles about alcohol advertising/marketing does Regulation No. 2 contain?	10

Alcohol Marketing Regulations Questionnaire

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.

Article (paragraph)*	Type of restriction**	Text article
art. 2	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: place	Original text: Reclame mag niet: 2.1. gericht zijn op minderjarigen, noch door haar inhoud noch door de vorm van communicatie; 2.2. gevoerd worden in sociale instellingen, gezondheidsinstellingen en arbeidslokalen, met uitzondering van de afgescheiden plaatsten die bestemd zijn om consumpties te nuttigen. English translation: Advertising should not: 2.1. target minors in terms of its content nor its means of communication; 2.2. be used in social institutions, health-care institutions and premises intended for occupational activities, apart from segregated areas designed for consumption purposes.

Article (paragraph)*	Type of restriction**	Text article
art. 3	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Reclame mag niet :</p> <p>3.1. aanzetten tot een onverantwoordelijke, overmatige of onwettige consumptie, noch dit aanmoedigen;</p> <p>3.2. verwijzen naar gunstige psychische en fysieke effecten tengevolge van het drinken van alcoholhoudende dranken, ter bestrijding van fysieke, psychologische en sociale problemen, of om angst, sociale of psychologische conflicten te verminderen of op te lossen; reclame mag evenmin de aandacht vestigen op eventuele opwekkende, euforiserende, sedatieve, helende of kalmerende effecten van alcoholhoudende dranken, noch doen geloven dat dergelijke dranken psychische of fysieke prestaties kunnen verbeteren;</p> <p>3.3. laten blijken dat alcoholconsumptie leidt tot sociale of seksuele successen. Niettegenstaande mag de reclame wel een aangename of gastvrije sfeer, verbonden aan het verbruiken van alcohol, weergeven;</p> <p>3.4. een kritiek bevatten op een andere drank of op de onthouding, de soberheid of de matige consumptie.</p> <p>English translation: Advertising should not:</p> <p>3.1. incite or encourage people to consume irresponsibly or illegally;</p> <p>3.2. suggest the consumption of alcoholic beverages has psychological and physical benefits to help deal with various physical, psychological or social problems or reduce/eliminate anxiety or social or psychological conflicts; advertising should not seek to highlight the potential stimulating, uplifting, sedative, therapeutic or tranquilising effects of alcoholic beverages or give the impression they may improve mental or physical performances;</p> <p>3.3. imply that the consumption of alcohol can lead to social or sexual success, although it may refer to a fun or friendly atmosphere associated with alcohol consumption;</p> <p>3.4. denigrate any other beverage or contain a criticism of abstinence, temperance or moderate consumption.</p>

Article (paragraph)	Type of restriction	Text article
art. 4	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artikel 4. Reclame mag niet :</p> <p>4.1. gericht zijn op minderjarigen, noch door zijn inhoud, noch door het communicatiemiddel;</p> <p>4.2. minderjarigen of personen die minderjarig lijken te zijn, uitbeelden;</p> <p>4.3. stellen dat de consumptie van alcoholhoudende dranken eigen is aan volwassenheid en het niet-consumeren van alcoholhoudende dranken een teken van onvolwassenheid is;</p> <p>4.4. minderjarigen tot de aankoop van alcoholhoudende dranken aanzetten door te profiteren van hun gebrek aan informatie, hun onervarenheid of hun goedgelovigheid;</p> <p>4.5. gebruik maken van tekeningen of marketingtechnieken die verwijzen naar personages die in het bijzonder populair of in de mode zijn bij minderjarigen alsook van tekeningen of marketingtechnieken waarin beelden of beweringen voorkomen die in hoofdzaak behoren tot de cultuur van de minderjarigen;</p> <p>4.6. minderjarigen er rechtstreeks toe aanzetten hun ouders of anderen te overreden tot de aankoop van alcoholhoudende dranken waarvoor reclame wordt gemaakt;</p> <p>4.7. profiteren van het speciale vertrouwen dat minderjarigen hebben in ouders, leerkrachten of andere vertrouwenspersonen;</p> <p>4.8. alcoholhoudende dranken voorstellen als een middel om gevaarlijke situaties te overwinnen.</p> <p>English translation: Article 4. Advertising should not:</p> <p>4.1. target minors in terms of its content nor its means of communication;</p> <p>4.2. introduce individuals who are, or appear to be minors;</p> <p>4.3. make a connection between drinking of alcoholic beverages and maturity, or express a relationship between non-consumption and immaturity;</p> <p>4.4. encourage minors to buy alcoholic beverages by taking advantage of their lack of experience and credulity;</p> <p>4.5. use designs or marketing techniques referring to popular figures or those primarily in fashion amongst minors or geared towards images or claims primarily relating to the culture of minors;</p> <p>4.6. encourage minors to persuade their parents or other people to buy the alcoholic beverages referred to in advertising;</p> <p>4.7. take advantage of the confidence minors have in their parents, teachers or others;</p> <p>4.8. show alcoholic beverages as a means of facing up to dangerous situations.</p>

