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Tribunal's cigarettes stand backed

By RICHARD McGREGOR

CANBERRA: The Minister for Communications, Mr Duffy, has supported the Australian Broadcasting Tribunal's recent ruling that a number of broadcasts sponsored by tobacco companies breached the law banning cigarette advertising.

In a strong rebuff to the tobacco lobby, Mr Duffy said yesterday that the tribunal should be commended rather than vilified for carrying out its responsibility to administer the Broadcasting and Television Act.

The televised items which the tribunal found had breached the law included the broadcast of the 1982 Rugby League Grand Final, which was sponsored by Winfield, and a cricket promotion backed by Benson and Hedges. Sponsorships and promotions by tobacco companies are worth about $13 million a year.

Under the Broadcasting Act, all promotion of cigarettes on television is outlawed, except where it is "accidental or incidental" to a broadcast, and there is no consideration or payment for its screeening.

Mr Duffy said the tribunal's decision had served to clarify this grey area of the law, which many have claimed has been used by tobacco companies as a back-door method of promoting cigarettes on the most powerful medium.

"Advertisers and commercial broadcasting television stations should now have a much clearer appreciation of where they stood with such advertisements," Mr Duffy said.

He outlined the steps that the the tribunal had taken leading up to last week's decision, beginning in 1982, when it became increasingly concerned by growing promotional activity of cigarette companies, particularly in sponsoring sporting events.

The tribunal had investigated complaints it had received and served notice that it intended to examine more closely advertisements that might contravene the Act.

"It said it would first determine the principles to be applied and then apply them in individual cases," Mr Duffy said.

It released a draft policy statement in June 1983 and issued a formal statement in December that year after considering submissions from the public and the industry.

"The tribunal should be commended , not vilified, for its careful consideration of the application of the law and its willingness to attempt clarification of what is undoubtedly a contentious issue.

"Its recent decision will be of considerable assistance to every licensee which, under the Act, is obliged to observe the ban on cigarette advertising as part of the terms and conditions of its licence."