

Guidance on the rules for gambling advertisements

1. Background

1.1 CAP offers guidance on the interpretation of the British Code of Advertising, Sales Promotions and Direct Marketing (the CAP Code), in relation to non-broadcast marketing communications, and BCAP on the interpretation of its Radio Advertising Standards Code and TV Advertising Standards Code. CAP and BCAP Guidance is intended to help advertisers, agencies and media owners interpret the Codes but is not a substitute for those Codes. Guidance reflects CAP or BCAP's intended effect of the Codes but neither constitutes new rules nor binds the ASA Councils in the event of a complaint about an advertisement that follows it.

For pre-publication advice on specific non-broadcast advertisements, consult the CAP Copy Advice team by telephone on 020 7492 2100, by fax on 020 7404 3404 or by e-mail on copyadvice@cap.org.uk. For advice on specific radio advertisements, consult the Radio Advertising Clearance Centre (RACC), www.racc.co.uk and for TV advertisements, Clearcast, www.clearcast.co.uk.

1.2 CAP and BCAP introduced rules on gambling advertisements on 1 September 2007.

1.3 This Guidance is published in response to requests for guidance on three of the rules that feature in the TV, Radio and CAP Codes. A single set of guidance is likely to be of most benefit to advertisers, agencies and media owners.

2. Rules and guidance

2.1 Escape from problems

Clause 57.4 (c) of the CAP Code states:

Marketing communications should not suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression;

Rule 11.10.1 of the BCAP Television Advertising Standards Code and Section 3 rule 21.2 (c) of the BCAP Radio Advertising Standards Code state:

Advertisements for gambling must not suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression.

Guidance

Advertisements should not suggest that gambling can alleviate mental distress and should avoid portraying extreme contrasts in emotion before and after gambling. Advertisements may, however, feature someone in a state of excitement after a win or disappointed after a loss and may suggest that, enjoyed responsibly as a leisure activity, gambling can help relieve boredom.

2.2 Solitary gambling

Clause 57.4 (k) of the CAP Code states:

marketing communications should not suggest that solitary gambling is preferable to social gambling;

Rule 11.10.1 (j) of the BCAP Television Advertising Standards Code and Section 3 rule 21.2 (k) of the BCAP Radio Advertising Standards Code state:

advertisements must not suggest that solitary gambling is preferable to social gambling.

Guidance

These rules are not intended to prevent the depiction of solitary gambling online: they address concerns about people gambling alone. An advertisement that contrasts solitary gambling favourably with social gambling is likely to fall foul of this rule. A gambling advertisement that features an adult losing track of time, shunning the company of others, retreating into private fantasy or engaging in secretive gambling is likely to breach the general principle of the Codes that advertisements should not portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.

2.3 Cultural beliefs or traditions about gambling or luck

Clause 57.4 (q) of the CAP Code states:

marketing communications should not exploit cultural beliefs or traditions about gambling or luck.

Rule 11.10.2 (f) of the BCAP Television Advertising Standards Code and Section 3 rule 21.2 (l) of the BCAP Radio Advertising Standards Code state:

Advertisements for gambling products must not exploit cultural beliefs or traditions about gambling or luck.

Guidance

Advertisements should avoid the use of cultural symbols and systems such as horoscopes if those symbols relate to an existing, strongly and communally held belief. These rules are not intended to prevent references to symbols or obsolete superstitions that are unlikely to be taken seriously, such as a clover leaf.