



Annex A - Marketing Guidelines for Affiliates

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1 Overview

The purpose of this document is to provide guidance and instruction for VIPs Casino's affiliates advertising to customers, with regards to acceptable marketing and advertising procedures, as per the rules set by Advertising Standards Authority (ASA), the UK Gambling Commission, Malta Gaming Authority and the Information Commissioner's Office (ICO).

As a licensed operator, VIPs Casino must ensure that all third parties and affiliates advertising on its behalf do so in a socially responsible manner, and follow the regulations and rules issued by the relevant authorities.

2 Legislation and regulatory bodies

VIPs Casino's affiliates must comply with all laws, regulations and industry practices applicable to online advertising and the marketing of online gambling sites, including but not limited to:

- The UK Gambling Act 2005;
- Malta Gaming Act;
- The License Conditions and Codes of Practice (LCCP) issued by the Gambling Commission;
- The CAP Code and guidance documents issued by the Advertising Standards Authority;
- The IGRG Industry Code for Socially Responsible Advertising;
- The PECR Regulations issued by the Information Commissioner's office.
- The Malta's Commercial Communications Committee.

By engaging in marketing activity on behalf of VIPs Casino, affiliates agree that all activities undertaken will uphold the highest ethical standards, including the licensing objectives set out in the Gambling Act 2005 and all relevant legislation per jurisdiction:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3 Regulatory Compliance

To ensure compliant marketing, affiliates can only use materials either provided by VIPs Casino via its affiliate program, or approved by VIPs Casino affiliate team, and must not alter the appearance, design and content of approved marketing collateral unless it obtains written authorization from VIPs Casino. If the affiliate is in any doubt, they must immediately contact the affiliate team at VIPs Casino before engaging in any marketing activity on their behalf.

All affiliates have a contractual duty to adhere to the obligations mentioned in this document. If affiliate is found to be in breach of these clauses, VIPs Casino will send a formal warning and advise that they must take immediate action, by either removing the advertisement, or by amending it. In case of repeated and/or serious breaches, VIPs Casino will proceed to the immediate termination of business relationship and withhold any outstanding payment of revenues.

The full terms and conditions of business for the VIPs Casino affiliate program can be found [here](#).

4 Marketing Guidelines

All advertisement done by and on behalf of VIPs Casino should be made in a socially responsible manner, following the guidelines from different authorities which are summarized in VIPs Casino Marketing Guidelines Document. If in doubt, the latest and most recent guidelines provided by the authorities will overrule the provided documents in their respective jurisdictions.

5 Responsible placement of digital adverts

Affiliates must ensure that they do not place digital advertisements on websites providing unauthorized access to copyrighted content. The purpose of this condition is to prevent gambling being associated with criminal activity. Digital adverts must not be placed on websites where users can access copyrighted materials without the consent of the copyright owners, such as “piracy” websites which allow users to illegally download films and music.

6 Mandatory rules for all ads

- Marketing communications must state all significant limitations and qualifications. Qualifications can clarify but must not contradict the claims that they qualify.
- Marketing communications that are limited by time or space must include as much information about significant terms as practicable
- Online ads must direct consumers to a source where all the terms and conditions of the promotion are stated, which must be no further than one click away from the advertisement itself if the ad is limited by time and space.
- When anything “free” is advertised (i.e. free spins, free play etc.), the main terms and conditions and the commitments that customers must make to take advantage of such an offer must be stated in the advertisement itself.
- No advertising or other marketing information must appear on any primary web page/ screen, or micro-site providing advice or information on responsible gambling.
- All advertisements have to adhere to guidelines provided by VIPs Casino and the authorities.

7 Advertising Standards Authority (ASA)

The ASA is responsible for publishing marketing guidance for the gambling industry as well as dealing with complaints made against wrong/inappropriate advertising. The rules in this section apply to all marketing communications for gambling products.

Social responsibility and harm

The Code requires all gambling advertising to be socially responsible. Advertisers must respect the need to protect children, young persons and other vulnerable persons from being harmed or exploited by advertising that features or promotes gambling.

Children and young people

Marketing communications for gambling products must be socially responsible, with regards to the need to protect children, young persons and other vulnerable persons.

Advertisements must not exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable people and should not be likely to be of particular appeal to them. No-one who is, or seems to be, under 25 years old may be featured in gambling advertising.

