

Creating safe, healthy environments – The Harmful Products Marketing Act

Key points

- Everyone would benefit from less advertising for gambling, alcohol and unhealthy foods.
- So far, over 130 organisations, researchers and academics working in public health, social welfare, and children's wellbeing have signed a shared statement, highlighting the harmful effects of this advertising and calling on the Federal Government to take action by enacting a Harmful Products Marketing Act.
- The Harmful Products Marketing Act would be a comprehensive piece of legislation regulating the marketing of alcohol, gambling and unhealthy food products.
- The Harmful Products Marketing Act would be designed with a focus on the health and wellbeing of our community and modelled on the world leading success Australia has seen with the Tobacco Advertising Prohibition Act.
- The Australian community overwhelmingly supports action on this issue: 4 in 5 people are concerned about the harms of marketing of harmful products like gambling, alcohol and unhealthy foods, and 4 in 5 people want to see less of this advertising.

Gambling, alcohol and unhealthy food advertising is causing harm in the community

Currently, gambling, alcohol and unhealthy food (food high in saturated fat, salt, and/or added sugars) companies flood our environments with advertising for their harmful products, telling us to gamble, drink and eat more unhealthy food so that their sales and profits continue to increase.

By relentlessly advertising in our homes, sporting fields and public spaces, gambling, alcohol and unhealthy food companies encourage children to consume their products. Research shows that this marketing leads to higher and more frequent consumption as our children grow.¹⁻³

At the same time, these companies collect and use the personal data of people most at risk of harm, to tailor their advertising to these people in all corners of the online world,⁴ enticing them to buy more, and acting as a constant reminder of these harmful products they would rather avoid.⁵ This can especially make it very hard for people trying to cut back on these harmful products.⁶

All this comes at the expense of people's health and wellbeing, with our community experiencing high rates of cancer, liver disease, mental ill health and financial hardship.

Harms to the Australian community from gambling, alcohol and unhealthy food include:

- Australians lose over \$31 billion each year to gambling companies.⁷ Beyond financial harms, they also experience harm to their relationships, health, mental wellbeing and productivity.⁸ These harms cost Australia significantly – with gambling harm costing \$14 billion a year in Victoria alone.⁹

- One Australian dies every 90 minutes and another is hospitalised every three and a half minutes because of alcohol.¹⁰ Alcohol use causes over 200 disease and injury conditions,¹¹ and contributes to 4.5% of the total burden of disease in Australia.¹² Harm from alcohol costs Australia \$66.8 billion annually.¹¹
- Discretionary foods, high in salt, fat and sugar, account for 37% of the average daily energy intake for children aged 5 to 11 years.¹³ Unhealthy diets can lead to children being above a healthy weight and if this persists into adulthood, it increases the risk of serious chronic diseases like type 2 diabetes, heart disease and at least 13 types of cancer.¹⁴ 36% of children aged 2–17 do not meet the recommended daily serves of fruit and 96% do not meet the recommended daily serves of vegetables.¹⁵

The Australian community want to see less gambling, alcohol and unhealthy food marketing

Polling conducted in 2026 shows that Australians want to see action on this issue.

- Four in five Australians are concerned about the harms caused by the advertising of alcohol, gambling and unhealthy food.
- Four in five want to see less of this advertising.
- Only 6% of Australians disagree that there should be less harmful product marketing.¹⁶

The current regulatory model for the marketing of gambling, alcohol and unhealthy food is not fit for purpose

In Australia, gambling, alcohol and unhealthy food companies are largely left to make their own rules about where, when, and how they can advertise their harmful products. These rules are dictated by an array of industry-developed voluntary codes of practice and guidelines, which have continued to prove insufficient and ineffective at meeting community standards and expectations.

The Government regulations that touch on gambling, alcohol and unhealthy food advertising are limited in scope and difficult to enforce.

In practice, this means there are many gaps in what marketing is regulated, and how it is regulated, and there is little by way of effective monitoring or enforcement of existing regulations.

Example: Harmful product marketing in Australian sport

Australian sports are saturated with ads for harmful products. Aligning with sports is a way for harmful product brands to obscure the health risks related to their products and to advertise to children. Research shows children are highly aware of sports celebrity associations with brands.

