

CODE OF ADVERTISING

The National Betting Authority, exercising the powers conferred on it in accordance with Article 15(m) of Betting Law 37(I)/2019, as amended or replaced from time to time, issues the following Code of Practice in relation to the advertising of betting.

Short title 1. This code of practice in relation to the advertising of betting will be referred to as the Code of Advertising.

PART I – INTRODUCTORY PROVISIONS

Interpretations 2. In this Code, unless provided otherwise from the context;

‘minor’ means a person who has not reached the age of eighteen;

‘advertising’ means the communication or unilateral transmission of information which is aimed at promoting betting services;

Provided that, with the exception of the website and premises of licensed bookmakers, any communication or unilateral transmission of information about a promotional action is for the purposes of this Code;

‘self-protection measures’ means tools provided by a licensed bookmaker and applied by a player for the purpose of responsible and safe participation in betting activity;

‘Law’ means the Betting Law of 2019, as amended or replaced from time to time;

‘child’ means a natural person under fifteen years of age;

‘children's programmes’ means programmes which are targeted primarily at children;

‘promotional action’ means the offer of a player reward programme or system provided by the licensed bookmaker, which contains or claims to contain some kind of offer or profit for the player;

any other terms, the meaning of which is not specified in these regulations, shall, unless otherwise stated in the text, have the meaning attributed to them in the Law.

PART II – IMPLEMENTATION

Scope 3. This Code shall apply to the advertising of betting by:

- (a) a holder of a licence issued by the Authority;
- (b) a person who enters a contract or in any way cooperates or represents or provides services on behalf of, or in the name of, a licence holder in relation to the services licensed by the Authority.

Submission of advertisements to the Authority 4.-(1) A licence holder shall submit to the Authority for review purposes all advertising plans and promotional actions that he or she intends to publish.

(2) The Authority may, as appropriate:

- (a) approve publication;
- (b) prohibit publication;
- (c) impose amendments; or
- (d) submit observations.

(3) The Authority may impose sanctions on a licence holder who infringes the provisions of paragraphs (1) and (2) of this paragraph.

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

(2) The Practical Guide may contain provisions on all the matters covered by this Code and includes, inter alia, —

- (a) the procedure for submitting advertising plans;
- (b) the procedure for submitting promotional action plans;
- (c) the maximum time limit for the Authority to review the advertising plans before publication, as well as categories or types of advertising that are exempted from the obligation laid down in subparagraph (a);
- (d) specifications for practical application depending on the means of transmission.

(3) Before issuing or amending a Practical Guide, the Authority may receive views from —

- (a) one or more persons who, at the Authority's discretion, represent the interests of persons that —
 - (i) provide betting services;
 - (ii) may be affected by the Practical Guide or by its amendments;
- (b) members of the public, in a manner to be determined by the Authority.

PART III – ADVERTISING

Chapter A – General provisions

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| Advertisements governed by social responsibility | 6. Betting advertisements must be governed by social responsibility, with particular emphasis on the need for adequate protection of minors and other vulnerable social groups. |
| Data and information to accompany advertisements | <p>7.-(1) All advertising plans shall include such data and information in order to clarify —</p> <ul style="list-style-type: none"> (a) the identity of the licence holder, (b) the fact that the services are licensed by the Authority, and (c) the fact that participation of minors in betting activity is forbidden. <p>(2) All advertising plans must contain a reference to Safer Gambling as specified in Part V of this Code.</p> |
| Limitations | <p>8. Betting advertising by any means is prohibited, in cases where it —</p> <ul style="list-style-type: none"> (a) encourages excessive and/or unrestrained betting activity; (b) presents in a negative light the option to abstain from betting activity; (c) is untrue or misleading, in particular with regard to information on a player’s winnings or chances of winning; (d) accepts or encourages any person to break the law or display antisocial behaviour; (e) implies that skill is a determining factor in predicting future sports events; (f) implies that participation in betting activity may be a way out of financial concerns or a solution in place of employment or a way of ensuring financial security or a type of financial investment; (g) presents participation in betting activity as a priority or necessity as compared to other social or family relationships or obligations, such as friendly, professional or academic; (h) implies that participation in betting activity can provide a way out of professional, learning or personal problems, such as loneliness or depression; (i) presents participation in betting activity as a prerequisite or means for building successful social, friendly or professional relationships; (j) presents participation in betting activity as tough or associates it with endurance or dangerous or reckless behaviour; |

