



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
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Submission Cover Sheet

Inquiry into Environment Protection (Fossil Fuel Company Advertising)
Amendment Bill 2024

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Submission to the ECCB Inquiry into Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024

I am writing as the ACT Greens spokesperson on sports and recreation to submit to the inquiry into the Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024. The Greens think it important that Canberra ban fossil fuel advertising in ACT Government venues as a minimum and are grateful for the opportunity to discuss this matter further.

I note in particular the information available in the [Explanatory Statement](#) and commentary in the media on this bill such as [here](#), [here](#) and [here](#).

Compatibility with existing ACT Government framework

The bill supports existing government policy on climate action. It enacts one of the identified steps highlighted under the Fossil Fuel Non-Proliferation Treaty, which the ACT has signed up to. It is consistent with other advertising regulation in the ACT. It is consistent with national bans on tobacco advertising.

What did submissions say?

I would like to take the opportunity to reflect on, and echo the calls made by other submissions to this inquiry. At the time of writing, there were 11 submissions on the committee website.

- 10 supported the bill (Commissioner for Sustainability and the Environment, Conservation Council, Climate Council, Comms Declare, FrontRunners, Master Electricians Australia, Parents for Climate Action, Peoples Climate Action Coalition, academics and community members)
- 1 said other government action would have a greater impact on reducing emissions (I note that many of these actions are already under way)

Many submissions pointed out that others supported bans on fossil fuel advertising, including Doctors for the Environment, Senator David Pocock and Zali Steggall MP.

Comms Declare compared a fossil fuel ad ban to the well-established bans on tobacco advertising. They noted that air pollution from burning fossil fuels kills more people than smoking and that 200 health professionals and organisations had signed up to this issue. 16 Australian councils have voted for a fossil fuel ad ban, including the City of Sydney. They also noted that France, Amsterdam, Stockholm and many others had already enacted or begun enacting regulation to restrict fossil fuel ads. They noted that while ACT led the country, and maybe the world, in banning fossil fuel ads on light rail vehicles, we still permit fossil fuel ads on light rail stops and other infrastructure and we have nothing that prevents fossil fuel companies to sponsor major events, like Floriade. They also note that coal, oil and gas companies sponsor more than 60 programs targeted at school children in Australia, and that fossil fuel companies are permitted to run programs in ACT schools. They have also set out how several councils have managed fossil fuel ad bans easily without affecting current commercial operations by bringing bans into effect at the end of current sponsorship arrangements.

The Climate Council pointed out that “The fossil fuel industry is a major financial sponsor of hundreds of Australian teams and major events around the country. Big companies like Woodside, Santos and AGL are using these events to buy community goodwill and distract us from the planet-wrecking harm they cause.” They discuss ACCC and other examinations of greenwashing and sportswashing and how damaging these practices are. Major sports teams overseas like Arsenal and the Philadelphia Eagles have switched to sustainable sponsorships instead of fossil fuel sponsorships. Here in Australia, Cricket Australia has already abandoned their fossil fuel sponsorships and become financially stable without sponsorship from big oil, coal and gas.

FrontRunners pointed out the challenges sport is facing from climate change, including more shoulder injuries from ground hardening, heat exhaustion, cancellations from drought, fires and floods and increasing insurance premiums. They have pointed out that while sports could internally reduce emissions, “in the scheme of global emissions, the impact of sports emissions is relatively small, even when you include flying and fan travel. For sports organisations that have sponsors that are contributing to fuelling the climate crisis, there is a much bigger fish to fry than their own emissions.”

Dr Matthew Rimmer’s submission included an overview of the current Australian Senate inquiry into greenwashing and action taken by the ACCC and ASIC on greenwashing. He spoke of a similar bill introduced in New South Wales, the Public Health and Safety (Fossil Fuel Advertising) Bill 2022, which was voted down by “the conservative government of the day.” He engaged with the detail of the legislation including scope, definitions and the ES. He quoted Doctors for the Environment, who said ‘Mining coal, oil and gas threatens the health and wellbeing of all Australians and everyone on this planet and I hope all NSW MPs and Senators act to protect health by ending fossil fuel advertising.’ He quoted commentators who said “‘Sponsorship of sports is one the more conspicuous vehicles used by coal companies to ingratiate themselves with Australians.’

Master Electricians Australia supported the bill because ‘allowing the promotion of fossil fuels at sporting events inherently contradicts ACT’s climate reduction goals and legislation.’

Parents for Climate Action noted “Our kids and grandkids learn to swim at the AIS, attend school holiday programs at the Canberra Tennis Centre, play baseball at Narrabundah Ballpark, cheer the Canberra Raiders at GIO Stadium and support the GWS Giants at Manuka Oval... supporting fossil fuel companies by providing an avenue for their advertising tells our kids that their community is willing to compromise their future for the right price. We don't want this to be the lesson our kids learn from participating in sport in the ACT.”