The 2026 Australian Open, for example, had 8 sponsorship deals with alcohol companies, resulting in the extensive advertising of alcohol during and associated with the tournament. Junk food companies are some of the biggest sponsors of sport in Australia – KFC’s partnership with Cricket Australia and sponsorship of the Big Bash is a notable example.

The AFL and NRL have multiple alcohol and gambling sponsorships. Every AFL and NRL club is sponsored by at least one alcohol company. All but one NRL club, and five AFL clubs, are sponsored by gambling companies.

With limited restrictions on how these harmful products are advertised, the result is a saturation of alcohol, gambling and unhealthy food advertising: shown on TV, at stadiums, on player uniforms, in the media and across online spaces, including social media.

It is impossible for fans, whether children or adults, to avoid this marketing.

A Harmful Products Marketing Act will effectively reduce community exposure to gambling, alcohol and unhealthy food marketing

The Harmful Products Marketing Act will be a new comprehensive legislative framework designed to regulate the marketing of gambling, alcohol and unhealthy foods in a way that reflects our modern world and media landscape.

The Harmful Products Marketing Act will be modelled on the *Tobacco Advertising Prohibition Act 1992* which comprehensively regulated tobacco advertising and contributed to the significant decline in harm from tobacco use in Australia for over three decades since its introduction. At the heart of the *Tobacco Advertising Prohibition Act's* success was its clear objectives: to improve public health and to limit the exposure of the public to advertisements for smoking and tobacco products.

In the same way, the Harmful Products Marketing Act will be designed with the health and wellbeing of our community at its centre. It will meet fundamental conditions that are ground in a strong evidence base, with widespread public health consensus:

- It will have a legislative basis with mandatory compliance
- Its development, administration and enforcement will be independent of vested commercial interests
- It will create an effective administration and deterrence system for infringements on restrictions
- It will create a proactive system for surveillance and monitoring of harmful product marketing

Providing a simplified regulatory mechanism via the Harmful Products Marketing Act will enable more efficient oversight of harmful product advertising. It will provide clarity in advertising restrictions that apply across Australia, making it much easier to monitor and enforce advertising restrictions.

Over 130 public health, social services and community organisations, alongside leading researchers, academics and lived experience advocates, have already signed a *shared statement* calling on the Federal Government to introduce the Harmful Products Marketing Act.

Children in Australia are heavily exposed to advertising for harmful products

For children and adolescents, exposure to marketing of these products increases the likelihood that they will use these products at harmful levels (eg to drink alcohol at risky levels as an adult; to gamble at high levels; to increase consumption of unhealthy foods).

- Gambling companies place almost 1,000 gambling ads on free-to-air television every day. 90% of children recall seeing gambling advertisements when they watch TV. Over 90% of children recall seeing advertising for sports gambling.
- 70% of Australian children aged 15 to 17 recall seeing alcohol ads in the previous month. 41% reported seeing alcohol advertising in three or more media.
- One in four (25.2%) Australian children recall seeing daily unhealthy food ads when using social media platforms.

A Harmful Products Marketing Act will be an impactful step toward the Australian Government commitments to harm reduction

National inquiries, plans, strategies and commitments by the Australian Government identify the extensive harm and burden created by gambling, alcohol and unhealthy food in Australia. Within this context, the role played by these products in driving harm is also identified as a target for reducing harm.

For example, the National Preventative Health Strategy 2021-2023 identifies both alcohol and unhealthy food as a priority action area driving preventable harm in Australia and sets out to reduce alcohol and unhealthy food marketing by 2030, especially to ensure a reduction in young people's exposure.¹⁷ Similarly, the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into online gambling and its impacts on those experiencing gambling harm recommended a comprehensive ban on all gambling advertising in Australia.¹⁸ The Federal Government expert rapid review into prevention approaches to end gender-based violence also identified the role of the gambling and alcohol industries in exacerbating domestic, family and sexual violence, and recommended restrictions on the advertising of these harmful products.¹⁹

For further information

For more information or to discuss this campaign please contact campaigns@fare.org.au.

For media enquiries, contact media@fare.org.au or 0429 291 120.

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