



HERO
GAMING

Marketing Guidelines
for marketing partners

1. General

The primary duty of gambling operators and any third-party marketing partners which we engage is to act socially responsibly and to ensure consumer fairness. We expect our marketing partners to take proactive and preemptive steps in identifying potential issues when creating and distributing sales promotions and advertisements.

These Guidelines specifically address legal and regulatory obligations and requirements that must be complied with, and which originate from several regulatory, legislative or industry standards, including without limitation (and as updated, amended or restated from time to time);

Great Britain Gambling Commission and advertising in UK

- (a) Licence Conditions and Code of Practice
- (b) Advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP)
- (c) The Gambling Industry Code for Socially Responsible Advertising
- (d) Consumer Protection from Unfair Trading Regulations
- (e) ASA Rulings
- (f) Gambling Commission Guidelines and Enforcement Publications

Sweden

- (a) The Swedish Gambling Act and subsidiary regulation
- (b) Notifications and clarifications of the Swedish Gambling Authority
- (c) Rulings of the Reklamombudsmannen and Konsumentverket

Malta Gaming Authority

- (a) Remote Gaming Regulations 2018 and subsidiary legalisation

All markets – Data Protection

Data Protection

- e-Privacy Directive
- The General Data Protection Regulation

2. General Principles

The following areas warrant particular attention and consideration when marketing gambling products:

- (a) Direct marketing shall only be sent to customer for which we have valid consent and whom are not excluded from gambling;
- (b) Sales promotions should always be clear and accurately advertised;
- (c) Adverts should not indirectly feature themes that link gambling to toughness, resilience and recklessness;
- (d) Adverts should not give the impression that gambling can be a main source of income or an answer to the payment of debts;

- (e) Always be aware as to the social responsibility, such as ensuring that adverts and promotions don't encourage gambling in ways that might harm or exploit children, young people or vulnerable adults.

3. Great Britain Guidelines

CAP and BCAP Requirements (as required via LCCP)

Marketing communications/advertising must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited. Additionally, marketing communications must not:

- (a) Portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm; condone or encourage criminal or anti-social behaviour;
- (b) Exploit young persons or other vulnerable people. Young persons and other vulnerable people should be protected from being harmed or exploited by gambling advertising. Breaches include portraying gambling as a solution to financial concerns and debt, linking gambling to alcohol consumption and showing problem gambling behaviours, such as solitary gambling or gambling taking priority in life;
- (c) Be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture. Gambling ads must not suggest peer pressure or gambling as a rite of passage;
- (d) Be directed at those aged below 18 years through the selection of media or context in which they appear;
- (e) Include a child or young person. No-one who is, or seems to be under 25 years old may be featured in gambling advertisements or promotions. No-one may behave in an adolescent, juvenile or loutish way. However, the restriction on allowing people who are, or seem to be, under 25 years old (i.e.: those in the 18-24 age bracket) to appear in marketing communications need not be applied. In the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not offend any other aspect of the advertising codes. In the case of remote gambling, provided that the images 'appear in a place where a bet can be placed directly through a transactional facility, for instance, a gambling operator's own website. The individual may only be used to illustrate specific betting selections where the individual is the subject of the bet offered. The image or other depiction used must show them in the context of the bet and not in a gambling context' (see 16.3.14 of the CAP code);
- (f) Be associated with youth culture: ads must not feature a character that particularly appeals to children, ads must not use cartoons or characters such as super heroes and celebrities popular with children. Use of cartoons might be acceptable if they are adult in nature, but there is also a risk of potentially appealing to underage persons if they are too childish in execution. In such cases, reasonable steps must be taken to prevent underage persons from viewing the ads (e.g. age gating of online ads);
- (g) Link gambling to seduction, sexual success or enhanced attractiveness. Attractive people can be featured in advertising, as long as the ad as a whole does not link gambling to seduction, sexual success or enhanced attractiveness. If characters being treated with admiration as a result of gambling are shown in the ad, this may be seen as a breach by linking gambling to enhanced attractiveness. Most investigations into such breaches included cases of ads referencing fame, being special or VIP status. Transformation of a character's appearance as a result of gambling is also a breach;
- (h) Portray gambling in a context of toughness or link it to resilience or recklessness;

