

CODE OF ADVERTISING

The National Betting Authority, exercising the powers which derive from article 11(1) of the Betting Law 2012, L. 106(I)/2012, as amended or replaced from time to time, issues the following Code of Practice on Betting Advertising.

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

PART I – INTRODUCTORY PROVISIONS

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

“minor” means a person under the age of eighteen (18) years;

“advertisement” means the announcement or unilateral transmission of information with the objective of promoting betting services:

Provided that, with the exception of the licenced bookmaker’s website, any communication or unilateral transmission of information regarding any promotional offer is considered, for the purposes of the present Code, an advertisement.

“self-protection measures” means the tools that the licensed bookmaker provides and the player applies in order to participate in betting activities in a responsible and safe manner;

“Law” means the Betting Law of 2012, as amended or replaced from time to time;

“child” means a person under the age of fifteen (15) years;

“children programmes” means programmes that are primarily aimed at persons under the age of fifteen;

“family zone” means the time period during which non-encoded programmes suitable for persons under the age of fifteen are broadcasted. It starts at 5.30 a.m. and ends at 9.00 p.m. on nights which are followed by working days and at 10.00 p.m. on nights which are followed by non-working days (Saturday, Sunday, public holidays and school breaks as these are defined by the current Regulations concerning the Operation of State Schools of Secondary and Primary Education);

“promotional scheme” means a player’s program or reward system, offered by the licensed bookmaker, which contains or claims to contain any kind of special offer or profit for the players;

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

PART II –IMPLEMENTATION

Scope 3. The present Code on Betting Advertising is applicable to:

- a) holders of a licence issued by the Authority;
- b) persons that enter into a contract or have an agreement with the licensees for any aspect related to the licence issued by the Authority.

Submission of advertisements to the Authority

4.-(1) A Licence holder submits all the advertising and promotional material that plans to publish to the Authority for review purposes.

(2) The Authority, as appropriate, may:

- a) approve the publication;
- b) prohibit the publication;
- c) impose amendments; or
- d) make comments.

(3) The Authority may impose sanctions on a licensee who breaches the provisions of paragraph 2 of the present article.

Practical Guide

5.-(1) The Authority issues a Practical Guide for the implementation of the present Code.

(2) The Practical Guide may include provisions on all matters related to the present Code and includes, among others, –

- a) the submission process of advertising plans;
- b) the submission process of promotional schemes;
- c) a maximum time period for the review of advertising plans by the Authority prior to publication, as well as categories or types of advertising that are exempted from the requirement of sub-paragraph (a);
- d) specifications for practical implementation depending on the means of transmission.

(3) The Authority, prior to issuing or amending the Practical Guide, may obtain the views of -

- a) one or more persons that, according to the Authority, represent the interests of persons who –
 - (i) provide betting services,
 - (ii) may be affected by the Practical Guide or its modifications,
- b) members of the public, in a way that will be determined by the Authority.

PART III - ADVERTISEMENT

Chapter A – General Provisions

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| Social Responsibility of Advertisements | 6. Betting advertisements should be guided by social responsibility, emphasizing the need for the protection of minors and other vulnerable social groups. |
| Data and information to accompany advertisements | 7.-(1) Each advertising plan should include sufficient data and information in order to clarify – <ol style="list-style-type: none"> a) the identity of the licensee, b) that the betting services are licensed by the Authority, and c) that the participation of minors in betting services is prohibited. <p>(2) All advertising plans should make a reference to Responsible Gaming, as it is defined in Part V of the present Code.</p> |
| Restrictions | 8. Advertising of betting services is prohibited, through any means, if – <ol style="list-style-type: none"> a) it encourages excessive or/and uncontrollable betting activity, b) it portrays the choice to refrain from any betting activity as unappealing and in a negative way, c) it is false or misleading, particularly with regard to customer winnings or the odds of winning, d) it encourages any person to violate any Law or act in an anti-social behaviour, e) it implies that skill plays a decisive role in anticipating future results of betting events, f) it suggests that participating in betting activities may be a way out of financial concerns or a way for financial security or a form of financial investment, g) it portrays participation in betting activities as a necessity or as a priority in relation to social and family relations and engagements, such as friendly, professional or academic commitments, h) it suggests that participation in betting activities can provide an escape from personal, professional or educational problems, such as loneliness or depression, i) it presents betting as a prerequisite or means for successful social, friendly or professional relationships, j) it portrays participation in betting activities in a context of recklessness or links it to resilience or toughness, k) it implies that participation in betting activities 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, l) it exploits cultural beliefs or traditions about betting or luck, m) it links participation in betting activities with charm, sexual success or enhancement of attractiveness, |

