

Background Briefing

The Advertising Standards Authority (ASA) works to maintain the highest standards in advertising by taking action to prevent ads from being misleading, harmful or offensive. Visit www.asa.org.uk for more information about our activities, to view the Advertising Codes or to access our database of adjudications.

Gambling

Casinos, betting exchanges and lotteries are enjoying newfound freedoms in the way they advertise. No longer do casinos have to advertise in tiny ads in the back of newspapers. Following the introduction of The Gambling Act 2005 in September 2007, gambling can now be advertised across all media.

To protect consumers, the advertising Codes have been updated to ensure that ads are socially responsible and don't encourage gambling in ways that harm or exploit children, young people or vulnerable adults.

The rules

Ads for gambling must not:

- Portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
 - Exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons.
 - Suggest that gambling can be a solution to financial concerns.
 - Link gambling to seduction, sexual success or enhanced attractiveness.
 - Be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.
 - Feature anyone gambling or playing a significant role in the ad if they are under 25 years old (or appear to be under 25).
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How has gambling advertising changed?

Casinos

Previously, licensed casinos were only allowed to advertise in classified ads. Now, companies based in the UK or in certain approved jurisdictions (known as the White List), in the European Economic Area or holding a Gambling Commission licence are legally permitted to advertise across all media.

Lotteries

Unless a lottery is licensed by the Gambling Commission, part of the National Lottery or is a small or private lottery it is likely to be illegal.

Bingo

Before September 2007, marketing communications for bingo halls could advertise the game of bingo but were not allowed to refer to other gambling facilities such as gaming machines. The Gambling Act allows bingo halls to refer to the other gambling facilities found on their premises.

Inducements

Advertisers are no longer banned from offering incentives or inducements to gamble, although any promotion must be socially responsible.

How do you judge someone as vulnerable?

Ads should not be directed to under 18s or vulnerable adults. The Committee of Advertising Practice (CAP) understands vulnerable to be someone who is mentally, socially or emotionally immature, those whose judgement is impaired, for example, by alcohol or drug addiction, or those who are at risk of gambling more than they can afford to or want to.

Are the new rules working?

In a 2007 survey¹, the ASA Compliance team assessed 784 gambling ads against the new rules. Encouragingly, only seven seemed to be in breach, a compliance rate of 99%.

Any further action needed?

The new Code rules are a robust interpretation of the requirements in the Gambling Act 2005. We worked closely with interested parties to ensure that the rules were socially responsible and protected children. There have been no major causes for concern, but the ASA remains aware that companies are still getting used to the new gambling regime and gambling is an age restricted product from which children must be protected. The ASA will continue to pro-actively monitor gambling ads in order to ensure compliance rates remain high.

ASA Action

Ladbrokes plc (7 January 2009)

Ladbrokes TV ads featured risk taking characters that come to a sticky end. A complaint was upheld on the basis they linked gambling with toughness and reckless behaviour.

Partouche Betting Ltd t/a partouche-betting.com (8 October 2008)

A complaint about this internet banner ad that stated “Bet to Forget” and “Click or Regret” was upheld as it was felt the ad suggested gambling could provide an escape from personal problems.

PKR Ltd (17 September 2008)

A complaint was upheld against this TV ad set in a computer generated poker room, on the grounds that it could be seen to glamorise the risks involved with gambling.

Further reading

The [advertising Codes](#) contain specific rules for gambling advertising.

¹[ASA Gambling Compliance Survey 2007](#).

[The Gambling Commission](#) has responsibility for the regulation of betting and remote gambling, as well as helping to protect children and vulnerable people from being harmed or exploited by gambling.
