

## CODE OF ADVERTISING

The National Betting Authority, exercising the powers which it derives from article 11(l) of the Betting Law 2012, L. 106(I)/2012, as amended or replaced from time to time, issues the following Code of Practice on Advertising.

1. The present Code of Practice on Advertising will be hereinafter referred to as the Code of Advertising.

### PART I – INTRODUCTORY PROVISIONS

2. - In the present Code, unless otherwise stated -

«Law» means the Betting Law of 2012, as amended or replaced from time to time;

«Advertisement» means the announcement or unilateral transmission of information with the objective of promoting betting services;

any other term, the meaning of which is not expressly defined within the present directive, has, unless otherwise stated by the current text, the meaning given to it by the Law.

3. The present Code of Advertising is implemented by all concerned, in relation to the advertising of betting services.

### PART II – ADVERTISING

#### 4. General Provisions

Advertising of betting services is prohibited, through any means, if

- 4.1 it is false or misleading, particularly with regard to customer winnings,
- 4.2 it encourages criminal or anti-social behaviour,
- 4.3 it features anyone who is, or seems to be under 18 years old, betting,
- 4.4 it encourages under-18s and/or other vulnerable groups to bet,
- 4.5 it is likely to be of particular appeal to under-18s or other vulnerable groups, especially, either by mimicking or being associated with youth culture, either by featuring anyone that appears under-18 who bets or plays a significant role in it,
- 4.6 it suggests peer pressure in favour of betting,
- 4.7 it takes advantage of the sensitivities, aspirations, gullibility, inexperience and lack of knowledge of under-18s or other vulnerable groups,
- 4.8 it suggests that gambling can provide an escape from personal, professional or educational problems, such as loneliness or depression,
- 4.9 it suggests that gambling is a form of financial investment,
- 4.10 it portrays betting in a context of recklessness or links it to resilience or toughness,
- 4.11 it portrays betting as indispensable or as taking priority in social and family relations and engagements, such that is over family, friends or professional or educational commitments,
- 4.12 it suggests that betting can enhance personal qualities; for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration,
- 4.13 it presents or features as acceptable, or encourages betting in a working environment,
- 4.14 it exploits cultural beliefs or traditions about betting or luck,
- 4.15 it promotes smoking and/or the abuse of the consumption of alcohol while betting
- 4.16 it suggests that solitary betting is preferable to social betting.

## 5. Protection of Under-18s

- 5.1 Digital advertising, where age targeting is possible, must preclude persons who are under-18,
- 5.2 Sponsorship of any championship or team, in which under-18s participate, is forbidden.

## 6. Broadcasting

- 6.1 Advertising betting services is prohibited:
  - 6.1.1 through television broadcasting between the hours of 6:00 and 19:00
  - 6.1.2 through television broadcasting between 19:00 and 6:00, immediately prior, after and during children's programmes or programmes that target children or those that are particularly attractive to children,
  - 6.1.3 through radio broadcasting between the hours of 6:00 and 9:00, 14:00 and 19:00.
  - 6.1.4 through radio broadcasting between 19:00 and 6:00, immediately prior, after and during children's programmes or programmes that target children or those that are particularly attractive to children,
  - 6.1.5 through any means, if there is no clear and short reference, first, for the existence of self-protection measures (in a positive manner) and second, for the dangers of betting.
- 6.2 Throughout the above time-schedules, sponsorships may be cited during broadcasts.
- 6.3 Notwithstanding the above time-schedules, advertising is permitted during, as well as for a period of one hour, both immediately prior and immediately after the sporting event, but only through the broadcaster of the particular event.

## 7. Direct Marketing

Sending of promotional material is prohibited:

- 7.1 by any medium, if the client is not given the option to easily opt-out or unsubscribe,
- 7.2 if it does not contain links to websites which promote player protection and responsible betting,
- 7.3 if the client has self-excluded, regardless of the period of exclusion,
- 7.4 if it contains promotional content which contradicts with the selected mode of self-protection of the client.

## 8. Bonus

Marketing communications which promote a bonus or reward scheme are prohibited, if in order to qualify for it, the player has to bet:

- 8.1 for a minimum time period,
- 8.2 a minimum amount,

## 9. Copyright

Licensees must:

- 9.1 ensure that they do not place digital advertisements on websites providing unauthorised access to copyrighted content,
- 9.2 take all reasonable steps to ensure that third parties with whom they contract for the provision of any aspect of their business related to their licensed activities, are aware and committed to enforce the present Code,

- 9.3 take all reasonable steps to ensure that third parties with whom they contract for the provision of any aspect of their business related to their licensed activities, do not place digital advertisements on websites providing unauthorised access to copyrighted content, and
- 9.4 ensures that the terms upon which they contract with such third parties enable them, if the licence holder becomes aware of a behaviour which contravenes the present Code and/or the Regulations and/or Directives and/or the Law, to either take reasonable steps to ensure that the third parties cease such behaviour or terminate their contract.

### **PART III – FINAL PROVISIONS**

- 10.** *The present Code of Advertising was approved by the Board on the XX/XX/XXXX, Board Meeting No. XX and enters into force on the XX/XX/XXXX.*

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