- n) it promotes smoking and/or the excessive consumption of alcohol while participating in betting activities,
- o) it presents or displays as acceptable, or encourages betting in a working environment.

Direct marketing 9.-(1) Licensees are prohibited from sending promotional material to persons who are not registered as players.

(2) Sending of promotional material is prohibited, if –

- a) it does not include all necessary information that provide the player with the option to opt-out or unsubscribe,
- b) depending on the medium, it does not contain links to websites regarding the player’s protection and responsible gaming, as provided for in Part V,
- c) the client has self-excluded from any betting activity, regardless of the period of exclusion,
- d) it contains promotional content which contradicts with the selected mode of self-protection of the player.

(3) The licensed bookmaker complies with a player’s request to stop receiving promotional material as soon as possible and, in no case, does it exceed seventy-two hours from the time of receiving the request.

Copyright 10. Licensees must –

- a) ensure that they do not place digital advertisements on websites providing unauthorised access to copyrighted content,
- b) 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,
- c) 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
- d) 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.

Chapter B – Protection of Minors

Information 11. All advertising plans should prominently display information that clarifies that participation of minors in betting services is prohibited.

Digital advertising 12. Digital advertising, where age targeting is possible, must be set in a way that excludes exposure to minors.

- Social media** 13.-(1) Any use of social media should be carried out after determining appropriate age settings, so that it –
- a) excludes minors from any audience targeting,
 - b) prevents the viewing of announcements, publications, notifications, or any other information displayed on the licensee’s webpage/social media by minors.
- (2) Licensees’ social media pages must include a message towards the use of self-protection measures and information that participation in betting services is prohibited to minors.

- Restrictions** 14. Advertising of betting services is prohibited, through any means, if –
- a) it encourages minors and/or other vulnerable groups to participate in betting activities;
 - b) it takes advantage of the sensitivities, aspirations, gullibility, inexperience or lack of knowledge of minors or other vulnerable groups;
 - c) it has a particular appeal to minors, especially if it reflects or relates to youth culture;
 - d) it presents people acting in a teenage, childish or disorderly manner within licensed betting premises;
 - e) it is addressed to minors through the way it is presented or the choice of transmission medium;
 - f) it features anyone who is, or may reasonably be considered to be, under twenty-five years old, participating in betting or playing an important role in the advertisement.

Chapter C – Audiovisual Advertisements

(1) All television or radio stations that are licensed by the Cyprus Radiotelevision Authority are obliged to ensure that all betting advertisements and commercial messages that are transmitted, have been reviewed by the Authority, in accordance with Part II of the present Code.

(2) For the purposes of subsection (1), the Authority establishes a procedure or method of review, which is defined in the Practical Guide.

- Information** 15.-(1) Audiovisual betting advertisement, irrespective of the transmission medium, is prohibited if there is no distinct and clear reference to the existence of self-protection and safe betting measures.

(2) For the purposes of subsection (1) regarding audiovisual advertisements, the Authority establishes the definition of “distinct, clear reference” in the Practical Guide, with reference both to the duration of the advertising message and the space on screen that the message occupies.

