

1 February 2018

Call to take action on unfair terms and misleading practices

I am writing to confirm the immediate action which is required to make the necessary changes to comply with consumer protection law, licence condition 7 (Compliance with terms) and social responsibility code provision 5.1.7 (Marketing of offers).

You will be aware that we have been working with the Competition and Markets Authority (CMA) to tackle shared concerns with online gaming promotions and some free bet promotions. The CMA has found that many online gambling operators could be breaking consumer protection law, through terms and conditions of bonus promotions that are not clear and unfair restrictions on customer rights, including by fettering customers' ability to access their own money and winnings.

In November 2017, we gave advance warning to the industry to take action and to review their terms and conditions, reiterating our intention to ensure that agreed standards are implemented across the industry. The CMA set out [at that time](#) the legal principles which must underpin operators' approach to compliance with consumer protection law.

Today, the CMA has published the undertakings given by a number of operators which have been the subject of CMA enforcement action. These undertakings provide further detail of the action which must be taken to ensure compliance with consumer protection rules. As such, we will expect all remote operators to make similar changes to their promotions.

We understand that to achieve compliance with these standards will involve some degree of technical changes. The CMA has considered this and has set out dates by which specific undertakings are to take effect. It is in the consumer interest for these changes to be made as soon as possible and for this reason, we expect all operators to comply within the same timescales set out in the undertakings, as follows:

- 28 February 2018 for paragraphs 1, 2, 4-14
- 31 July 2018 for paragraph 3

In the coming months, we will undertake compliance activity to test how operators are making these changes. Where action is not taken or is insufficient, we will not hesitate to intervene further, including by taking enforcement action where necessary.

The CMA continues to investigate other areas of potential concern in the online gambling sector, such as terms and practices in respect of withdrawals. We plan to publish advice once the CMA's investigation and enforcement action is completed.

We will be hosting two sessions at ICE Totally Gaming on 6 February in South Gallery 23 with the CMA and the Advertising Standards Authority (ASA) to provide an overview of work in this area and to provide an opportunity for questions. The first session will be at 11am – 12.20pm, the second at 1pm – 2.20pm.



Victoria Square House
Victoria Square
Birmingham B2 4BP

T+44 121 230 6666
F+44 121 230 6720
www.gamblingcommission.gov.uk

To register interest in one of these sessions, please email consumers@gamblingcommission.gov.uk by 12 noon 2 February 2018, with 'ICE event' in the email header, and provide the name of the participant, job title and organisation.

Due to limited capacity, spaces will be limited to one participant per operator.

Please submit any questions to the same email by email 12 noon on 2 February 2018.

Yours sincerely

Sarah Gardner
Executive Director