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# Policy on Commercial Communication



**SAB**  
**MILLER**

## Contents

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<b>Introduction</b>	<b>02</b>
<b>Section A: Code of Commercial Communication</b>	<b>04</b>
Basic Principles	05
Preventing Underage Appeal	05
Responsible Drinking	07
Alcohol Content	08
Performance	08
Health Aspects	08
Violence And Anti-Social Behaviour	08
Social/Sexual Success	09
Brand Promotions; Promotional and Display Items	09
Responsibility Message	10
Digital Media	11
Direct Communication	11
Brand Names	12
Brand Sponsorship	12
<b>Section B: Oversight And Enforcement</b>	<b>14</b>
Sales and Marketing Compliance Committee	15
Enforcement and Monitoring	15
Complaints	16
Education	17
Reporting	17
<b>Section C: Additional Resources</b>	<b>18</b>
<b>Contacts</b>	<b>19</b>

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# Introduction

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SABMiller believes strongly in our responsibility to be a force for good, both globally and in the communities in which we operate. An integral part of this is to communicate about and market our products in a responsible way.

Although beer and alcohol advertising are among the most widely regulated advertising in the world, we recognise that being a responsible beer advertiser often requires going beyond legal compliance. In addition to compliance with local laws and regulations, we require our companies to adhere to the **SABMiller Policy on Commercial Communication** (the Policy), which establishes consistent standards for the marketing of our brands worldwide. We also expect our agents, partners and anyone acting on our behalf to adhere to the Policy, and SABMiller Group companies are responsible for ensuring that the code is referenced in contracts with external stakeholders so that they are aware of the Code and how it should be applied.

To ensure our advertising respects local cultural values, we further encourage the adoption of, adherence to and participation in brewer and other relevant self-regulatory processes and codes in the local markets where we do business. We are also members of global organisations that seek to improve standards, such as the World Federation of Advertisers and the International Center for Alcohol Policies, and will report on our performance against the Beer, Wine and Spirits Producers' Commitments in line with these requirements.

## Introduction

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We share this Policy with retailers, other brewing and alcohol companies that operate in our markets and regions, and any other stakeholders, to support the improvement of standards across the industry. This policy is also available on [www.sabmiller.com](http://www.sabmiller.com).

Sales and marketing personnel are essential to help protect our licence to trade, which includes the marketing and promotion of our brands. Every person holding sales or marketing responsibilities is accountable for knowing and following the various policies (Policy on Commercial Communication, Market Research Policy, Social Media Policy and Consumer Data Handling Policy etc.) and local procedures. All such persons are expected to follow both the spirit and the letter of the Policy in their activities, and to have regard for the opinions and likely impact of the communication on the intended audience, and for the broader cultural and societal context.

This Policy applies to all commercial communication under the control of SABMiller Group companies either directly or through agents, partners, staff etc. The Policy does not cover commercial communication of non-alcohol beverages except non-alcohol beverages having the same brand name as that of an alcohol beverage.

*Section A:*

# Code of Commercial Communication

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The Code of Commercial Communication ('the Code') provides SABMiller Group companies and their partners, agents and others working on their behalf with consistent, minimum content and placement standards for commercial communication.

The term 'commercial communication' means product brand advertising and promotion in all media including direct marketing, digital media, the internet, text messaging, packaging, brand promotions, brand public relations activity, experiential marketing programmes, product placement, merchandising, point-of-sale materials, brand sponsorship and category marketing.

'Commercial communication' does not include research (Market Research Policy applies), communication devoted exclusively to sustainable development and preventing the irresponsible consumption of alcohol, press releases, corporate communication, or statements to the media or government.

## Basic Principles

**01** Commercial communication must:

- be legal, decent, truthful and conform to accepted principles of fair competition and good business practice;
- be clearly distinguishable in its commercial nature;
- be prepared with a due sense of social responsibility;
- comply with all legislative and regulatory requirements;
- not be unethical or otherwise impugn human dignity or integrity;
- be mindful of sensitivities relating to local cultural values, gender, race, sexual orientation and religion; and
- not employ themes, images, symbols or figures that are likely to be considered illegal, offensive, derogatory, demeaning or disparaging.

## Preventing Underage Appeal

**02** Commercial communication may not be directed at persons under the legal drinking age (or in countries without a legal drinking age to persons under the age of 18).

**03** Paid actors or models in commercial communication must be a minimum of 25 years old, and should reasonably appear to be and behave in a way that is consistent with their age. In the case of brand promotions, all members of the promotional teams must be at least 21 years old.

**04** In a controlled environment, where an age affirmation mechanism is used to ensure the user/viewer is over the legal drinking age (or in countries without a legal drinking age over the age of 18) non-paid actors may be younger than 25 years but they must be above the legal drinking age.

