

# 17

GAMBLING



## Principle

The rules in this section are designed to ensure that gambling advertisements are socially responsible, with particular regard to the need to protect under-18s and other vulnerable persons from being harmed or exploited by advertising that features or promotes gambling.

## Background

The legal framework for gambling in Great Britain, including the requirements for licensing operators, is set out in the Gambling Act 2005 (as amended).

The Gambling Act 2005 does not apply outside Great Britain. Licensees should ensure that specialist legal advice is sought when considering advertising any gambling product or service in Northern Ireland or the Channel Islands.

Spread betting may be advertised as an investment activity under the Financial Services and Markets Act 2000 (as amended) (FSMA), the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005 (as amended) and in accordance with the Financial Conduct Authority (FCA) Handbook. Spread betting may be advertised on specialised financial stations or channels, in specialised financial programming or on interactive or additional television services (including text services) only (see rule 14.5.4). A "spread bet" is a contract for differences that is a gaming contract, as defined in the glossary to the FCA Handbook.

These rules are not intended to inhibit advertisements to counter problem gambling that are responsible and unlikely to promote a brand or type of gambling.

Please refer to Section 32: [Scheduling for rules on the scheduling of gambling advertisements](#).

## Definitions

The term "gambling" means gaming and betting, as defined in the Gambling Act 2005, and spread betting. For rules on [lottery advertisements](#), see Section 18.

The rules in this section apply to advertisements for "play for money" gambling products and advertisements for "play for free" gambling products that offer the chance to win a prize or that explicitly or implicitly direct the consumer to a "play for money" gambling product, whether on-shore or off-shore.

Unless they portray or refer to gambling, this section does not apply to advertisements for non-gambling leisure events or facilities, for example, hotels, cinemas, bowling alleys or ice rinks, that are in the same complex as, but separate from, gambling events or facilities.

## Rules

- 17.1 **Radio Central Copy Clearance** - Radio broadcasters must ensure that advertisements for gambling are centrally cleared.
- 17.2 Advertisements for events or facilities that can be accessed only by entering gambling premises must make that condition clear.

### Rules for all advertisements

- 17.3 Advertisements must not:
  - 17.3.1 portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm
  - 17.3.2 suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression
  - 17.3.3 suggest that gambling can be a solution to financial concerns, an alternative to employment or a way to achieve financial security
  - 17.3.4 portray gambling as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments
  - 17.3.5 suggest peer pressure to gamble or disparage abstention
  - 17.3.6 suggest that gambling 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
  - 17.3.7 link gambling to seduction, sexual success or enhanced attractiveness
  - 17.3.8 portray gambling in a context of toughness or link it to resilience or recklessness
  - 17.3.9 suggest gambling is a rite of passage
  - 17.3.10 suggest that solitary gambling is preferable to social gambling.

### Rules for gambling advertisements

- 17.4 Advertisements for gambling must not:
  - 17.4.1 exploit cultural beliefs or traditions about gambling or luck
  - 17.4.2 condone or encourage criminal or anti-social behaviour

- 17.4.3 condone or feature gambling in a working environment (an exception exists for licensed gambling premises)
  - 17.4.4 exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of under-18s or other vulnerable persons
  - 17.4.5 be likely to be of particular appeal to under-18s, especially by reflecting or being associated with youth culture
  - 17.4.6 feature anyone who is, or seems to be, under 25 years old gambling or playing a significant role. No-one may behave in an adolescent, juvenile or loutish way.
- 17.5 Advertisements for family entertainment centres, travelling fairs, horse racecourses and dog racetracks, and for non-gambling leisure facilities that incidentally refer to separate gambling facilities as part of a list of facilities on, for example, a cruise ship, may include under-18s provided they are accompanied by an adult and are socialising responsibly in areas that the Gambling Act 2005 (as amended) does not restrict by age.