Article (paragraph)	Type of restriction	Text article
art. 5	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>5.1. Het is verboden om, specifiek aan minderjarigen, alcoholhoudende dranken te verdelen (te laten verdelen) hetzij gratis, hetzij voor een symbolische prijs aan te bieden, hetzij om een proeverij ervan te organiseren specifiek voor minderjarigen.</p> <p>5.2. Alcoholhoudende dranken moeten duidelijk als dusdanig te koop aangeboden worden. Iedere mogelijke verwarring, voornamelijk ten aanzien van de minderjarige consumenten, moet worden vermeden, indien mogelijk door gebruik te maken van een fysieke scheiding.</p> <p>5.3. De verkoop van alcoholhoudende dranken mag niet ondernomen worden via plaatsing in verkoopautomaten in of in de onmiddellijke nabijheid van lagere en middelbare scholen, lokalen van jeugdclubs en -bewegingen en plaatsen waar minderjarigen samenkomen. Van dit principe kan worden afgeweken op voorwaarde dat er technologische middelen aanwezig zijn die verhinderen dat minderjarigen alcoholhoudende dranken kunnen aankopen.</p> <p>English translation:</p> <p>5.1. It is forbidden to distribute alcoholic beverages or offer them for free or at a symbolic price, specifically to minors, or to organise tastings intended specifically for minors.</p> <p>5.2. Alcoholic beverages should be clearly marked as alcoholic products and any confusion should be avoided, particularly in the case of minor consumers, via a system of physical segregation where possible.</p> <p>5.3. It is forbidden to sell beer and other alcoholic beverages in automatic vending machines next to primary and secondary schools, in premises used by youth clubs and youth movements, and in places where minors gather, unless technical systems prevent young people from buying alcoholic beverages.</p>
art. 6	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Reclame mag niet :</p> <p>6.1. verwijzen naar een aanbeveling of goedkeuring van een arts; noch mag zij medische of paramedische beroepen in reclame gebruiken, of personen uitbeelden die medische kleding dragen, of personen in een medisch decor plaatsen, of medische attributen tonen;</p> <p>6.2. een verband leggen tussen het gebruik van alcoholhoudende dranken en de verbetering van de gezondheid;</p> <p>6.3. gericht zijn op zwangere vrouwen ;</p> <p>6.4. stellen dat alcoholhoudende dranken bepaalde ziekten kunnen doen verdwijnen, verlichten of voorkomen.</p> <p>English translation: Advertising should not:</p> <p>6.1. refer to recommendations or the approval of a doctor, nor represent people engaged in a medical or paramedical profession or wearing clothing associated with the medical profession or located in medical establishments or those with medical implications.</p> <p>6.2. make a connection between the consumption of alcoholic beverages and better health;</p> <p>6.3. target pregnant women;</p> <p>6.4. create the impression that alcoholic beverages are likely to cure, soothe or prevent certain illnesses.</p>