- Television and radio broadcasting
- 16.-(1) Advertising betting services is prohibited:
- a) through television broadcasting between the hours that fall within the family zone;
 - b) through radio broadcasting–
 - (i) between the hours 06:00-09:00 and 14:00-19:00 from Monday to Friday,
 - (ii) between the hours 09:00-22:00 from Saturday to Sunday, and
 - (iii) immediately prior, after and during children's programmes or programmes that target children or programmes that are particularly attractive to children.
- (2) During the timeframes of subsection (1) programmes sponsorship is allowed, subject to the restrictions of Part VI.

- Duration of sporting event
- 17.-(1) Notwithstanding the timeframes of article 16, advertising is allowed during a sporting event, as well as for a time period of thirty minutes–
- a) prior the start of a sporting event and
 - b) after the end of the sporting event.
- (2) The exception of subsection (1) applies exclusively to the broadcaster of the particular sporting event.

PART IV – PROMOTIONAL SCHEMES

- Misleading and unfair promotional schemes
18. Promotional schemes should not be misleading or unfair and –
- a) must be clear on the extent of the player's commitment in order to take advantage of any promotional offer,
 - b) should not omit to mention or conceal essential information or present them in an unclear, incomprehensible or ambiguous way,
 - c) must sufficiently provide all the essential information, including the terms and condition for participation and deposit that the player is required to meet in order to benefit from the offer, as well as any other limitation or requirement,
 - d) must provide examples which present the requirements, conditions and restrictions in a clear and comprehensive way using plain language, and
 - e) must include terms and conditions that refer to all the essential information about the promotional scheme, and, provided that the player submits an attestation that he has been informed about the terms and conditions, they remain available and accessible to the player.

- Limited display space for the advertisement of promotional scheme
19. When the advertisement of the promotional scheme is subject to duration or display space restrictions, it must include as much essential information as possible and direct the players to an easily accessible alternative source where all the essential information is displayed:
- Provided that, in the case of digital advertising, it should act as a link which redirects the user to a webpage that includes all the essential information that is mentioned in article 18, before the user reaches the desired website.
- Direct and continuous access
20. The licensed bookmaker ensures that the players can immediately and at any time be informed regarding their progress in fulfilling the requirements of the promotional scheme in order to benefit from it:
- Provided that, if a player is disqualified from the promotional scheme based on its terms and conditions, the player is immediately informed about the exclusion from the promotional scheme.
- Warning to the player
21. The licensed bookmaker warns the player and requests a confirmation before accepting a bet that is the cause of a violation of the terms and conditions of the promotional scheme that the player participates in.
- Restriction on some promotional schemes
- 22.-(1) With the exception of the licensee's website, a promotional scheme is prohibited if, by any means, requires from the player to bet within a specified time period –
- a) a minimum amount or
 - b) a number of bets.
- (2) The above provisions do not apply to promotional schemes that are related to registration or deposit rewards.
- Amendments of terms and conditions of promotional schemes
- 23.-(1) The player submits an attestation that he has been informed about the terms and conditions of each promotional offer before he can benefit from the promotional scheme:
- Provided that the player has the right to decline participation in any promotional scheme through an option given to him by the licensed bookmaker.
- (2) In the case that a player accepts a promotional scheme, the licensee may amend the terms and conditions only if –
- a) the terms and conditions are more favourable to the player and
 - b) the licensee communicates clearly and by way of examples all the essential modifications to the player and
 - c) the licensee ensures a renewed attestation from the player regarding the amended terms and conditions.
- (3) For the purposes of subsection (2), more favourable terms for the player are those which, based on the Authority's judgement, are substantially more favourable to the average player.
- Requirement for approval
24. All promotional schemes are subject to an ex ante approval by the Authority.

PART V – RESPONSIBLE GAMING

Responsible Gaming website 25. All advertising plans must include a link to the website www.responsiblegaming.gov.cy, which is operated by the Authority for the purpose of ensuring responsible gaming.