- (k) implies that participating in betting activity may enhance a player's personal characteristics, such as self-esteem or abilities, or implies that betting is a way to gain control, supremacy, authority, recognition or admiration;
- (l) exploits cultural beliefs or traditions related to betting or luck;
- (m) associates participation in betting activity with charm, sexual success or enhancement of attractiveness;
- (n) promotes smoking and/or excessive alcohol consumption during participation in betting activity;
- (o) presents as acceptable or encourages participation in betting activity in a working environment.

Surreptitious advertising 9.-(1) Betting advertising must be instantly recognisable and distinct from any third-party editorial or other content.

(2) A person who publishes or incorporates into its content betting advertising must not claim or imply that he or she expresses his or her view as a consumer or as an expert, but, on the contrary, must clarify —

- (a) his or her relationship with the licensed bookmaker,
- (b) the fact that his or her publication constitutes paid advertising.

Direct advertising 10-(1) Distribution of promotional material by licensed bookmakers to persons who are not registered as players is prohibited.

(2) Distribution of promotional material to a player is prohibited if —

- (a) it does not include such information as to enable the player to stop receiving this material;
- (b) depending on the means of distribution, it does not contain links regarding player protection and safer gambling as provided for in Part V;
- (c) a player has been self-excluded from betting activity and has not returned actively to it;
- (d) it includes promotional actions that are contrary to the player's already chosen form of self-protection.

(3) A licensed bookmaker complies with a player's request to stop receiving promotional material as soon as possible and, in any case, in no more than seventy-two (72) hours after receiving the request.

Copyright 11. Licensed bookmakers must —

- (a) ensure that they do not place digital advertisements on websites that provide unauthorised access to copyrighted content;

- (b) take all reasonable measures to ensure that third parties, with whom they enter a contract related to any aspect regarding the licence granted by the Authority, are aware of this Code and are committed to implementing it;
- (c) take all reasonable measures to ensure that third parties, with whom they enter a contract related to any aspect regarding the licence granted by the Authority, do not place digital advertisements on websites that provide unauthorised access to copyrighted content; and
- (d) ensure that, on the basis of the terms under which they entered a contract with any third parties, in cases where they perceive a third party's behaviour which is contrary to this Code or other Regulations, directives, regulations or the Law, the licence holder should either take reasonable steps to ensure that such behaviour is discontinued or terminate the contract between them.

Chapter B – Protection of minors

- Information 12. All advertising plans include prominently displayed information clarifying that participation of minors in betting is prohibited.
- Digital advertising 13. Digital advertising which allows age targeting must be regulated in such a way as to exclude targeting of minors.
- Social networks 14.-(1) Any use of social networks must be made after relevant age specifications are made, in order to —
- (a) exclude minors from any targeting of the public;
 - (b) prevent, where reasonably possible, the display of notices, posts, notifications or any other content of the licence holder's page in accounts of minors.
- (2) Social media pages of licence holders must include a message encouraging the use of self-protection measures and informing that participation of minors in betting is prohibited.
- Limitations 15. Betting advertising by any means shall be prohibited in cases where it:
- (a) encourages minors and/or vulnerable persons to participate in betting activity;
 - (b) exploits the vulnerability, ambitions, credulity, inexperience or ignorance of minors or other vulnerable persons;

- (c) has particular appeal to minors, especially if it reflects or relates to youth culture;
- (d) shows persons acting within licensed premises in a teenage, childish or disorderly manner;
- (e) addresses minors through selecting the means of transmission or through the way in which it is presented;
- (f) includes a person who is or appears to be under the age of twenty-five (25) to wager or play an important role in advertising.

