Broadcasting and Television

No. 49 of 1972

An Act relating to the Advertising of Cigarettes and Cigarette Tobacco by Commercial Broadcasting and Television Stations.

[*Assented to 7 June 1972*]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *Broadcasting and Television Act* 1972.

(2.) The *Broadcasting and Television Act* 1942–1971,* as amended by this Act, may be cited as the *Broadcasting and Television Act* 1942–1972.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. After section 100 of the *Broadcasting and Television Act* 1942–1971 the following section is inserted:—

Advertisements for cigarettes, &c.

" 100A.—(1.) After a date to be fixed by Proclamation, a licensee shall cause each advertisement for cigarettes or cigarette tobacco broadcast or televised from his station to be followed immediately, as provided by this section, by the following statement:—

' Medical authorities warn that smoking is a health hazard.'

" (2.) If the advertisement is in a language other than English, the statement shall be made in that other language.

" (3.) In the case of a televised advertisement—

(*a*) the statement shall be made simultaneously by image and sound;

(*b*) the statement by image shall be transmitted for a time not less than the time occupied by the transmission of the associated sound;

(*c*) the statement by image—

(i) shall be in bold face capitals;

(ii) shall be in letters the height of each of which is not less than one-twentieth of the height of the screen of a television receiver;

* Act No. 33, 1942, as amended by No. 39, 1946; No. 64, 1948; No. 80, 1950; No. 41, 1951; No. 12, 1953; No. 82, 1954; Nos. 33, 65 and 92, 1956; No. 36, 1960 (as amended by No. 32, 1961); No. 96, 1962; No. 82, 1963; Nos. 67 and 121, 1964; Nos. 38 and 120, 1965; No. 57, 1966; No. 47, 1967; No. 69, 1968; Nos. 21 and 31, 1969; nd Nos 8 and 72, 1971.

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(iii) shall be so arranged and transmitted as to be readily legible, under normal conditions of viewing, when shown on the screen of a television receiver; and

(iv) shall be so arranged as to occupy the central area of the transmitted picture; and

(*d*) no image other than the statement shall be transmitted while the statement is being transmitted.

" (4.) In the case of a statement by sound, whether transmitted from a broadcasting station or a television station—

(*a*) the statement shall be spoken and the time occupied by its transmission shall not be less than three seconds;

(*b*) the statement shall be so transmitted that the level of sound is not less than the usual level of sound used by the station for the transmission of speech;

(*c*) no sound other than that of the statement shall be transmitted while the statement is being transmitted;

(*d*) the statement shall be made without comment or qualification;

(*e*) the statement shall be clearly enunciated; and

(*f*) the statement shall not be so spoken as to convey any element of humour, ridicule, irony or the like.

" (5.) The statement shall not be spoken or shown in such a way that it is distorted, either orally or visually.".

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