



GAMBLING  
COMMISSION



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### **Action required: removal of ads that appeal particularly to under 18s**

We are writing to advise you to amend or remove immediately any **ads** on your website or in third party media that are:

- likely to appeal particularly to people aged 17 or younger ('under 18'); and,
- generally available to view ('freely accessible').

This relates particularly to freely accessible ads for play-for-free and play-for-money games and includes all graphics and images displayed on a website or in third party media.

#### **We are:**

The Committee of Advertising Practice (CAP): the author of The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (the CAP Code). We work with the UK advertising industry to achieve the highest degree of compliance with the Code.

The Advertising Standards Authority (ASA): the independent body that assesses whether ads comply with the CAP Code, banning ads that don't.

The Gambling Commission: an independent non-departmental public body sponsored by the Department for Digital, Culture, Media & Sport. It was set up under the Gambling Act 2005 to regulate commercial gambling in Great Britain in partnership with licensing authorities.

The Remote Gambling Association (RGA): a trade association representing online gambling companies, part of whose role is to encourage social responsibility within the betting and gaming industry for the benefit of its members and the public generally.

#### **Legal, decent, honest and truthful**

**Chairman** James Best **Director of the Committee** Shahriar Coupal  
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Committee of Advertising Practice Limited, registered in England No 08310744, Mid City Place, 71 High Holborn, London WC1V 6QT.

## The issue

Recent articles in the UK national press<sup>1</sup> have highlighted a number of freely accessible ads on gambling operator websites, which feature images that are likely to appeal particularly to under 18s. This is unacceptable.

Gambling operators are required by the UK Advertising Codes and the conditions of their Gambling Commission licence to advertise responsibly with particular regard to the protection of under 18s and others who are vulnerable to being harmed or exploited by gambling advertising.

## The rules and guidance

The CAP Code states:

- 16.1 Marketing communications for gambling must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited.
- 16.3 Marketing communications must not:
  - 16.3.12 be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.
- 17.13 Marketing communications for lotteries must not be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.

It should be noted that, while the minimum age limit for purchasing National Lottery products and participating in society lotteries is 16, the rules in [section 17 \(Lotteries\)](#) of the CAP Code are designed to ensure that marketing communications for lotteries are socially responsible, with particular regard to the need to protect those aged under 18.

An ad is considered to have “particular appeal to children or young persons” if it is deemed likely to appeal more to under 18s than to over 18s. The use of particular colours, cartoon and comic book images, animals, child- and youth-orientated references and names of

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<sup>1</sup> <https://www.thetimes.co.uk/article/cartoons-lure-kids-to-online-gambling-vr6c83np6>  
<https://www.thetimes.co.uk/article/peter-pan-and-friends-hook-children-on-web-gambling-j27d68jzx>  
<https://www.thetimes.co.uk/article/the-odds-should-be-stacked-against-children-gambling-bwssv35lx>  
<http://www.dailymail.co.uk/debate/article-4961232/Gambling-firms-targeting-children-bad-drug-pushers.html>  
<http://www.dailymail.co.uk/news/article-4961078/Online-bookies-use-cartoons-target-children.html>

games such as “Piggy Payout”, “Fluffy Favourites”, “Pirate Princess” and “Jack and the Beanstalk” are likely, alone or in combination, to enhance appeal to under 18s.

These ASA rulings identify gambling ads that appeal particularly to under 18s and were subsequently banned:

[Cassava Enterprises Gibraltar](#)  
[Ever Adventure IOM Ltd](#)  
[Bear Group Ltd t/a Spin Genie](#)  
[Geo24 UK Ltd t/a Booty Pirates.](#)

The CAP Copy Advice team offers [this](#) advice on how to ensure betting and gaming advertising does not appeal to children.

### **Act now**

You must immediately amend or remove any freely accessible ads on your website or in third party media space that are likely to appeal particularly to under 18s. (This includes [affiliate ads](#) that promote your company and its products.)

We appreciate that there may be difficult and nuanced decisions to be made, particularly in cases where imagery and characters, which might have appeal to both children and adults is used. [This Foxy Bingo](#) ruling by the ASA highlights the reasons why, in that case, the creative content was considered likely to appeal to children, but not particularly so.

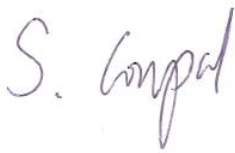
Ultimately, if you are uncertain about whether an ad might appeal particularly to under-18s, CAP advises you to exercise caution and amend or withdraw the ad pending any discussion with the [CAP Copy Advice team](#), especially given the overriding emphasis in the Gambling Act 2005 and the CAP Code to protect children and young people from being exploited by gambling. The team offers a free, reliable and confidential service that provides advice within 24 hours of being contacted.

If gambling operators cannot or will not bring their advertising into line with the Code, the CAP Compliance team has various [sanctions](#) available to it and will consider applying these if we continue to see gambling ads that have particular appeal to under 18s.

For more details on CAP and the ASA visit [www.asa.org.uk](http://www.asa.org.uk), for the Gambling Commission please visit [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) and for the RGA, visit [www.rga.eu.com](http://www.rga.eu.com).

If you have specific questions regarding this letter please contact [compliance@cap.org.uk](mailto:compliance@cap.org.uk).

Yours sincerely,



Shahriar Coupal  
Director, CAP



Guy Parker  
Chief Executive, ASA



Sarah Harrison  
CEO, Gambling Commission



Clive Hawkswood  
Chief Executive, RGA

To comply with the Data Protection Act, processing by the Committee of Advertising Practice Ltd (CAP), the Broadcast Committee of Advertising Practice Ltd (BCAP), the Advertising Standards Authority Ltd (ASA) and the Advertising Standards Authority (Broadcast) Ltd (ASA(B)) is covered by notifications with the Information Commissioner's Office.

We shall use the information you give us, together with other information from or about you, to investigate compliance with the UK Codes of Advertising, Promotional and Direct Marketing (The CAP Code and The BCAP Code), to seek assurance of compliance with those codes, to inform you of ASA adjudications that may impact your business, and to record any advice given.

We may pass your contact details and information about your advertising to another regulatory body or third party to enforce sanctions, including but not limited to, the ASA and ASA(B), as well as advertising regulatory bodies in other countries.

Full details of our privacy policy can be found at [www.asa.org.uk](http://www.asa.org.uk).