

Code for the Quality Mark Responsible Affiliates Belgium

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Introduction

The Belgian gambling and affiliate market are, as a whole tightly regulated and closely monitored, with strict requirements set forth by de Kansspelwet van 7 mei 1999 and the various regulations for providers of online games of chance (with a license). These requirements are elaborated in laws and regulations (described in original language) such as:

- De Belgische Kansspelcommissie (The Belgian Gaming Commission);
- Wet op de kansspelen, de kansspelinrichtingen en de bescherming van de spelers van 7 Mei 1999;
- Wet tot wijziging van de wetgeving inzake kansspelen van 10 januari 2010;
- Wet tot wijziging van de wet van 7 mei 1999 op de kansspelen, de kansspelinrichtingen en de bescherming van de spelers, wat de Kansspelcommissie betreft;
- Het Koninklijk besluit betreffende de voorwaarden voor het uitbaten van kansspelen en weddenschappen via informatiemaatschappij-instrumenten van 25 oktober 2018.

It is up to providers (providers of games of chance to players) to ensure 'compliance' with these requirements: this applies to all acquisition tools.

Affiliate marketing is regularly used within the online casino industry. This is also the case on the Belgian regulated market. A bottleneck in the affiliate market is that providers often do not have control over the expressions of these 'online casino affiliates'. Although it is precisely the intention that an affiliate can post independent and objective content, it is not the intention that the affiliate performs recruitment and advertising activities for a provider that is in violation of laws and regulations. The best solution is to create trust as an **affiliate (to the consumer, provider, and regulator), in a verifiable way**.

This 'Code for Belgian Quality Mark Responsible Affiliates' describes various practices 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 partnering with licensed gambling providers. The online casino affiliate is required to comply with all the practices described below.

1. Contributing to the legal gambling offer

- 1.1 On the channels used (of the affiliate; website(s), social media) only affiliate links are placed that refer to providers with a license (on the basis of de Kansspelwet van 7 mei 1999) of the Belgian Gaming Commission (the KSC).
- 1.2 Promotional texts regarding providers who do not (yet) have a license from the KSC, even if no affiliate links are placed, do not appear on the channels of the affiliate. A promotional text is a text that creates the impression that it is 'recommended' for a Belgian consumer to open or play with an account at an unlicensed (and therefore 'illegal') provider, this in any case includes showing the website and describing advantages and disadvantages of the 'illegal' provider. Names/descriptions of 'illegal' providers may appear on the channels used but only if these are objective considerations or news items that are not regarded as promotional texts.
- 1.3 The affiliate will deal with the casinos, offered on the website, in a sensible and reasonable manner.

2. Responsible use of channels

- 2.1 When using social media (including but not limited to Facebook, Instagram, Twitter and Snapchat), and the platform offers this possibility, affiliate will use 'age targeting'. The affiliate will target advertisements and uploads to the age group of 21+. The affiliate may target the age group of 18+ when the affiliate exclusively promotes/advertises bookmakers.
- 2.2 Ads/uploads on social media explicitly advertising games of chance are marked with the 18+ "Gok met mate!" characteristic.
- 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 who have had an addiction to gambling in the past, consumers that are excluded of participating in games of chance and minors) are excluded at all times.
- 2.5 The affiliate does not focus expressions on the aforementioned vulnerable groups (website, social media).
- 2.6 Any e-mail marketing is provided with the 18+ "Gok met mate!" 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.
- 2.7 Sponsor/Influencer marketing: The affiliate will not use this form of marketing if the partner in question clearly seems to focus on a target group under the age of 21.
- 2.8 On every page of the website(s) of the affiliate there is always a clear 18+ "Gok met mate!" characteristic visible. The characteristic must be clearly visible on every webpage of the affiliate. The visibility of the characteristic is among others determined by the size, color and placement.
- 2.9 The 18+ "Gok met mate!" characteristic must be included in the footer and at the top of the website, the affiliate may use a general characteristic at the top of the website such as 18+.
- 2.10 The affiliate provides an informative page about 'Responsible Gambling' which can be visited by reference (for example by placing a hyperlink in the footer) from any webpage.

3. Balanced advertising

- 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, affiliate will furthermore 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 Affiliate will never show specifics regarding bonuses or free participation of any kind regardless of the licensed state of the provider.
- 3.5 The affiliate will never promote games of chance as a solution to financial or personal problems.
- 3.6 The affiliate will not promote gambling as a lifestyle and will never downplay the consequences of intemperate participation in games of chance.
- 3.7 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 provider and of the affiliate, including 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 Affiliate will make a clear distinction between games of chance and betting, affiliate shall carefully consider statements to avoid confusion between the different methods of gambling. When advertising affiliate focusses on the age group of 21+, when promoting bookmakers the affiliate focusses on the age group of 18+.
- 4.3 The affiliate never gives the impression that games of chance can be played at the website(s) of the affiliate.
- 4.4 The affiliate never gives the impression that consumers can influence the outcomes of a game of chance offered by a provider by, among other things, following a study, taking a course (online), training or using tools, tips or by using a step-by-step plan.
- 4.5 The affiliate never suggests that winning only depends on the knowledge of the game.

An exception applies to 4.4 when there is a game of chance in which the outcome can be influenced by player behavior, a few examples are poker and blackjack.

5. Tailoring advertising to addiction prevention

- 5.1 The affiliate always has a findable page (included in the footer of each webpage) 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 help for gambling addiction, this information in any case entails information regarding responsible gambling behavior, the risks of gambling and gambling addiction, the possibility of self exclusion, the telephone helpline 0800 35 777 and various third parties that are able to help with gambling addiction.
- 5.3 On pages/social media uploads where the goal is addiction prevention, no hidden 'Call to Actions', including advertising activities, are placed that can lead to the consumer playing games of chance.