**05** All persons visible in user-generated content must be over the legal drinking age, unless they are incidental and clearly are not alcohol consumers (e.g. within a family photograph). If such content is re-used by or on behalf of SABMiller Group companies then clause 3 (above) applies.

- 06** Commercial communication may not employ cartoons, characters (either real or fictional, including cartoon figures or celebrities), animals, icons, music or other elements that are intended to have primary appeal to persons under the legal drinking age.
- 07** Commercial communication may only be placed in print, radio, television, on any form of digital media including the internet, social media and text messaging, where at least 70% of the audience is reasonably expected to be of legal drinking age (or in countries without a legal drinking age over the age of 18). A placement will be considered reasonable if the audience composition data reviewed prior to the placement satisfied the placement criteria and was the best available data for that medium at that time.
- 08** All websites controlled (owned or managed) by SABMiller Group companies that serve marketing purposes must include an age affirmation mechanism (e.g. age gating, subscription/remember me option, sign-in with social media profile etc.) relying on exact, full date of birth and country information to ensure only visitors above legal drinking age (or in countries without a legal drinking age over the age of 18) enter the website.
- 09** For all websites under the control of SABMiller Group companies, additional controls must be used that include:

  - a.** Age verification software that places a cookie (small piece of code) on a user's computer to prevent him / her from leaving a site and re-entering their date of birth during the same session in order to gain entry to a site.
  - b.** Appropriate metadata to support content control software.
  - c.** Redirection to an appropriate social aspect website intended for underage people for those that fail the age affirmation process.
- 10** Additional age affirmation prompts should be located within sections of the website where consumers can purchase merchandise.
- 11** Whenever content from SABMiller Group companies controlled platforms is able to be shared a clear reminder or 'Forward Advice Notice' must be included stating that any recipient must also be over the legal drinking age (or in countries without a legal drinking age over the age of 18).
- 12** In countries where technology is available to verify consumer data against government databases, SABMiller Group companies must consider implementing such technology.



### Responsible Drinking

- 13** Commercial communication may not depict, promote or sponsor situations where alcohol is being consumed rapidly in large quantities, involuntarily, as part of a drinking game or as a result of a dare or peer pressure.
- 14** Commercial communication may not portray persons lacking or having diminished control over their behaviour, movement, vision or speech as a result of consuming alcohol, or in any way suggest that intoxication is acceptable.
- 15** Commercial communication may not present refusal, abstinence or moderate alcohol consumption in a negative light.
- 16** Commercial communication may not depict or suggest alcohol consumption before or during activities that, for safety reasons, require a high degree of alertness, judgment, precision or co-ordination (for example driving, operating machinery or other hazardous activities).
- 17** Commercial communication may not depict or suggest alcohol consumption during working hours at the workplace, except when portraying taste testers or members of taste panels.

### Alcohol Content

- 18** Commercial communication may not encourage choice of a brand by emphasising its higher alcohol strength or the intoxicating effect of alcohol generally. Factual information regarding a brand's alcohol content is acceptable on product labels where permitted by law.

### Performance

- 19** Commercial communication may not suggest physical prowess, power or strength as a result of consuming alcohol beverages. Anyone who is featured in commercial communication may not be shown consuming beer before or during any athletic event or other endeavour requiring exceptional physical ability, power or strength.

### Health Aspects

- 20** Commercial communication may not depict or include pregnant women or promote consumption of alcohol during pregnancy.
- 21** Commercial communication may not claim that alcohol has curative qualities, nor offer it expressly as a stimulant, sedative, tranquilliser or delivering energising or stimulating effects.
- 22** Commercial communication may not suggest that alcohol beverages should be consumed for potential net health benefits. Commercial communication may include factual information such as calorie or carbohydrate content so long as it is not linked to any claims about health benefits. Other evidence-based nutrition information approved by the SABMiller plc. Industry Affairs and Legal departments is also permissible.

### Violence and Anti-Social Behaviour

- 23** Commercial communication may not have an association with violent or anti-social imagery or behaviour, or with illicit drugs or drug culture.

### **Social / Sexual Success**

- 24** Commercial communication may not imply that alcohol beverage consumption is essential to business, academic, sporting or social success.
- 25** Commercial communication may not portray nudity or suggest that alcohol beverages can contribute directly to sexual success or seduction. Anyone who is featured in commercial communication should not be posed in a position or stance that is overtly sexual in nature.
- 26** Apparel should be appropriate to the overall context of the commercial communication.