The Commissioner for Sustainability and the Environment strongly supported the bill and noted that “Fossil fuel companies are disproportionately responsible for global emissions and are thus major contributors to climate change... Amidst the severe bushfire smoke in Canberra during Black Summer, 74% of people in the ACT region were less active overall and 91% reported exercising less outdoors. Sporting events across Australia are also regularly disrupted by extreme heat. The significant associated impacts on health and wellbeing, economics and sports participation are recognized nationally as well as here in the ACT. It is untenable that fossil fuel companies continue to benefit from Australian sport while simultaneously driving the climate crisis, which is putting sport at risk.”

The Conservation Council pointed out the uphill battle ACT Government faces in phasing out fossil fuel gas, given its huge advertising spend, and says the existing ban on tobacco advertising gives a clear precedent to ban fossil fuel advertising. Conservation Council also points to the effectiveness of such ad bans, with daily tobacco smoking declining by 24% and non-smoking increasing by 49% since ad bans came into effect.

The Peoples Climate Assembly called for urgent climate action and pointed to the Swinburne University study showing that fossil fuel companies spend an estimated \$14M - \$18M per year sponsoring Australian sport.

Several submitters called for the bill to go further and include all ACT government infrastructure, corporate sponsorships and events. People pointed out some of the more objectionable greenwashing sponsorship deals, such as Newcastle Coal sponsoring Newcastle Jets.

Many pointed out the irony of players collapsing in the heat whilst wearing a fossil fuel sponsored jersey. Many pointed out parallels between the fossil fuel industry and the tobacco industry, and similar arguments run by both against ad bans.

Government submission not yet available

The government response to this bill had not yet appeared on the committee website at the time of writing. There are also no detailed public statements from government on this issue. This means that neither I, nor any other submitter, has had the chance to review and respond to the government position. I don't know if the government supports this or if, like the tobacco lobby, they are refusing to engage with the issue in any meaningful way and are simply opposing it. I also do not know the government's position on these fundamental questions:

1. Should fossil fuel companies be allowed to buy social licence by putting their logos on sports jerseys?
2. Should fossil fuel companies be allowed to advertise in our government venues during a climate crisis?
3. In 2015, the ACT was one of the first jurisdictions in the world to ban fossil fuel advertising on light rail vehicles. In 2019 the ACT declared a state of climate emergency. In 2021 we signed up to the Fossil Fuel Non-Proliferation Treaty. Why in 2024 would we choose to support fossil fuel sponsorships in ACT Government facilities?

Sports submissions not yet available

As noted in the ES, my colleague Ms Clay consulted with venues, sporting groups and clubs in the preparation of this bill. Many expressed support and some gave detailed feedback to shape the passage of the bill. Some explained that this bill would help them unpick national fossil fuel sponsorships that they would rather not have, but had no influence over at the local level. Many athletes are also in public support of this bill and the campaign. At the time of writing, there were no submissions on the website from the sports industry, venues or clubs.

Scrutiny of bill comments

The Scrutiny of Bills Committee noted that the bill may limit the right to political communication and needs a better explanation than is currently provided in the Explanatory Statement. This could be provided when the bill comes back for debate.

On hearings

I and many other submitters have stated that they would like public hearings and would like to attend and assist the committee. I think this would be particularly helpful given that no one has yet seen the government position or public submissions from sporting groups and venues. This means there has been no opportunity to consider or test these views and to propose amendments to address them.

Possible committee recommendations

If the Committee does not want to recommend that the bill pass in its current form, there are several possible recommendations presented in submissions:

1. Amend the bill to commence immediately, but to only apply to future sponsorships agreements, not existing ones. If there are concerns that regulation now might affect the ACT's ability to continue to host desirable events, this would address that concern. It is how many councils have brought in this type of regulation.
2. Shift the bill to another piece of legislation that is a better fit than the Environment Protection Act. This would address any concerns that the bill is in the wrong parent Act.
3. Expand the Bill to ban all fossil fuel company advertising in the ACT.
4. Recommend government commit to banning other areas of fossil fuel advertising, including on all sport, on major government events, on all government infrastructure and in government schools.

5. Recommend Government amend the ACT Sponsorship Policy (Suburban Land Agency), Corporate Sponsorship Policy (Education CSP200109), the Sponsorship Policy (City Renewable Authority zA1070890) and the Major Event Fund guidelines (Visit Canberra) to restrict fossil fuel sponsorship.

Thank you for taking the time to read this submission and I wish the committee well in their deliberations.