

DEUTSCHER WERBERAT

GERMAN ADVERTISING STANDARDS COUNCIL CODE OF CONDUCT ON COMMERCIAL COMMUNICATION FOR GAMBLING

(February 2012)

Definitions:

For the purposes of this code of conduct:

- Gambling means any game of chance where in the context of a game a fee must be paid to acquire a chance to win and the determination of the winnings is entirely or predominately a matter of chance.
- Commercial communication is the use of any communication instrument by a business enterprise with the primary objective of promoting the sale of goods or services, excluding editorial content.

Preamble

The members of the German Advertising Federation (*Zentralverband der deutschen Werbewirtschaft/ZAW*), are of the firm opinion that:

- Commercial communication is of fundamental importance to free and fair competition.
- Most gamblers in Germany take part responsibly in gambling.
- Advertising for lawful gambling is indispensable in order to channel participants to a protected and safe market.

Pathological gambling can have serious consequences for the individuals concerned, their surroundings and society as a whole. Recognising this fact, the gambling enterprises organised in ZAW undertake to shape commercial communication for their products in such a way that it does not promote problematic gambling behaviour. In accepting this obligation, gambling operators wish:

- To prevent representations and claims made in commercial communication for their offerings from being misconstrued as promoting problematic gambling behaviour.
- To prevent commercial communication for their offerings from being addressed at minors.
- To promote compliance and combat noncompliance with these principles.

In cooperation with the German Advertising Federation (ZAW), gambling operators have therefore drawn up the following Rules of Conduct on Commercial Communication for Gambling. Organisation of the complaints procedure to ensure compliance with this Code



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and the assessment of complaints are the responsibility of the German Advertising Standards Council.

1. Responsibility towards consumers

Commercial communication for gambling shall not:

- 1.1. Address consumers in an inappropriate manner. In particular, mental or physical weaknesses, age, lack of business acumen, gullibility or financial or social predicaments shall not be exploited.
- 1.2. Contain untrue or misleading statements, in particular concerning the size and probability of winnings and the terms and conditions of participation.
- 1.3. Suggest that problematic gambling behaviour can be ruled out by reference to specific gambling offerings or especially small stakes.
- 1.4. Encourage consumers to regain losses or reinvest winnings.
- 1.5. Give the impression of financial difficulties being solved by gambling.
- 1.6. Contain representations and claims that are capable of imparting problematic gambling behaviour and in particular gambling behaviour that is excessive from a financial or social point of view, or that are capable of inciting such behaviour or of making such behaviour appear acceptable.

2. Social conduct

Commercial communication for gambling shall not:

- 2.1. Suggest that gambling can counter disorders and/or psychosocial conflicts, in particular fear or loneliness.
- 2.2. Present abstinence from gambling in a poor light.
- 2.3. Present participation in gambling as an important part of an individual's personal lifestyle, as a substitute for social encounters or as a solution to social problems.
- 2.4. Suggest that participation in gambling is conducive to social success and in particular that it contributes towards improving an individual's reputation or personal attractiveness.
- 2.5. Promote or tacitly tolerate punishable or unlawful conduct.

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3. Minors

Commercial communication for gambling shall not:

- 3.1 Incite minors to participate in gambling or show minors in the act of gambling. No use shall be made of representations or claims of special appeal to minors.
- 3.2 Be conveyed by media the majority of whose editorial content addresses minors.
- 3.3 Be shown on sports kits worn by sports teams comprising minors or conveyed in advertising and sponsoring campaigns that are directly related to minors.
- 3.4 Depict individuals other than those who are and give the impression of being at least young adults.