- (i) Suggest that gambling can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration;
- (j) Exploit cultural beliefs or traditions about gambling or luck. Cultural symbols and systems such as horoscopes, should not be used in ads, if those symbols related to an existing, strongly and communally held belief. The rules would not apply to references to symbols or obsolete superstitions that are unlikely to be taken seriously, such as a clover leaf;
- (k) Suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression;
- (l) Suggest that gambling can be a solution for financial concerns, an alternative to employment or a way to achieve financial security;
- (m) Portray gambling as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments. Gambling ads may show gambling as being interesting to characters, as long as it is not to the exclusion of other activities or interactions with people;
- (n) Condone or feature gambling in a working environment;
- (o) Suggest that solitary gambling is preferable to social gambling. Featuring solitary gambling online in ads is permitted, as long as it is not suggested that it is preferable in contrast with social gambling. An ad featuring an adult losing track of time, retreating into a private fantasy or engaging in secretive gambling would breach the CAP and BCAP codes;
- (p) Describe a product as being “free”, “gratis”, “without charge” or similar, if the consumer has to pay anything other than the unavoidable cost of responding and collecting or paying for delivery of the item. Marketing communications must make clear the extent of the commitment the consumer must make to take advantage of a “free” offer. Marketing communications must state significant limitations or qualifications. Qualifications cannot contradict the claims that they qualify;
- (q) Promote an offer of a “free bet” or “risk free bets” without mentioning the significant conditions that relate to the offer in the ad itself. Ads of such nature must not be in any way misleading. Players must not be misled by omission of stating within the ad itself what commitments players need to make in order to take advantage of the offer. If ad is limited by time or space, significant conditions must be stated within the ad itself and full T&Cs should not be further than one click away. Terms and conditions which can be judged as significant and likely to affect a player’s decision to participate in the offer include, without limitation:

In relation to “free bets”:

- Requiring players to deposit the same amount of their own money as the “free bet” in order to take advantage of the offer;
- Requiring players to bet their initial deposit;
- Requiring players to match the free bet amounts on a certain number of occasions before they are able to withdraw any cash winnings from their account;
- Imposing time limits in which bets must be made before winnings are forfeited;
- Preventing consumers from being able to withdraw any of their own funds deposited into their account until they have placed bets totalling a certain number of times the value of the “free bet”;

In relation to “risk free bets”:

- Requiring customers to deposit and bet their own money
- Providing the “risk free bet” as a refund only available to qualifying customers
- Refunding deposits only as bonus funds that cannot be withdrawn in cash
- Requiring bonus amounts to be wagered a certain number of times before any winnings can be withdrawn as cash

4. Sweden Guidelines

Moderation

The marketing must be moderate. Moderation can refer to the content the volume of marketing, the timing of marketing and the fairness of the terms.

Specifically, marketing **may not**:

- (a) contain statements that gambling may be a solution to financial problems, an alternative to employment or a means to make a living or create financial stability.
- (b) contain statements that gambling could be a solution to social, personal or professional problems.
- (c) portray gambling as necessary or a priority in life.
- (d) portray gambling as a means to reach social success.
- (e) imply that the player's attraction increases in a way that leads to sexual success.
- (f) contain statements that gambling results in or adds to personal qualities (such as increased self-esteem or strength).
- (g) contain statement that's that discourages or undermines retrained gambling.
- (h) encourage a player to lie about its gambling, borrow money for its gambling, thinks more about its gambling that it wants to or spends more time and money on its gambling than it wants to.
- (i) encourage the player to chase, or compensate for, previous losses.
- (j) encourage the player to gamble with money that the player cannot spare.
- (k) encourage criminal or anti-social behavior
- (l) imply that the chances of winning are affected by superstition.
- (m) refer to stereotypical views about gender differences
- (n) include alcohol.

Not misleading

The marketing must always be true, clear and not misleading in any way.

Specifically, marketing **may not**:

- (a) claim or imply that gambling is risk free or that there are products which cannot lead to problematic gambling.
- (b) contain incorrect information about the size of wins.
- (c) inflate the chances of winning.

Specifically, marketing **should**:

- (a) Contain a one-click link to applicable terms and conditions.
- (d) Clearly identify the relevant Hero Gaming Company as the operator on whose behalf the marketing is carried out,
- (c) For any "native" content (influencers etc.), be marked as an advertisement.

No targeting of minors

Marketing may not target minors.

- (a) Marketing may not appeal to minors specifically by way of example through choice of music, environment, characters or media channels.
- (b) Marketing must clearly be labelled 18+.

- (c) Marketing may not use the inexperience or lack of knowledge among minors or imply that gambling is part of the transition into adulthood.
- (d) Marketing may not include images with minors in the material.

No direct marketing

Marketing via email and SMS is NOT allowed without prior approval. For any approved email and SMS marketing the following applies.

- (a) Marketing may not be sent via email or text to an individual which has not consented to receive the communication.
- (b) Marketing must include an opt out link and any opt outs must be respected.
- (c) Marketing may not be sent to anyone who has registered with spelpaus.nu.

Specific prohibited statements:

In addition, and as further guidance connected to the rules above, the following statements are specifically prohibited. Please note that this is not an exhaustive list and any third-party marketing partners are expected to keep abreast of regulatory developments in relation to what statements can be made.

- (a) Any references to “no account”, “no registration” or similar.
- (b) Any references to speed or specific time references in relation to deposits or withdrawals.
- (c) Any urging statements such as “play now” or “play immediately”.

Bonus

Bonuses must only be available to customers upon acquisition of the customer (“Welcome Bonuses” only) and Welcome Bonuses must be available to all persons on the same terms.