Message encouraging responsible gaming 26.-(1) All advertising plans must include a message encouraging responsible gaming, which is pre-approved by the Authority.
(2) If the nature of the advertisement or the transmission medium make the inclusion of a message impractical or impossible, then the licensee undertakes the communication of the message using alternative means of transmission:

Provided that, in the case of digital advertising, the licensee redirects the user in a way that the message is communicated before the user reaches the desired website.

PART VI – SPONSORSHIPS

Chapter A – Sports or other Sponsorships

Sponsorship of minors 27. 5.2 Sponsorship of any championship or team or charitable or other activity, in which the majority of the participating players are under eighteen (18) years old is prohibited:

Provided that, sponsorship of athletes under eighteen years old in individual sports is prohibited.

Products exclusively for children 28. The use of a logo or any other badge or message that refers to a licensee's tradename, in any type of clothing apparel, object or any other product specifically designed or intended primarily for children, is prohibited.

Restrictions 29.-(1) The sponsorship of any organization, foundation, club or sports venue is prohibited, if it is attained in the form of renaming to include the name, a phrase, initials or any other form of reference to the licensee's tradename.

(2) Any sports facility that is used exclusively for training purposes is exempted from the restrictions of subsection (1).

Chapter B – Sponsorship of Audiovisual Programmes

Principles governing programmes' sponsorship 30. The principles governing the sponsorship of programmes are:

- a) the distinction between content and advertising;
- b) the assurance of editorial independence of the programme;
- c) the protection of public and the prevention of concealed advertising;
- d) the prevention of inappropriate sponsorship.

- Distinction between content and advertising 31. The content of the sponsored programmes must exclude–
- a) the promotion of services of a specific licensee,
 - b) the product placement of a specific licensee.
- Editorial independence 32. Licensed bookmakers do not have a direct or indirect role in editing the content of a sponsored programme.
- Concealed sponsorship 33. Concealed sponsorships are prohibited; all sponsorships should be publicly announced.
- Programmes that sponsorship is prohibited 34.- (1) Licensees may sponsor any programme, except–
- a) news and current affairs programmes;
 - b) political and information programmes;
 - c) children’s programmes and
 - d) church services transmissions.
- (2) For the purposes of subsection (1), the term “news and current affairs programmes” does not include sports news programmes, either as part of a news broadcast or as an independent programme.
- Announcement of a sponsorship 35.-(1) A sponsorship announcement is permitted immediately prior, during and immediately after the broadcasting of the sponsored programme:
- Provided that, the sponsorship announcement may be broadcasted right before or after an advertising break.
- (2) A sponsorship announcement must focus on the sponsorship agreement between the licensee and the programme in such a way as to clarify:
- a) the identity of the sponsor, with reference to the trademark of the licensee; and
 - b) the relationship between the sponsor and the programme.
- (3) A sponsorship announcement which encourages participation in betting activities or makes a reference to the features, prices or offers of the licensee is prohibited.
- (4) A sponsorship announcement or advertisement may refer to the tradename of the licensee as the sponsor, given that such a reference is concise and secondary.
- (5) The continuous or periodic display of the licensee’s tradename on screen during the programme’s duration constitutes an advertisement and is subject to all the relevant restrictions.
- (6) For the purpose of the present Code, “reference to the tradename of the licensee” includes the display of the trademark or logo of the licensee, as well as any slogan given that it does not fall outside the provisions of subsection (3).

PART VII – FINAL PROVISIONS

Transparency 36. Class A and B licensed bookmakers and authorised representatives prepare, for transparency purposes, a statement of sponsorship and advertising cost, every three months, which they submit to the Authority, and also publish on their website.

Validity 37. The present Code of Advertising was approved by the Board on XX/XX/XXXX, Board Meeting No. A.A. XXX/XXXX and enters into force on XX/XX/XXXX.

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