

## Guide to gambling advertising codes

September 2010

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### 1 Background and introduction

- 1.1 The Gambling Act 2005 (the Act) reforms virtually all of the previous restrictions on the advertising of gambling. The Gambling Commission (the Commission) has included an ordinary code provision within its Licence Conditions and Codes of Practice ([LCCP](#)) which requires licensees to comply with the advertising codes of practice that apply to the form and media in which they advertise their gambling facilities and services.
- 1.2 Advertising is subject to the CAP and BCAP advertising codes. The CAP and BCAP codes are administered by the Advertising Standards Authority (ASA). Operators should also follow the Gambling Industry Code for Socially Responsible Gambling. The Gambling Industry Code for Socially Responsible Gambling was published on 7 August 2007 and is monitored by the Review Group for Socially Responsible Advertising.
- 1.3 In September 2010, CAP and BCAP proposed new codes, following a systematic review and full 12-week consultation. The advertising codes apply to all gambling operators and advertisers permitted to advertise in Great Britain. This includes operators from the European Community jurisdictions and Gibraltar, and also the whitelisted<sup>1</sup> jurisdictions of Alderney, Antigua and Barbuda, Isle of Man, and Tasmania.

### 2 The codes

- 2.1 The CAP and BCAP codes cover the content and placement of advertising and ensure that gambling advertising is socially responsible. The rules ensure that gambling advertising is not aimed at children or young people and that it does not leave vulnerable people open to exploitation and harm.
- 2.2 The ASA investigates complaints about advertisements, which are alleged to be in breach of the CAP and BCAP codes. Where complaints are upheld the ASA requires advertisements to be amended or removed.

#### **CAP Code**

- 2.3 Non-broadcast advertising is covered by the CAP code. A full copy of the code can be found at [www.cap.org.uk](http://www.cap.org.uk)

#### **BCAP Code**

- 2.4 The first edition of the BCAP Code comes into force on 1 September 2010 and replaces the four previous separate BCAP Codes for broadcast advertising. The four previous codes have been merged into a single user-friendly code covering television and radio advertisements for the benefit of the public and broadcast advertising industry. A full copy of the code can be found at [www.cap.org.uk](http://www.cap.org.uk)
- 2.5 The revised CAP and BCAP codes now feature a new dedicated lotteries section; these can be found at section 18 of the BCAP Code and section 17 of the CAP code. These sections now include rules that have applied to society lotteries since the introduction of the Act in September 2007 and which, under the revised Codes, now also apply to the National Lottery. There is no change to the way in which society lotteries are treated under the revised Codes.

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<sup>1</sup> The 'whitelist' is a list of jurisdictions which are allowed to advertise gambling within the UK.

## **Gambling industry code for socially responsible gambling**

- 2.6** This code has been developed by the gambling industry to supplement the CAP and BCAP codes by setting minimum industry standards in a limited number of areas that are not covered by the CAP/BCAP rules. The areas covered by the industry code of practice are:
- social responsibility messages
  - display of gambleaware website address
  - broadcast media – messaging
  - television advertising – watershed
  - ban on children’s merchandising as part of sporting sponsorships

## **3 Other useful information**

### **Clearance centres**

- 3.1** Pre-clearance for broadcast commercials is carried out by Clearcast. (CAP also undertake clearance services for non-broadcast).
- 3.2** [Clearcast](#) is a specialist body with responsibility for pre-transmission examination of television advertisements. All advertisements being transmitted as a national television campaign on UK terrestrial and satellite channels should be submitted to Clearcast for clearance.
- 3.3** All national, and certain special categories of local and regional, radio advertisements are vetted before transmission by the [Radio Advertising Clearance Centre \(RACC\)](#).

### **Advertising Standards Authority**

- 3.4** The ASA’s procedures for handling complaints under the CAP and BCAP codes can be found in full at [www.asa.org.uk](http://www.asa.org.uk). Complaints about advertisements can be made via the ASA’s website or by calling 020 7492 2222 (textphone 020 7242 8159).

### **Where to access the codes**

ASA	<a href="http://www.asa.org.uk">www.asa.org.uk</a>	ASA procedures
CAP	<a href="http://www.cap.org.uk">www.cap.org.uk</a>	CAP and BCAP codes
Clearcast	<a href="http://www.clearcast.co.uk/clearcast">www.clearcast.co.uk/clearcast</a>	Clearcast procedures
Gambling Commission	<a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>	LCCP (October 2008) Copy of industry code
RACC	<a href="http://www.racc.co.uk">www.racc.co.uk</a>	RACC procedures

## **4 The legality of advertising**

- 4.1** Permission to advertise in Great Britain is restricted to operators licensed by the Commission, operators from EEA jurisdictions, Gibraltar, Alderney, Antigua and Barbuda, Isle of Man, and Tasmania. The Commission will take enforcement action against those not permitted to advertise if illegal advertising occurs, and may seek to prosecute.

## **Keeping gambling fair and safe for all**

**Gambling Commission September 2010**

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For further information or to register your interest in the Commission please visit our website at: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) Copies of this document are available in alternative formats on request.

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