5. Malta Guidelines

Marketing and advertising of the gaming service must be fair and must include relevant information on who is advertising the service and that player must be over 18.

6. Inclusion of Socially Responsible Information

In all markets - no marketing communications must be sent to players which do not include information on responsible gaming and what help is available to players who may be experiencing gambling problems.

Great Britain This can be achieved either by inclusion of text in the footers or end notes of the marketing communications (emails, newsletters, social media posts, print advertising, banners, etc.) or by making available a logo and a link to one or two gambling counselling organisations for Great Britain customers (GambleAware or GamCare for Great Britain) and a logo stating that gambling can be addictive and players should play responsibly. These should be prominently displayed (fonts should not be lower and barely visible, information should not be visible only after actively scrolling down, etc).



Sweden Must include 18+ sign and include link to www.stodlinjen.se where customers are able to take a test identifying gambling problems.

All gambling advertisements should contain a warning about the fact that underage gambling is illegal. All responsible gambling pages on our websites must be free from other incentives to gamble. Thus, no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/ screen, or micro site that provides advice or information on responsible gambling.

7. Guidelines for the Marketing of Free Bets and Bonus Offers

Misleading sales promotions have consistently been the most prevalent issue in gambling ads since they have been found in breach of the rules, and may have a potential to mislead, and appeal to younger adults. This therefore requires that the terms and conditions for bonus offers should be easily accessible on the site and must also be clearly defined to the player. There are concerns about these types of promotions both in terms of their potential to mislead, and also in terms of their general social influence. At Hero we aim to make our incentives as clear as possible in terms of what the offer contains and the desired actions the customer must take in order to obtain it. An example being differentiating the term used for promotional spins between free spins (in which the customer does not have to deposit, in order to unlock the valuable) and bonus spins (where e.g. a deposit is required to unlock the valuable). All operators and respective affiliates must assure that the availability of incentive or reward or other arrangements by which the customer potentially receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:

- (a) Incentive or reward schemes should only be offered whereby the benefit available is proportionate to the type and level of customers' gambling;
- (b) The circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
- (c) Neither the receipt nor the value or amount of the benefit is:
 - a. dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
 - b. altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
- (d) if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases.

Where space is available, marketing communications must state significant limitations and qualifications. Qualifications may clarify but must not contradict the claims that they qualify.

Marketing communications that include a promotion and are significantly limited by time or space must include as much information about significant conditions as practicable and must direct consumers clearly to an easily accessible alternative source where all the significant conditions of the promotion are prominently stated.

Participants should be able to retain those conditions or easily access them throughout the promotion.

Terms and conditions relating to consumers' understanding of an offer and of the commitments that they have to make in order to take advantage of such an offer should generally be stated in the advertisement itself. Where the advertisement is limited by time or space (for example a banner advertisement), significant conditions likely to affect a consumer's decision to participate in promotions should be displayed no further than one click away from the advertisement itself. If the significant conditions are not displayed with sufficient prominence, the advertisement will be seen as misleading / unfair to the consumer.

Examples where a free bet or bonus offer potentially will be non-compliant include:

- (a) The promotion does not provide supporting information on the terms and conditions of the offer or provides it with insufficient prominence for example only visible once scrolled down;
- (b) When clicked, advertising banners take a customer direct to the join or login section of the website, without providing terms and conditions of the offer;
- (c) Significant information may only be available 'below the fold' on a web page or email and a customer may only be aware that terms and conditions apply if they actively scroll to the end of a webpage or similar.

8. Direct Marketing Guidelines

Self-Excluded Players

Players who have self-excluded will not receive direct marketing. Upon self-exclusion, the players account will be flagged as closed / inactive and the direct marketing system is configured to automatically disregard all inactive accounts when sending marketing materials. In the event that any error is received in the use of this system this must be immediately reported to compliance whom can conduct an incident assessment and proactively report the incident to the relevant regulators.

Consent

Direct marketing must not be sent to players for whom we do not have consent. Consent is obtained from players a registration, Players are able to withdraw consent by clicking on "unsubscribe" links in emails in their account at any time. Hero must not contact customers with direct electronic marketing without their informed and specific consent. Hero ensure that customers are removed from direct marketing databases using an automated system which does not market to customers whom have not given or whom have withdrawn consent. In the event that any error is received in the use of this system this must be immediately reported to compliance whom can conduct an incident assessment and proactively report the incident to the relevant regulators.

9. Social media

Alongside the general guidelines, the following guidelines apply

- (a) social responsibility requirements and age requirements on consumer-facing marketing content on YouTube channels must be followed.
- (b) Twitter age-screening function must be used;

(c) age restriction shall apply to all direct marketing video uploads to YouTube. This can be done simply by 'checking' the age restriction option when uploading content via: <https://support.google.com/youtube/answers/2950063?rd=1>

More generally, it is understood that the new codes on social media intend, in co-operation with the industry and other stakeholders, to undertake further work to ensure that under-18s are suitably protected when using social media.