

## Executive summary

### *Scope*

[EASA](#), the European Advertising Standards Alliance<sup>1</sup>, has been mandated by the European Gaming and Betting Association<sup>2</sup> ([EGBA](#)) to conduct a gap analysis exercise, with the aim to provide an overview of the gambling advertising landscape<sup>3</sup> in 15 markets across Europe<sup>4</sup> and to assess how the EGBA Code of Conduct on Responsible Advertising for Online Gambling ([the Code](#)) fits in comparison with the applicable regulatory and self-regulatory rules in these 15 markets<sup>5</sup>.

The Code was developed by EGBA and includes the first pan-European measures for responsible advertising for online gambling. The Code is broad in scope and introduces essential standards for advertising content, across all (online) media platforms, and dedicated measures for social media. The Code has a particular focus on minors' protection. EGBA consulted with EASA for advice on its Code of conduct. This in no way implies that EASA or its self-regulatory network endorse in any form the Code, which remains under EGBA's responsibility.

Self-regulatory organisations (SROs) completed a survey to identify the national legislative and self-regulatory frameworks for gambling advertising and compare them with the Code. The survey's questions also focused on minors' protection, advertising on social media, and complaints handling. The SROs also gave recommendations about the potential implementation of the Code on a national level.

Responsible advertising is an important topic in the political debate in many of these countries. Consequently, the efforts of EGBA to set up a new Code of Conduct sparked positive reactions.

### *Summary of findings*

#### *Legal & Self-Regulatory Framework*

Gambling advertising is regulated to some degree by law in all 15 countries reviewed. Legislation and self-regulation co-exist in 12 countries, while 3 SROs do not have any specific self-regulatory measures on gambling. In Bulgaria and Italy there is a complete ban on gambling advertising covering all media, while in four countries restrictions on the content of gambling advertising were found to not be equally applicable to different media platforms. In one instance, when watersheds on gambling ads were applied, this caused a saturation, giving the impression of an excessive volume of gambling ads.

#### *Minors*

From the 15 countries reviewed, only 6 have specific legislative rules for protecting minors from viewing gambling advertisements, and/or from accessing gambling websites, and/or from featuring in such ads. In 5 countries, there are no legislative or specific self-regulatory rules on gambling advertising to protect minors. Moreover, 3 countries have only self-regulatory rules, with one country enforcing the SRO's rules on minors' protection from gambling advertising. The Code includes

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<sup>1</sup> The European Advertising Standards Alliance (EASA) is the single authoritative voice of advertising self-regulation in Europe. EASA promotes high ethical standards in commercial communications by means of effective self-regulation for the benefit of consumers and business.

<sup>2</sup> The European Gaming and Betting Association (EGBA) is the Brussels-based industry body representing the leading online gaming and betting operators established, licensed and regulated within the EU. EGBA promotes the creation of a safe and reliable European digital environment for online gambling players.

<sup>3</sup> Advertising of online and offline operators.

<sup>4</sup> Belgium, Greece, Poland, Bulgaria, Hungary, Romania, Czech Republic, Ireland, Spain, France, Italy, Sweden, Germany, Netherlands, United Kingdom.

dedicated rules, which, in certain countries, could benefit the frameworks for the protection of minors.

#### Social Media

Only 2 of the 15 countries reviewed have specific requirements for gambling advertising on social media. The other 13 countries have general and not gambling-specific advertising self-regulatory requirements covering all online media platforms. EGBA's code could thus provide specific rules for gambling advertising on social media in countries where such rules do not yet exist.

#### Consumer complaints

The self-regulatory organisations of the countries reviewed were asked to indicate the main issues concerning gambling advertising that customers complain about the most. The topic consumers complain about most is clarity on bonuses and the conditions to obtain them. Furthermore, an issue present across different countries is the display of gambling as a lifestyle and as a means to solve potential financial problems.

#### EGBA Code vs. SRO Codes & Laws

The Code was found to be broadly consistent and congruent with national requirements on gambling advertising. In some of the countries the Code was found to be overall stricter than the applicable national provisions and some parts of the Code were judged as being more specific in comparison with existing national legal or self-regulatory requirements. For example, 11 countries do not have any dedicated measures for sponsorship and in 5 countries responsible gambling messages are not required. In other instances, legal and self-regulatory frameworks were found to be stricter than the Code, for example by including stricter provisions on bonuses and the content of ads, and additional provisions on the protection of vulnerable groups, other than minors.

#### Implementation

Implementation of the Code should be done primarily via the national SROs, following a dialogue to be established between SROs and EGBA, its members and/or national gambling associations. Given the local regulatory and self-regulatory context, the Code could be implemented in 9 of 15 countries reviewed by working with the local industry representatives in amending the local gambling code to include EGBA's provisions. The adoption of the Code in the local self-regulatory system would often infer membership in the SRO under the local applicable rules.