

## Guide to gambling advertising codes

November 2014

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### 1 Background and introduction

- 1.1 The Gambling (Licensing and Advertising) Act 2014 requires that only gambling operators licensed by the Gambling Commission (the Commission) are permitted to advertise to consumers in Great Britain or provide them with remote gambling facilities. This simplifies the position for carriers of advertising. Carriers of gambling advertising will need to ensure they only permit gambling operators licensed by the Commission to advertise in Great Britain.
- 1.2 Licensed operators who offer online gambling are required to display a link (on all web pages that are used to access gambling) to their licensed status with the Commission so consumers can quickly verify that the operator has a licence. Consumers and carriers of advertising can also check whether operators have a licence by accessing the [Commission's register of licensed operators](#).
- 1.3 It is a requirement of the Commission's [Licence conditions and codes of practice \(LCCP\)](#) that gambling operators wishing to advertise must comply with the advertising codes of practice which apply to the form and media in which they advertise their gambling facilities or services.
- 1.4 The Committees of Advertising Practice (CAP) write and maintain the UK Advertising Codes which are administered by the Advertising Standards Authority (ASA).

### 2 UK Advertising Codes

- 2.1 The UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing ([CAP code](#)) and the UK Code of Broadcast Advertising ([BCAP code](#)) 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 investigate 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 [Section 16](#) of the CAP Code sets out the rules for non-broadcast gambling advertising and [Section 17](#) sets out the rules for the non-broadcast advertising of lotteries (including the National Lottery).
- BCAP Code**
- 2.4 [Section 17](#) of the BCAP Code sets out the rules for broadcast gambling advertising and [Section 18](#) sets out the rules for the broadcast advertising of lotteries (including the National Lottery).
- CAP & BCAP Guidance on the rules for gambling advertisements**
- 2.5 CAP and BCAP have published a [Help note](#) which is designed to provide advertisers with
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clear guidance to help ensure that gambling advertising continues to be responsible and that children as well as vulnerable people, like those at risk of problem gambling, are protected. It includes specific guidance on free bets and bonus offers to make clearer the requirements on marketers of such offers.

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

**2.6** [This voluntary code](#) was 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 the 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 on Clearcast’s shareholder broadcasters’ channels should be submitted to Clearcast for clearance.

**3.3** All national, and certain special categories (including gambling) of local and regional, radio advertisements are vetted before transmission by the [Radio Centre](#).

### **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 & CAP	<a href="http://www.asa.org.uk">www.asa.org.uk</a>	ASA procedures
CAP	<a href="http://www.asa.org.uk">www.asa.org.uk</a>	CAP and BCAP codes
Clearcast	<a href="http://www.clearcast.co.uk">www.clearcast.co.uk</a>	Clearcast procedures
Gambling Commission	<a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>	LCCP Copy of industry code
Radio Centre	<a href="http://www.radiocentre.org/clearance/">www.radiocentre.org/clearance/</a>	RACC procedures

## **4 The legality of gambling advertising**

**4.1** Gambling operators who are not licensed by the Commission will be acting illegally if they advertise to consumers in Great Britain or provide them with remote gambling facilities. If illegal advertising occurs, the Commission will take action and may seek to prosecute.<sup>1</sup>

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

**Gambling Commission November 2014**

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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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