



GREF

Gambling
Regulators
European
Forum

Preventing harm and ensuring safer gambling
through regulatory approaches to advertising

GREF-NAGRA Webinar

23/04/2024

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Advertising frameworks & policies

Advertising : Policy Goals

Goal:

Player protection



Advertising normalizes gambling
Broader recruitment of players
Increased risk of relapse



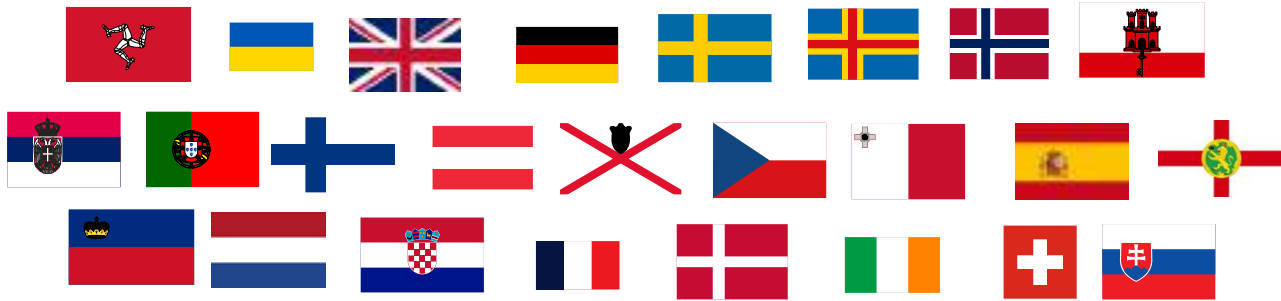
This also means:

Channeling Players



Illegal operators advertise regardless
Legal operators must remain visible

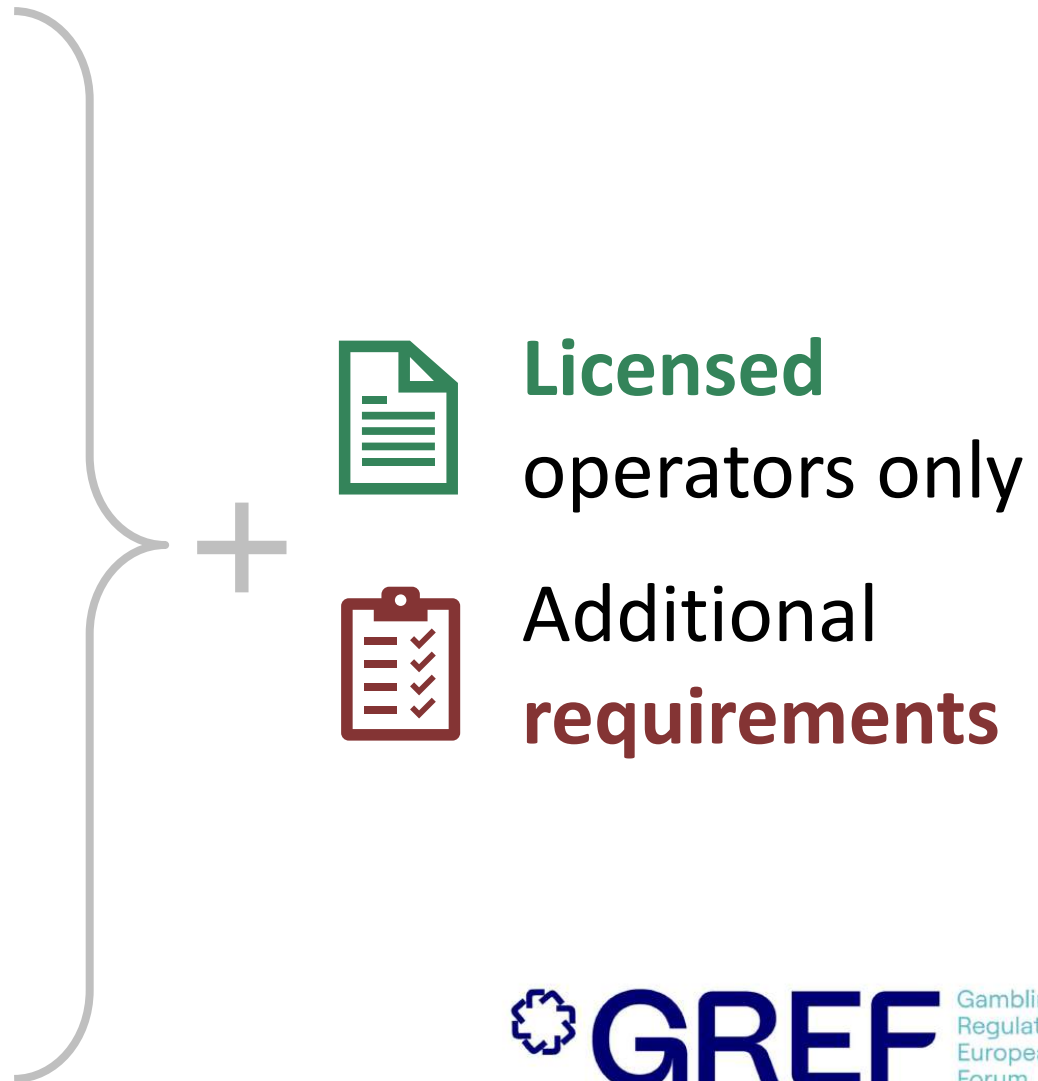
Different possible frameworks



Generally **allowed**
with **exceptions**

OR

Prohibited unless
explicitly **allowed**



'Advertising' Scope



Commonly used notion: '**commercial communication**'
→ Anything that intends to promote games of chance



Covers **product placement** and **sponsoring**

B2B

Usually allowed as an exception in closed systems



2

Advertising restrictions

Content & Presentation



e.g. advertising must not

- Be **misleading**
- Be attractive to **children**
- Encourage **excessive** gambling
- Encourage **underage** gambling
- Exaggerate possible **gains**
- Be combined with **prevention info**
- Reference **loans or credit**

e.g. advertising must not present gambling as...

- A way to increase **social status**
- A way to solve **financial problems**
- An alternative to **paid work**
- A **skill-based** activity
- A **rite of passage**

Location of advertising



For example, open systems that prohibit advertising ...

- On surfaces of vehicles / metro
- Near schools or locations frequented by youth
- Outdoors / in public places (e.g. billboards)

Also prohibited implicitly in closed systems, as well as:

- Television
- Newspapers
- Journals

Advertising outside gaming establishment



Advertising exceptionally **allowed** inside casinos and gaming halls



Advertising on façade **allowed** as an exception to the closed system



Limited when outside gaming establishment



Prohibited on and around gambling establishment



(National) Lotteries



May be subject to specific regulations, e.g.

- Not subject to gambling legislation
- Benefiting from an exemption on advertising rules

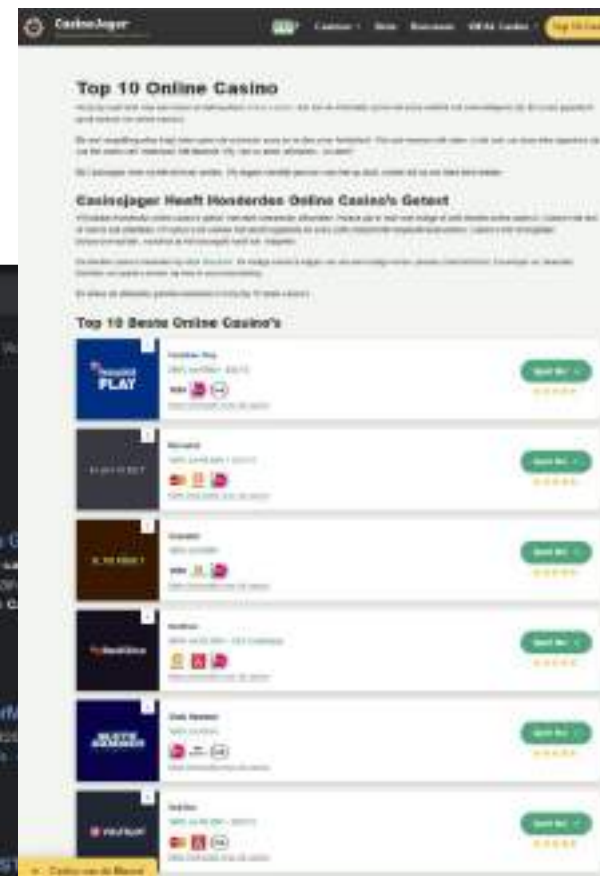
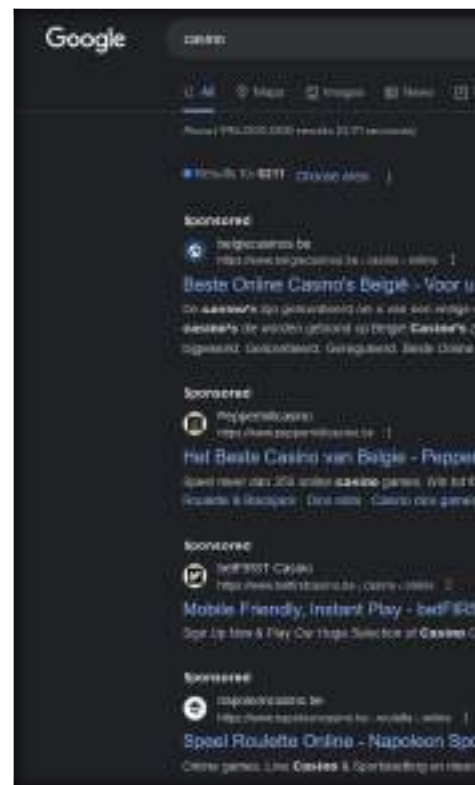