Alcohol Marketing Regulations Questionnaire

Article (paragraph)	Type of restriction	Text article
art. 8	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Reclame mag geen positief verband leggen tussen het verbruik van alcoholhoudende dranken en positieve werkprestaties.</p> <p>English translation: Advertising should not make a positive connection between alcoholic beverages and a good performance at work.</p>
art. 9	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Reclame zal in geen geval laten blijken dat de consumptie van alcoholhoudende dranken de sportprestaties positief beïnvloedt.</p> <p>English translation: Advertising should not imply that drinking alcoholic beverages can lead to a better athletic performance.</p>
art. 10	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Het alcoholgehalte mag slechts ter informatie vermeld worden en deze informatie moet klaar en duidelijk zijn, teneinde elke verwarring met niet-alcoholhoudende producten te vermijden. Een hoog alcoholgehalte mag in geen geval als een kwaliteit worden voorgesteld.</p> <p>English translation: The level of alcohol should be mentioned solely for information purposes and this information should be clear and straightforward, so as to avoid any confusion with non-alcoholic products. A high alcohol level should never be presented as a quality.</p>
art. 11	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>11.1. Voor reclame-uitingen in kranten, magazines en tijdschriften, alsook voor reclame-uitingen via affiches, televisie, bioscoop, radio of Internet, gelden de bepalingen opgenomen in Bijlage B. De Partijen andere dan de Minister zorgen ervoor dat hun leden deze bepaling naleven.</p> <p>11.2. Reclame voor alcoholhoudende dranken is verboden gedurende een periode die begint 5 minuten voor en eindigt 5 minuten na een uitzending gericht op een publiek dat voornamelijk bestaat uit kinderen.</p> <p>Reclame voor alcoholhoudende dranken is verboden in kranten en tijdschriften voornamelijk gericht op kinderen.</p> <p>Reclame voor alcoholhoudende dranken is verboden tijdens de vertoning in een bioscoop van een film die gericht is op een publiek dat voornamelijk bestaat uit kinderen.</p> <p>English translation:</p> <p>11.1. In the case of advertising for newspapers, magazines and periodicals, and advertising via posters, the television, cinema, radio or the Internet, the provisions specified in annex B shall apply. The Parties other than the Minister shall take the steps required to ensure their members comply herewith.</p> <p>11.2. Any advertising for an alcoholic beverage shall be prohibited during a period covering five minutes prior to and five minutes after a programme mainly intended for children.</p> <p>Any advertising for an alcoholic beverage shall be prohibited in newspapers and periodicals mainly intended for children.</p> <p>Any advertising for an alcoholic beverage shall be prohibited when a film mainly intended for children is being shown in a cinema.</p>

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 checked="" type="checkbox"/> No <input 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 type="checkbox"/> Yes, namely: <input checked="" 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 checked="" 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:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.jep.be <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.jep.be <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 type="checkbox"/> Yes, see www. <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:

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 checked="" type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources: <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:
----	---	---

Alcohol Marketing Regulations Questionnaire

12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Jury voor Ethische Praktijken inzake Reclame English translation: Jury for ethical practices concerning publicity
13	What is the composition of the 'evaluating committee'?	The jury (Court of First Instance) is composed of a President and minimum 4 and maximum 6 members, appointed by the board of directors of the Council for the publicity vzw, for a period of three years. Half of the members are from the civil society (consumer organisations, etc) and the other half is from the publicity sector. Their mandate can be renewed only twice without discontinuance. The jury (higher court) is composed of a President and minimum 16 and maximum 20 members, appointed by the board of directors of the Council for the publicity, for a period of three years.
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: Committee appointed by: the board of directors of the Council for the publicity
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:	VAD, Association for Alcohol and other Drug Problems
Country:	Belgium
Date:	30.09.09

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:	Vlaams mediadecreet betreffende de radio-omroep en de televisie (Flemish act on radio and television broadcasting)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	<p>Alcohol Advertising: advertising means: the audiovisual or audio message transmitted by a public or private company or natural person – in any form – related to the exercise of a commercial, industrial, or trading activity or of a profession to promote the supply of goods or services in return for payment, including immovable goods, rights and duties, which are then broadcast in the frame of a linear broadcasting service, in return for payment or similar compensation or for self-promotional purposes in a linear broadcasting service;</p> <p>Alcohol Marketing: commercial communication means: images or sounds which are designed to promote, directly or indirectly, the goods, services or image of a natural or legal person pursuing an economic activity. Such images or sounds accompany or are included in a programme in return for payment or for similar compensation or for self-promotional purposes. Types of commercial communication include among others advertising, sponsoring, teleshopping and product placement;</p>

