

# Code for the Quality Mark Responsible Affiliates

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## Table of contents

<b>Introduction</b> .....	3
The practices for a responsible Online Casino Affiliate .....	4
1. Contributing to channelling objectives: illegal offer .....	4
2. Responsible use of channels .....	4
3. Careful and balanced design of expressions.....	5
4. Preventing deception.....	5
5. Tailoring advertising to addiction prevention.....	5

## Introduction

The gambling market is highly regulated, strict requirements are set for providers of online games of chance (with a license). These requirements are elaborated in laws and regulations among which (but not limited to):

- The Gambling Act 2005;
- The Gambling Commission;
- The Policy Statement, Licensing, compliance and enforcement under the Gambling Act 2005;
- UK Code of Non-broadcasting Advertising and Direct & Promotional Marketing (CAP Code);
- The Gambling (Licensing and Advertising) Act 2014;
- The Licence Conditions and Code of Practice (LCCP).

It is up to providers to ensure compliance with these requirements: this applies to all applied acquisition tools.

Within the online casino industry, affiliate marketing is regularly used. This is also the case on the regulated market of the United Kingdom. A bottleneck in this is that it is (often) not possible for gambling providers to have control over the expressions of these 'online casino affiliates'. Although it is precisely the intention that the affiliate can post 'independent, objective' content, it is absolutely not the intention that the affiliate conducts advertising and recruitment activities for a gambling provider that are in violation of laws and regulations. **Creating trust as an affiliate (to the consumer, gambling provider, and regulator), in a verifiable way, is an obvious solution there.**

This 'Code for the Quality Mark Responsible Affiliates' describes various rules for online casino affiliates. This code is therefore an interpretation of the applicable laws and regulations, in a way that is applicable to the general working method of affiliates.

This code works according to a 'per website' principle: the quality mark is awarded to the offered website of an affiliate.

## The practices for a responsible Online Casino Affiliate

The practices described below are specifically aimed at online casino affiliates who focus on entering into partnerships with licensed gambling providers. The online casino affiliate is required to comply with *all* the points below.

### 1. Contributing to channelling objectives: illegal offer

- 1.1 On the channels used (of the affiliate; website(s), social media) only affiliate links are placed that refer to gambling providers with a valid license (on the basis of The Gambling Act 2005) of the Gambling Commission.<sup>1</sup>
- 1.2 Promotional texts about providers who do not (yet) have a license from the Gambling Commission, even if no affiliate links are placed, do not appear on the channels used. It is a promotional text if in any way the impression is created that it is 'a good idea' for the UK consumer to create/play with an account at the 'illegal' gambling provider, this includes in any case reviews, bonuses and showing advantages and disadvantages of the 'illegal' gambling provider. Names/descriptions of gambling providers without a license from the Gambling Commission can and may appear on the used channels (among others objective information/news items).
- 1.3 The affiliate will deal with this in a sensible and reasonable manner.

### 2. Responsible use of channels

- 2.1 When using social media (e.g. Facebook, Instagram), if the platform offers this possibility, it is required to use 'age targeting'. The affiliate will target advertisements and uploads to the age group 18+.
- 2.2 Ads/uploads on social media are marked with a clear 18+ characteristic that indicates that gambling should happen responsibly (for example 'Gambling can be addictive. Play responsibly 18+', 'Take time to think 18+' or 'Avoid Regrets, Stop In Time 18+'), in case of explicit advertising for games of chance.
- 2.3 If the social media platform offers this option, pixels/cookies are used in such a way that advertisements cannot be shown indefinitely.
- 2.4 In (paid) advertising via search engines, search terms that focus on vulnerable groups (consumers with an intellectual disability, consumers who have had an addiction to gambling in the past, and also minors) are excluded at all times.
- 2.5 The affiliate does not focus any expressions on the aforementioned vulnerable groups (website, social media).
- 2.6 Any email marketing is provided with an appropriate 18+ characteristic. Email marketing is only sent on the basis of consent and in the email marketing reference is made to the 'Responsible Gambling' page of the affiliate. Likewise, e-mail marketing is only sent when the recipient has given a double opt-in agreement and must include the possibility to withdraw consent.
- 2.7 Sponsor/influencer/advertising marketing: The affiliate will not use this form of marketing if the partner in question is, or gives the impression to be, under the age of 25, or behaves in an adolescent, juvenile or loutish way.
- 2.8 On every page of the website(s) of the affiliate there is always a clear and appropriate 18+ characteristic visible. The characteristic must be notable and discernible on every affiliate webpage. In any case, the size, font and colour of the characteristic are taken into account. The characteristic must be included in the footer and at the top of the website.
- 2.9 The affiliate provides an informative page about 'Responsible Gambling' which can be visited by reference (for example a hyperlink in the footer) from any webpage.