Affiliate Websites / Sponsored Search Results



For example, closed systems that allow advertising:

- In search results (including affiliate websites)



Pre-defined contents



For example, content may be limited to:

... which excludes:



Brand name
Trademark
Logo



Slogans
Calls to action
Product images
Descriptors

e.g. “Sports & Casino”

Pre-defined contents



... which excludes:



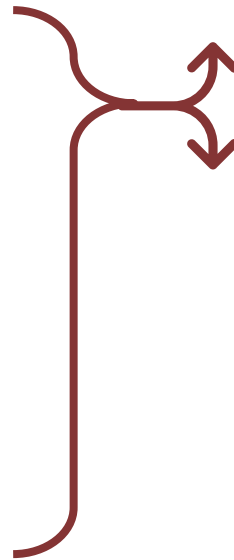
- Slogans**
- Calls to action**
- Product images**
- Descriptors**
e.g. “Sports & Casino”

Incentives



Can be in many forms

Gifts
Bonuses
Promotions
Discounts
Loyalty systems
VIP Programmes



Possible limitations:

- Banned altogether
- Or specific requirements, e.g. :
 - Transparency
 - Player consent
 - Vulnerable groups
 - Balanced / non-excessive
 - Not during play
 - ~~Not for new players~~
 - Timing not based on player behavior
 - Not allowed to advertise