Alcohol Marketing Regulations Questionnaire

How many articles about alcohol advertising/ marketing does Regulation No. 3 contain?	4
--	---

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
art. 68	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Commerciële communicatie over alcoholhoudende dranken moet aan de volgende criteria voldoen: 1° ze richt zich niet specifiek tot minderjarigen en toont in het bijzonder geen minderjarigen die dit soort dranken gebruiken; 2° ze legt geen verband tussen alcoholgebruik en een verbetering van fysieke prestaties of gemotoriseerd rijden; 3° ze wekt niet de indruk dat alcoholgebruik bijdraagt tot sociale of seksuele successen; 4° er wordt niet in gesuggereerd dat alcoholhoudende dranken therapeutische kwaliteiten bezitten of een stimulerend, kalmerend of spanningsreducerend effect hebben; 5° ze moedigt geen onmatig alcoholgebruik aan, of stelt onthouding of matig alcoholgebruik niet in een negatief daglicht; 6° ze legt geen nadruk op het hoge alcoholgehalte van dranken als positieve eigenschap.</p> <p>English translation: Commercial communication as regards alcoholic beverages has to comply with the following criteria: 1° it is not specifically aimed at minors and specifically does not show minors consuming this type of beverage; 2° it does not relate the consumption of alcoholic beverages with improved physical performance or motorized driving; 3° it does not give the impression that alcohol consumption contributes to social or sexual success; 4° it does not suggest that alcoholic beverages have therapeutic qualities or have a stimulating, soothing or stress-reducing effect; 5° it does not encourage immoderate alcohol consumption or does not portray abstinence or moderate alcohol consumption in a negative manner; 6° it does not emphasize the high alcohol percentages of beverages as a positive characteristic.</p>

Alcohol Marketing Regulations Questionnaire

art. 83	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:	<p>Original text: Reclame voor alcoholhoudende dranken mag niet worden uitgezonden in het reclameblok net voor of net na kinderprogramma's (Televisiereclame en telewinkelen)</p> <p>English translation: Advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes. (Television advertising and teleshopping)</p>
art. 89	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:	<p>Original text: Radioreclame voor alcoholhoudende dranken mag niet worden uitgezonden in het reclameblok net voor of net na kinderprogramma's.</p> <p>English translation: Radio advertising for alcoholic beverages may not be broadcast in the ad slot just before or after children's programmes.</p>
art. 94	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:	<p>Original text: Kinderprogramma's mogen niet worden gesponsord door ondernemingen waarvan de voornaamste activiteit bestaat in de vervaardiging of verkoop van alcoholhoudende dranken.</p> <p>English translation: Children's programmes may not be sponsored by companies whose principal activity is the manufacture or sale of alcoholic beverages.</p>

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 checked="" type="checkbox"/> No <input 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: other than TV and radio commercials <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.vlaamseregulatormedia.be <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.vlaamseregulatormedia.be <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 type="checkbox"/> Yes, see www. <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:

Pre-screening procedure

8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" 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 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 type="checkbox"/> I was not able to find this. I searched in the following sources: <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: De Vlaamse Regulator voor de Media English translation: The Flemish Regulator for the Media
13	What is the composition of the 'evaluating committee'?	<p>In the Flemish Regulator for the Media there are two chambers: (1) a general chamber and (2) a chamber for impartiality and the protection of minors.</p> <p>The general chamber is composed of 5 members, 2 magistrates, including the chairperson, and 3 media experts.</p> <p>The chamber for impartiality and the protection of minors is composed of 9 members, including the chairperson, of whom 4 are professional journalists. The chamber for impartiality and the protection of minors is extended with 2 experts with at least five years of professional experience in the fields of child psychology, child psychiatry or education and two experts, on the basis of their involvement in the interests of families and children.</p>
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: 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 checked="" type="checkbox"/> Public shaming (e.g. press release) <input checked="" type="checkbox"/> Restriction broadcasting rights <input checked="" type="checkbox"/> Financial penalty between 0 and 125.000 euro <input type="checkbox"/> Other, namely:
----	--	---