Chapter C – Audiovisual and Audio Advertising

- Information 16.-(1) Audiovisual or acoustic betting advertising, regardless of the means of transmission, is prohibited if there is no distinct concise reference to the existence of self-protection measures and safer gambling.
- (2) For the purposes of paragraph (1) and with regard to audiovisual advertising, the Authority shall define, by means of a Practical Guide, the concept of ‘distinct concise reference’ in relation to both the duration of the display and the space occupied by that message on the image of the advertisement.
- Television and radio broadcasting 17.-(1) The total duration of television betting advertisements may not exceed one and a half (1.5) minutes per TV station within any given clock hour.
- (2) Betting advertising on television or radio broadcasts is solely permitted within the permitted hours as defined by the competent authority and by the Radio and Television Organisations Law 7(I)1998, as amended or replaced;
- (3) Advertising betting immediately before, after and during children’s programmes or programmes targeted at children or those which particularly appeal to children, is prohibited.
- (4) During the timeframes laid down in paragraph (2), advertising during live sports events and sponsorship of programmes shall be permitted, subject to the limitations laid down in paragraph 18 and Part VI respectively.
- During live sports events 18.-(1) In accordance with the provisions of paragraph 17, advertising is permitted during a live sports event, as well as for a period of fifteen (15) minutes before the start and after the end of such event.
- (2) The exception laid down in paragraph (1) shall apply only to the means of broadcasting the sports event.

PART IV – PROMOTIONAL ACTIONS

- Misleading and unfair promotional actions
19. Promotional actions must not be misleading or unfair and they must —
- (a) be clear with regard to the extent of the player’s commitment in order for him or her to benefit from any offer or opportunity;
 - (b) not omit or conceal essential information or present it in a vague, incomprehensible or ambiguous manner;
 - (c) provide with sufficient emphasis all essential information, including the conditions for participation and deposit which the player is required to fulfil in order for him/her to benefit from the above-mentioned offer or opportunity, as well as any other limitation or requirement;
 - (d) set out examples that illustrate the conditions, requirements and limitations in a simple language and in a clearly understandable manner; and
 - (e) must include terms and conditions referring to all essential information about the promotion programme, and, provided that the player submits a notification confirmation for these terms, they must remain available and accessible to the player.
- Limited advertising surface for promotional actions
20. Where promotional advertising is subject to limitations due to time or to the projection surface, it shall include as substantial information as possible and direct players to an easily accessible alternative source where all important information appears:
- Provided that, in the case of digital advertising, it must either contain or act in itself as a sensitive link redirecting the visitor to a website containing all the essential elements of paragraph 19 before reaching the desired website.
- Direct and continuous access
21. A licensed bookmaker shall ensure that players can, immediately and at any time, be informed of their progress in fulfilling conditions or requirements, in order to benefit from an offer or opportunity:
- Provided that, if a player is excluded from the programme based on the terms and conditions of a promotional action, he or she is immediately informed of his or her exclusion.
- Limitation of certain promotional actions
- 22-(1) With the exception of the bookmaker’s website and premises, advertising promotional actions which requires from a player, in order to qualify as such, to wager, within a specified period of time, —
- (a) a minimum amount; or
 - (b) a number of bets, are prohibited.

(2) The above-mentioned provisions shall not apply to promotional actions relating to registration or deposit rewards.

Modification of the terms and conditions of a promotional action 23.-(1) A player submits an attestation of acceptance of the terms and conditions of each offer or opportunity before joining any promotional action:
Provided that a player may refuse to participate in a promotional action through a choice provided by the licensed bookmaker.

(2) If a player is included in a promotional programme, the bookmaker may only modify the terms and conditions if —

- (a) the terms and conditions are more favourable to the player; and
- (b) if the bookmaker communicates clearly and through examples all substantive modifications to the player and
- (c) ensures the player's new attestation of the modified terms and conditions.