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1. *The links made available by the gambling provider after an agreement has been concluded between the affiliate and the provider. The link creates a connection between affiliate and player, on the basis of which the affiliate (via software made available by the gambling provider) receives a fee.*

### 3. Careful and balanced design of expressions

- 3.1 The affiliate ensures careful and balanced design of advertising and/or marketing expressions.
- 3.2 Consumers are never persuaded to make impulsive decisions to participate in games of chance – the affiliate will not create a strong sense of urgency in the consumer.
- 3.3 The affiliate will never use language or other means to incite or persuade the consumer to behave irresponsibly or impulsively in order to participate in games of chance in an irresponsible manner.
- 3.4 The affiliate will never promote games of chance as a solution to among others financial problems, personal problems, personal qualities (for example self-image or self-esteem) or public acceptance.
- 3.5 The affiliate will not promote gambling as a lifestyle. Also, consequences of excessive participation in games of chance are never downplayed.
- 3.6 The affiliate will never downplay any risk factors with regard to gambling addiction of the online game of chance in question.

### 4. Preventing deception

- 4.1 The affiliate ensures transparency and clarity when promoting products/services of a gambling provider and of the affiliate, including ancillary activities outside of recruitment and advertising activities for games of chance. In doing so, the affiliate does not paint an unrealistic/incorrect picture of products/services.
- 4.2 In case of direct marketing the affiliate needs to clearly state what data it collects, the basis of the collection of data and the rights of the persons from whom data is collected.
- 4.3 The affiliate clearly indicates the affiliate marketing activities on the website and used channels.
- 4.4 The affiliate never gives the impression that games of chance can be played at their website(s).
- 4.5 The affiliate never gives the impression that consumers in general can influence their odds of winning a game of chance offered by licensed gambling providers.
- 4.6 The affiliate never gives the impression that the consumer in general can influence their odds of winning a game of chance by, among other things, following a study, (online) course, training or using tools, tips or a step-by-step plan.

An exception applies to the aforementioned points above when there is a game of chance in which influencing the odds of winning is possible: poker for example.

### 5. Tailoring advertising to addiction prevention

- 5.1 The affiliate always has a findable page (for example a hyperlink in the footer) with information about the risks of gambling addiction, and tips in the context of 'Responsible Gambling'.
- 5.2 The affiliate offers sufficient information and resources in the context of 'Responsible Gambling' regarding obtaining information and help for gambling addiction.
- 5.3 The affiliate offers various third parties that provide further information and help regarding gambling addiction. The affiliate provides information and resources in regard to these third parties, the third parties include at least, one or more institutions for addiction care physically active in the United Kingdom, one or more online addiction care institutions, one or more institutions physically active in the United Kingdom for anonymous help with gambling addiction, one or more online institutions for anonymous help with gambling addiction and the website of the Gambling Commission.
- 5.4 On pages/social media uploads where the goal is prevention of gambling addiction, no hidden 'Call to actions' including advertising activities are placed that can lead to (give the urge to) the consumer participating in games of chance.