Seduction, sexual success, enhanced attractiveness and personal qualities

Ads must never link gambling with seduction, sexual success or enhanced attractiveness. It is acceptable to feature attractive people in ads, as long as the ad as a whole does not link gambling with seduction, sexual success or enhanced attractiveness. Where characters in ads are treated with admiration by others as a result of their gambling, this can breach the Codes by linking gambling and enhanced attractiveness, improved self-image or self-esteem. Ads linking transformations of characters' appearance, image or other qualities after gambling can imply that gambling could result in enhanced attractiveness and an improvement in self-image.

Problem gambling behavior and taking priority and solving problems

Suggesting that gambling is a solution to debt and financial concerns or an alternative to employment is socially irresponsible and a breach of Social Responsibility rules. It is generally acceptable to show gambling as being important and interesting to characters, as long as it is not to the exclusion of other activities or interactions with people.

Misleadingness

Marketing communications must state all significant limitations and qualifications. These must always be prominently displayed with an advertised offer. Marketing communications that are limited by time/space must include as much information about significant terms as practicable; online ads must also direct consumers to a source where the full terms are stated, which must be no further than one click away from the ad.

In media where it would not be possible to immediately display the full terms, a prominent and clear direct link to the full terms of an offer must be included.

The following list contains significant conditions which are likely to apply to all promotions; these include:

- How to participate, including any costs or factors likely to influence consumers' understanding of the promotion;
- Any free entry route explanation;
- Start and closing date (if applicable);
- Any proof of purchase requirements;
- The nature and number of any prizes or gifts, or a reasonable estimate if the number cannot be determined;
- The existence of any restrictions or limitations, i.e. age, date or geographical restrictions;

- Any limitations of availability.
- Unless obvious, the promoter's name and address.

Vulnerability

Affiliates must consider if marketing campaigns might affect vulnerable groups, and ensure that communications do not contain content likely to cause harm. The ASA assesses marketing communications on a case-by-case basis. In line with the main focus of this guidance, certain marketing approaches are likely to have a disproportionate impact on problem gamblers and those at risk of problem gambling.

GambleAware defines problem gambling as:

"Behavior related to gambling which causes harm to the gambler and those around them. This may include family, friends and others who know them or care for them.

If someone is struggling to control their gambling behavior it can cause stress, depression, anxiety, or they may fall behind at work and worry about money. If someone's gambling is causing any of these effects, it is considered problem gambling."

The ASA will have regard to the vulnerability of particular groups when considering complaints. For instance, the evidence strongly suggests that younger men (aged 18-34) are at heightened risk of irresponsible gambling behavior. The ASA might consider that this factor is relevant when assessing complaints under rules such as 16.3.10 (gambling as a rite of passage) that are in large part focused on protecting younger people. At the same time, the ASA will have regard to vulnerabilities affecting individuals, groups of whom may be disproportionately represented in an audience. These include economic constraints, limitations on the capacity to understand information, mental health issues and engaging in riskier patterns of play.

Erroneous perception of risk and control

Marketing communications must avoid approaches that give erroneous perceptions of the level of risk involved or the extent of a gambler's control over a bet or gambling in general. Implying that an activity is without risk, portrayals of risk that are unrepresentative or placing undue emphasis on the extent of control afforded by a facility like 'cash-out' are likely to encourage gambling behavior that is socially irresponsible or could lead to financial, social or emotional harm. They would therefore breach these rules.

Impulsiveness and urgency

In order not to encourage irresponsible gambling behavior, marketing communications must not unduly pressure the audience to gamble, especially when gambling opportunities offered are subject to a significant time limitation.

Offers subject to significant time limits and promotions with short term expiry dates (whether linked to an external event or set by the operators themselves) should not be presented in such a way that creates an unjustifiable sense of urgency. In such instances, urgent calls to action (for instance, "Bet now"/"Deposit now") or creative approaches, such as those that place emphasis on time running out, are likely to be regarded by the ASA as a breach of these rules because they could pressure consumers into participating when they otherwise would not. Reminding

consumers that other time-limited promotional offers are due to expire is likely to be acceptable.

Trivialization

Affiliates must take care to avoid approaches that trivialize gambling and avoid the impression that the decision to gamble should be taken lightly. For example, they should:

- Not encourage repetitive or frequent participation;
- Not encourage people to gamble more than they otherwise would;
- Exercise caution when encouraging people to take advantage of promotions or opening accounts; and
- Not encourage people to spend more than they can afford.