(3) For the purposes of paragraph (2), more favourable conditions for the player shall be those which, at the Authority's discretion, are, in essence, more favourable to the average player.

Obligation of approval 24. All promotional actions shall be approved by the Authority in advance.

PART V – SAFER GAMBLING

Safer gambling website 25. All advertising plans include a reference to the Authority's Safer Gambling website, www.safergambling.gov.cy.

Message encouraging safer gambling 26.-(1) All advertising plans include a message encouraging safer gambling, which is pre-approved by the Authority.

(2) If the nature of the advertisement or promotional means makes the inclusion of the message impossible or impractical, then the licence holder shall undertake the communication of the message using alternative means:

Provided that, in the case of digital advertising, the licence holder redirects the visitor in such a way as to communicate the message before it ends up on the desired website.

PART VI – SPONSORSHIPS

Chapter A – Principles

Distinction between content and advertising 27. (1) The sponsorship of a programme or a person by a licensed bookmaker must be announced in such a way as not to encourage participation in betting activity and without reference to the bookmaker’s characteristics, prices or opportunities.

(2) An announcement of a sponsorship must focus on the sponsorship agreement between the bookmaker and the programme/person in such a way as to clarify:

(a) the identity of the sponsor, with reference to the trade name of the bookmaker; and

(b) the relationship between the sponsor and the programme.

(3) The content of the sponsored programmes or any publication or communication of a person which is granted by a licensed bookmaker, must exclude product placement or any other way of promoting the bookmaker’s services.

Editorial independence 28. A licensed bookmaker has no direct or indirect role in the drafting of the content of a sponsored programme.

Secret sponsorship 29. Secret sponsorship is forbidden. All sponsorships must be announced.

Chapter B – Sports or other sponsorships

Sponsorship of minors 30. Sponsorship for any championship or team or activity of charitable or other nature, in which the majority of participants are expected to be or are less than eighteen years (18) old, shall be prohibited:

Provided that, the sponsorship of underage athletes in individual sports is prohibited.

Products exclusively for children 31. Using a logo or any other distinctive labelling or message referring to the name of a licensed bookmaker, on any kind of clothing, object or anything else designed or intended primarily for children, is prohibited.

Chapter C – Sponsoring of television and radio programmes

Programmes excluded from sponsorship 32.-A licensed bookmaker may sponsor any programme other than:

(a) news and current affairs programmes,

(b) political information programmes,

(c) children’s programmes; and

(d) church rebroadcasts.

Sponsorship announcement 33.-(1) A sponsorship may be announced immediately before, during and immediately after broadcast of the sponsored television or radio programme:

Provided that, an announcement of a sponsorship may be broadcast upon the start and/or end of an advertising break.

(2) Slogans used in the advertisements of the sponsor of a television programme are broadcast only in writing.

(3) Oral announcements of sponsorships which are made by presenters or actors of the sponsored television or radio programme are prohibited.

(4) An announcement or advertisement of an offered television or radio programme may indicate the name of the bookmaker as a sponsor, provided that such a reference is concise and secondary.

(5) The permanent or periodic display of the bookmaker's trade name on screen during the sponsored television programme, shall constitute advertising and shall be subject to all relevant limitations.

(6) For the purposes of this Code, 'reference to the bookmaker's trade name' shall include a display of the bookmaker's trademark or logo, as well as any slogan within the scope of paragraph 27.

PART VII – FINAL PROVISIONS

Transparency 34. Licensed bookmakers of Class A, B and authorised agents shall prepare, for purposes of transparency, a list of the costs of sponsorships and advertisements on a quarterly basis, which they shall submit to the Authority.

Entry into force 35. This Code of Advertising was approved in Session A.A.293/2021 of the Authority which took place on the 16th of June 2021 and enters into force on the 1st of July 2021. The present Code repeals the Code of Advertising CA.01.2017.

**in case of discrepancy between English and Greek versions, the Greek version supersedes.*