

# 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]

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

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

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

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

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

“ 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:— Advertisements for cigarettes, &c.

‘ 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; and Nos 8 and 72, 1971.

(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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