### **Brand Promotions; Promotional and Display Items**

- 27** No brand promotions may be directed to persons under the legal drinking age (or in countries without a legal drinking age to persons under the age of 18).
- 28** All promotions and promotional materials must follow cultural standards of good taste and not encourage irresponsible consumption of alcohol.
- 29** No games that require drinking alcohol as an element of the game are allowed.
- 30** Attendees should be encouraged to assume personal responsibility for their decision whether or not to drink alcohol.
- 31** Alcohol beverages must not be supplied to visibly intoxicated persons. Servers must be trained, preferably with a certified programme if available.
- 32** Water and soft drinks must be available wherever possible during the promotion.
- 33** All brand promotion materials and retail displays with company or brand logos must comply with the other provisions of this Code. Promotional items or merchandise may not be of primary appeal to persons under the legal drinking age (e.g. children's toys) or in countries without a legal drinking age to persons under the age of 18.

### Responsibility Message

- 34** Where none is mandated by law, a clearly visible and noticeably placed responsibility message must be included in all commercial communication, wherever appropriate.
- 35** A responsibility message is defined as at least one of the following statements:
- a.** Don't drink and drive.
  - b.** For people over the age of (legal drinking age) only.
  - c.** Pregnant women should not drink alcohol.
- 36** With respect to packaging, the inclusion of the responsibility message and details of how to access [www.talkingalcohol.com](http://www.talkingalcohol.com), or the local version of that website, must occur at the first available package change-over in the ordinary course of business, but no longer than 2 years after adoption of this Policy.
- 37** A responsibility message or icon should be included in all commercial communication (including downloadable and shareable assets for example videos, photos, applications or user-generated content reused by or on behalf of SABMiller Group companies), except on permanent point-of-sale (e.g. glassware, neon signs, chairs), consumer novelty items (e.g. pens or t-shirts) and when the size of an advertising unit makes the responsibility message illegible (for example in digital advertising where the image is equal to or smaller than 80 pixels in both dimensions), where a message is recommended but optional.

### Digital Media

- 38 All content, including user-generated content, on SABMiller Group companies' controlled (owned or managed) digital platforms should be compliant with this Code. Content should be moderated on a regular and frequent basis.
- 39 User-generated content that is subsequently used in commercial communication should have the permission of the original user or owner of the content.
- 40 All websites controlled by SABMiller Group companies must show a link to [www.talkingalcohol.com](http://www.talkingalcohol.com) or to the local version of that website.

### Direct Communication

- 41 SABMiller Group companies must receive specific consumer consent, including exact date of birth affirmation, prior to delivering one-to-one communication to consumers, excluding the communication to obtain consumer permission itself. One-to-one communication may not be directed to persons under the legal drinking age (or in countries without a legal drinking age to persons under the age of 18).
- 42 SABMiller Group companies should provide a clear and transparent mechanism for consumers to opt-out of receiving direct commercial communication.
- 43 All direct commercial communication and data management processes should comply with the Consumer Data Handling Policy.

### Brand Names

- 44** Brand names and any corresponding packaging, labels, internet and social media domain names may not use disparaging colloquial names (e.g. ‘alcopop’), convey sexual innuendo or use terms typically associated with intoxication or irresponsible consumption.

### Brand Sponsorship

- 45** Brand sponsorship for the purpose of the Code means any commercial agreement by which a SABMiller Group company contractually provides financing or other support in order to establish an association between the company’s brands and a sponsorship property (e.g. sport, music, community event) for the granting of certain agreed direct or indirect rights or benefits.
- 46** SABMiller Group companies may not engage in sponsorship agreements unless at least 70% of the audience for the event (meaning those primarily attending the event) are reasonably expected to be over the legal drinking age (or in countries without a legal drinking age over the age of 18).
- 47** SABMiller Group companies may not engage in sponsorship agreements unless the relevant Sales and Marketing Compliance Committee approves the nature and elements of the sponsorship proposal.
- 48** This Code applies to the overall sponsorship agreement, including any sponsored event material carrying company or brand logos, for the duration of the sponsorship agreement. Sponsorship items may not be of primary appeal to persons under the legal drinking age (e.g. children’s toys) or in countries without a legal drinking age to persons under the age of 18.
- 49** General sport or music sponsorships featuring brand logos are acceptable as long as there is no suggestion in the commercial communication that alcohol consumption contributes to athletic or musician success.



*Section B:*

# Oversight and Enforcement

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This section of the Policy provides SABMiller Group companies with consistent, minimum standards for the oversight and enforcement of the Code of Commercial Communication ('the Code').

SABMiller believes in the self-regulation of our marketing activities, and of the industry as a whole. This is why we are committed to putting into place effective enforcement procedures in all of the markets in which we operate, including third party non-industry participation wherever possible.

The Sales and Marketing Compliance Committee (SMCC) outlined herein is responsible for the sign off, monitoring and evaluation of all commercial communication, as well as any complaints that the company receives about commercial communication.

The SMCC should also allow for the discussion and deliberation of social and market forces that will affect or impact on communication both now and in the future, and should report to the local Executive Committee on its activities and any extraordinary issues that it encounters.