Product placement



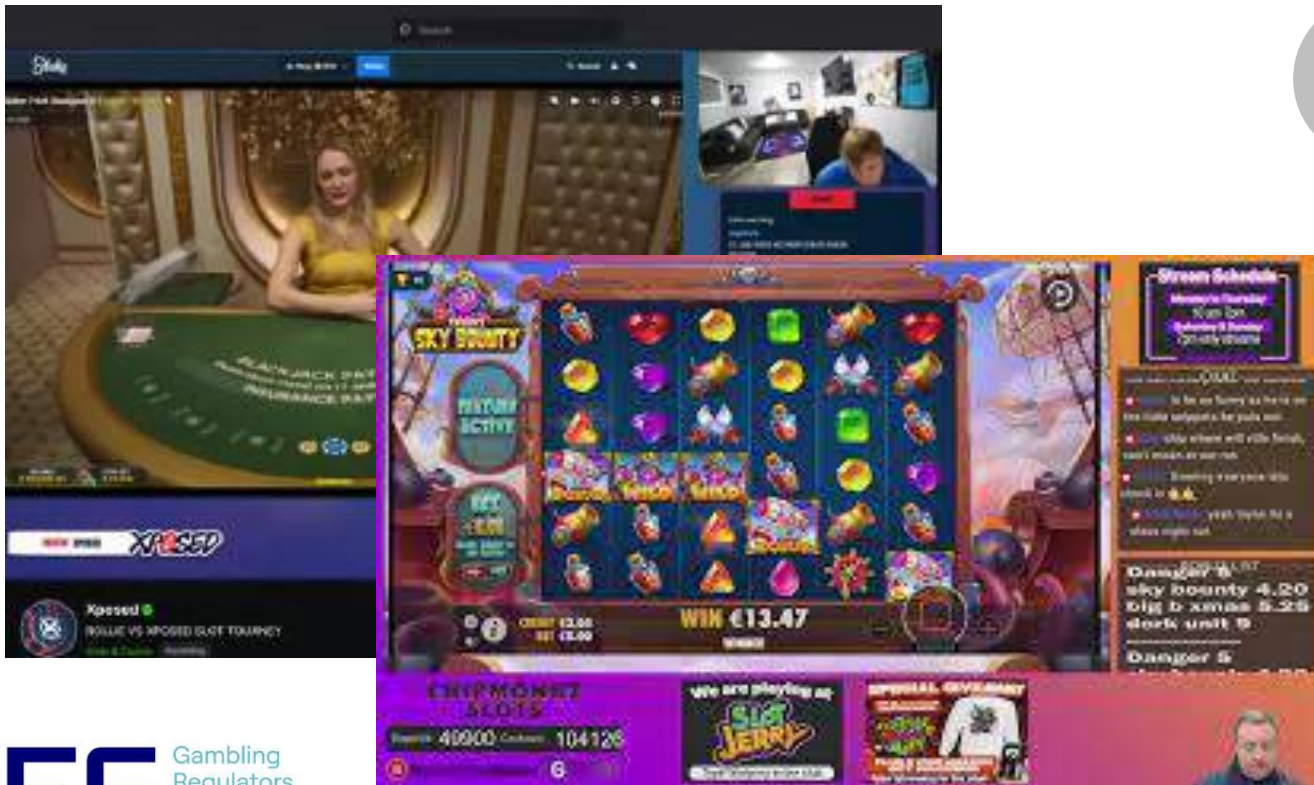
Widely used on
livestreaming platforms



Banned specifically

or

Forbidden implicitly in
closed systems



Sponsoring



Specific rules may apply, e.g. prohibited to implement in :

- Sporting activities in which children could take part
- Events aimed at young people
- Events that can be viewed by minors
- Merchandise for children



Phasing out in some jurisdictions

- Transitory measures for existing contracts!

Target Audience



e.g. not allowed to be aimed towards:

- Children / Young people
- Excluded persons
- Persons with low income
- Persons looking for aid / care

Sometimes tied to context/platform, e.g.



No cross selling



No advertising in games
(or websites/apps offering them)



Obligatory age targeting



Direct Marketing / Targeted Advertising



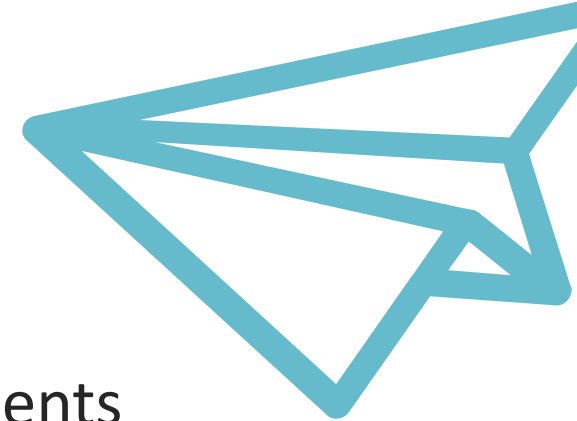
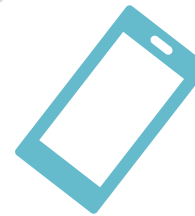
Some practices may be banned, e.g. :

- Personal messages
- Push notifications
- Location tracking
- Telemarketing activities
- Sales activities in residential premises
- Sales activities on public transport



Also possible:

- Ban on untargeted advertising
- Obligation to verify that recipient is not excluded



Pop-ups / Overlays



Advertising prohibited in the form of

pop-up, overlay,

or other methods that restrict/hinder navigation

Timing / Frequency



e.g.



Limited number of advertisements per screen / ad break
One ad per operator



Only at certain times of day



Not before/during/after programmes aimed to youth
Not before/during/after sports programmes

Social Media



Specific rules may apply, e.g. :

- Opt-in requirement
- Involvement of third parties
 - Influencers
 - Algorithm promotion
- Moving images
- Interaction
- Platforms must have age verification



Person / Character depictions



e.g. limitations on the depiction of :

- Young people / minors
- Personalities / role models with substantial reach among minors
- Sports personalities / athletes
- Any person or character
- Players (incl. winners)



Mandatory Content



e.g. all advertising must include :

- Minimal age
- Prevention message
- National help line
- Options for exclusion
- Regulator label

PLAY
SAFE.BE

21+

PLAY WITH MODERATION

Conditions dans votre Circus C



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Getting help

The National Gambling Support Network helps people struggling with gambling, and people who are worried about someone else's gambling.

We give tailored help that fits your situation.

24/7 FREE Confidential Support

- Telephone & live chat
- Help centres in your area
- Resources & advice

[How we help →](#) [Find support in your area →](#)

3

Implementation & Enforcement

Points of attention


Equality

*Different rules
for different products?*



Legal certainty



Justification required
(difference in risk)



'Hybrid' licensees
(same brand, different game types)



Legal basis



Transitory rules



Avoid legal Ambiguity

Regulator Competences

Impose sanctions (e.g. fines)

Block websites (blacklist)