Problem gambling behavior and other indicators

Marketing communications that portray individuals displaying problem gambling behaviors or other behavioral indicators linked to problem gambling are likely to be regarded by the ASA as a breach of the CAP Code rules. Direct problem gambling behaviors include chasing losses, losing track of time while gambling and protracted play. Other behaviors associated with people displaying or at risk from problem gambling include:

- Mood swings (including, highs and lows, irritability and shortness of temper);
- Manipulative, dishonest, disruptive, secretive or evasive behavior;
- Detachment from surroundings;
- Preoccupation with gambling;
- Isolating oneself from others or avoiding other activities to spend more time gambling.

8 Information Commissioner Officer

The ICO's PECR (Privacy and Electronic Communications Regulations) govern electronic marketing messages and contain specific rules on marketing calls, emails, texts and faxes.

Regulation 22 states that electronic marketing communications can only be sent to individuals who:

- Have specifically consented to receiving such communications (opt-in);
- Are existing customers who bought (or negotiated to buy) a similar product or service in the past, and have been given a simple way to opt out both when their details were first collected and in every message subsequently sent to them.

However, Social Responsibility code provision 5.1.11 states;

Unless expressly permitted by law consumers must not be contacted with direct electronic marketing without their informed and specific consent. Hence only customers who have chosen to receive marketing can be contacted with any marketing or promotional material. Please note

that an option box which is pre-selected to 'yes' does not satisfy the requirement for genuine consent.

Electronic marketing communications must also provide a valid contact address to customers, so they can opt out or unsubscribe.

This rule applies to emails, texts, picture messages, video messages, voicemails, direct messages via social media or any similar message that is stored electronically.

Additional points of consideration:

- Marketing databases must have been acquired lawfully, with specific and obvious content given to market the receiver of the correspondence.
- Self-excluded customers must be removed from all marketing databases immediately.
- Customers who choose to opt-out of marketing must be removed from the database with immediate effect.
- All marketing material must be clearly identifiable as such, and details of the marketer (the affiliate) must be clearly presented in the advert.

9 Essential tips to avoid non-compliant advertisement

Don't omit key information

All relevant information, including significant conditions to an offer, must be made clear in the ad itself. These should be stated close, or clearly linked, to the main claim.

Age restriction

The age restriction warning sign (+18) must always be displayed on all adverts, banners and campaigns.

Customer's benefit should be taken into consideration

Customers' level of gambling should be within proportion in terms of any offers/incentives available. Also, an opt out/unsubscribe option should be available for those who are not interested in emails, bonus or SMS offers.

Make sure terms about required deposits are clear

Pricing should relate to the offer advertised, and must include all non-optional charges/costs.

Make sure any qualifications and limitations are clear

Qualifying text (small print or footnotes) can be used to clarify a claim in an ad, but don't use it to hide important information or in a way that contradicts the headline claim.

Have the evidence to back up claims

Before the ad is run you should hold adequate evidence to support all objective claims or those that are capable of objective substantiation.

Always use prevalent terms in all ads

Significant terms must be included in all ads, and details of the main terms of any promo/campaign. All key terms and conditions should be directed to the full promotion T&Cs page.

All adverts should be socially responsible

No child or young person under 25 should be featured in any promotions as well as no indecent, pornographic and offensive materials. For i.e. while using social media to attract followers, all marketers must take reasonable steps in demonstrating that their ads would not be directed to those under 18.

10 Terms for advertisement with limited space and time

These are mandatory for all promo material.

Targeted players: i.e. New players only / Existing players only / Selected players only.

Deposit info: i.e. No deposit required / Min deposit £xx.

Info about offer and promo codes: i.e. 100% match on 1st deposit up to £xx etc / 1 Free Spin for every £1 deposited up to 50 / 10% cashback on losses up to £50 / Use code: xxxx.

Wagering requirements (if they apply): i.e. 35x Wagering requirement / No wagering on Free Spins.

Expiry information: i.e. 3-day expiry on Free Spins / Offer expires on DD.MM.YYYY.

Info about bet limitations: i.e. Min bet £xx / Max bet £xx when playing with a bonus etc.

Deposit and withdrawal info: i.e. £10 min deposit + 2.5% fee (min 50p) / £20 min withdrawal + £2.50 fee.

Game restrictions: i.e. Free spins on Starburst / selected games only etc.

Info about additional terms: i.e. Full terms apply.

Disclaimer: *VIPs Casino has collected the presented information following guidelines issued by the relevant authorities and regulations governing over online gambling and marketing. Any conflict between the information presented here, and that provided by the governing law, the governing law should prevail. It is your responsibility to ensure all marketing activities done by you in and on behalf of VIPs Casino are lawful. The present guidelines might not be updated at all times with the most recent and relevant information, if in doubt always check with VIPs Casino team.*