### Sales and Marketing Compliance Committee

- 01** All SABMiller Group companies must have an internal Sales and Marketing Compliance Committee (SMCC).
- 02** The Managing Director is responsible for appointing the SMCC chairperson.
- 03** The SMCC must not be chaired by an employee from the marketing or sales division and such employees cannot make up the majority of decision making SMCC members, although employees from these divisions may participate as members.
- 04** There must be at least one employee from the corporate affairs and / or legal departments that participates in the SMCC.
- 05** Employees from other divisions may serve on the SMCC based on their overall reputation for good judgment, awareness of cultural diversity or relevant experience.
- 06** SABMiller Group companies are encouraged to participate in a national or industry self-regulatory association with non-industry participation in complaint handling (where available) or to appoint an independent chair to the SMCC.
- 07** In the event that the SMCC is unable to reach a consensus on whether a commercial communication complies with the Code, the SMCC Chair shall appeal to the Managing Director, who shall act as the final arbitrator after considering the conflicting viewpoints.

### Enforcement and Monitoring

- 08** The SMCC is charged with ensuring that all commercial communication, as defined, complies with the Code. This includes, but is not limited to, product brand advertising and promotion in all media, including direct marketing, digital media, the internet, text messaging, packaging, brand promotions, brand public relations activity, experiential marketing programmes, product placement, merchandising, point-of-sale materials, brand sponsorship and category marketing.

- 09** Approval and monitoring processes and procedures should be specified in the terms of reference of the SMCC to support compliance with the Code within new ways or new platforms of commercial communication including, but not limited to mechanisms for:

  - a.** Final review and approval of all commercial communication, including that which has been modified as a result of SMCC feedback.
  - b.** Assessing compliance with the 70% threshold for audience data.
  - c.** Approval of concept, main features, themes, proactive and static content and of model responses for digital platforms.
  - d.** Monitoring and moderating user-generated or interactive content, including social media sites, comment walls, interactive features, applications etc.
- 10** Outcomes of the moderation process and actions taken in relation to user-generated content should be reported to the SMCC regularly.
- 11** The SMCC is charged with monitoring available audience data for all media outlets on a biannual basis to ensure all SABMiller Group companies are meeting the 70% threshold using reasonably available data.
- 12** All marketing contracts of SABMiller Group companies must include a reference to the Code that requires them to abide by the Code in their activities.

### Complaints

- 13** The SMCC is responsible for creating and managing a complaints mechanism.
- 14** The complaints mechanism:

  - a.** Must be transparent and readily accessible to those inside and outside of the company.
  - b.** Must conform to agreed best practice standards to ensure that it is robust, independent and impartial.
  - c.** Should link to relevant external independent complaints mechanisms where possible, so that complaints can be escalated or dealt with externally where necessary.

## Oversight and Enforcement

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- 15 The complaints mechanism could be a recognised external mechanism that meets with the requirements of the Code and that acts independently to review complaints on behalf of a SABMiller Group company.
- 16 SABMiller Group companies are encouraged to make decisions arising from the complaints mechanism available publicly.

## Education

- 17 The SMCC is charged with providing internal and external marketing and sales personnel with a copy of the Code on an annual basis. New marketing and sales employees or agencies shall receive a copy of the Code as part of the induction programme.
- 18 The SMCC is charged with overseeing and ensuring implementation of training related to the Code for relevant employees, which shall be conducted on an annual basis. Particular care should be taken in providing training to members of the SMCC to ensure understanding of the scope and application of the Code.
- 19 The Code must be a component of the 'Marketing Way' and the 'Global Brands Way' of working.

## Reporting

- 20 As a governance body that is making decisions on behalf of a SABMiller Group company, the SMCC shall report regularly to the local Executive Committee on its activities including decisions arising from the complaints mechanism.
- 21 All SABMiller Group companies shall conduct a self-assessment of their compliance with this Policy in accordance with the 'SABMiller Sustainable Development Self-Assessment Matrix'.

*Section C:*

# Additional Resources

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- 01 The Way to Win with Licence to Trade**
- 02 Market Research Policy**
- 03 Employee Alcohol Policy**
- 04 Product Portfolio Policy**
- 05 Social Media Policy**
- 06 Consumer Data Handling Policy**
- 07 SABMiller Position Papers**
- 08 Training materials:**
  - a. Alcohol, Behaviour and Communication training
  - b. Alcohol, Behaviour and Communication Refresher training
  - c. Alcohol Intelligence Quotient training
  - d. Alcohol Intelligence Quotient refresher e-learning
  - e. POCC digital e-learning
- 09 SAM Beer in Moderation Stairway and Guidance Document**
- 10 Guidelines on the Policy on Commercial Communication**
- 11 POCC Collaboration Room**

# Contacts

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