Guidelines / Recommendations



Review promotional strategies



Order removal of illegal advertisement

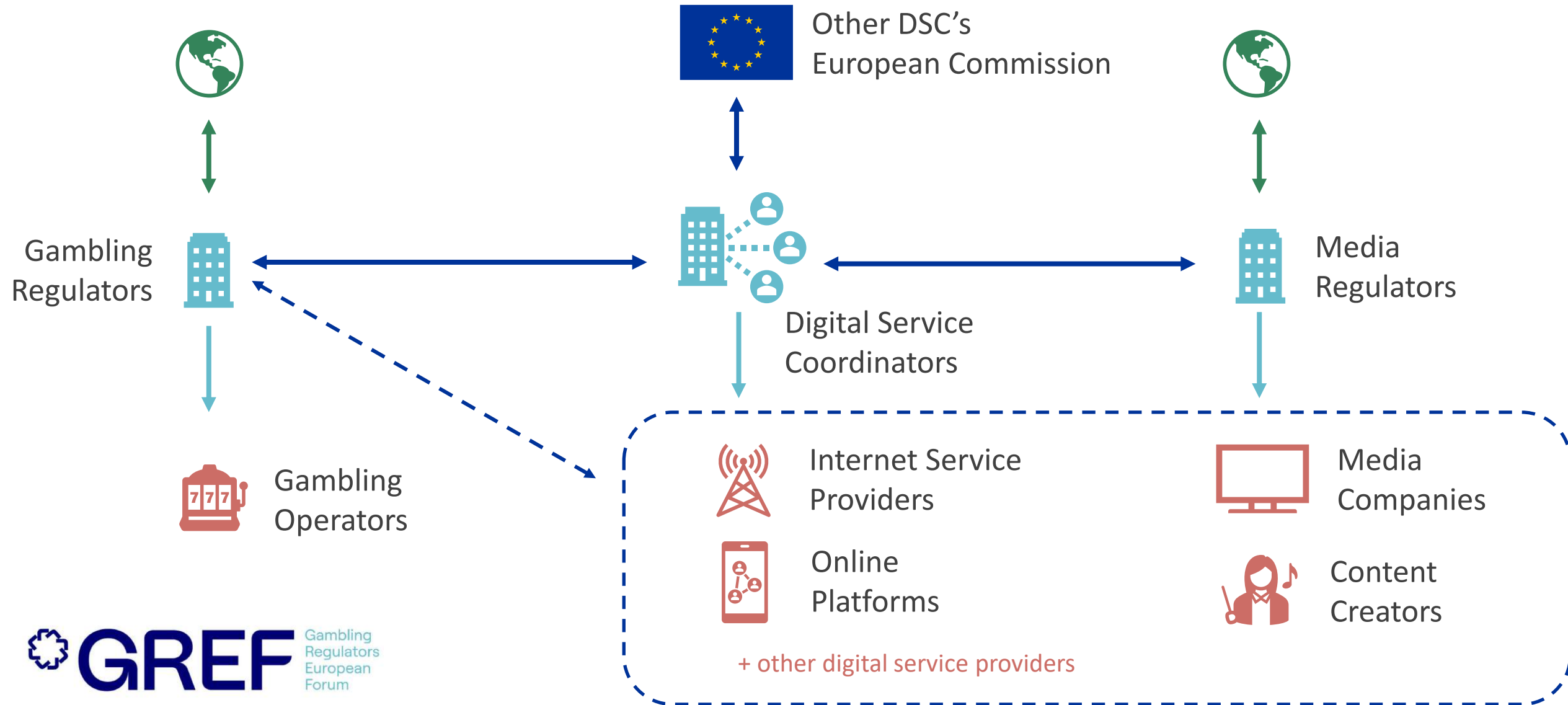


Proscribe volume, frequency, ...



Prior authorization of all advertising

Need for Cooperation



Cross-border enforcement



Rules are different in each jurisdiction



Marketing technologies operate cross border



European Union

27 Member States, majority is also GREF Member

→ Freedom of Establishment

→ Free Movement of Services

European Union Law

Member States enjoy large
margin of appreciation



Overriding reasons of
public interest

- Significant differences between Member States
- No harmonization

- Public health
- Consumer Protection
- Prevention of fraud
- Prevention of incitement to squander money

European Union Law

Member States enjoy large
margin of appreciation



Overriding reasons of
public interest

Requirements:

- Consistency
- Systematic approach

European Union Law



Advertising prohibited unless other Member States provides **essentially equivalent guarantees**



Advertising prohibited unless other Member States provides **identical guarantees**



Advertising **only allowed for national operators**, without possibility for others to obtain similar permission

In Summary



Many **differences** between jurisdictions



Tool for **channeling** policies



Protection of minors and other **vulnerable groups**



Preventing positive **associations**



Need for **clear and future proof** regulation



Thank you for your attention !

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