

NOTE

This is the commentary extracted from the Advertising Code for Online Games of Chance (ROK) article 6.5 (d) that discusses reach among minors and young adults. Full code linked below (EN)

<https://www.reclamecode.nl/nrc/advertising-code-for-online-games-of-chance/?lang=en>

The reach among minors and young adults is discussed for the first time in this Article 6.5 sub (d). That reach also plays a role in respect of Article 9.3.

This article prohibits using a role model who has a certain reach among minors and young adults. The reasoning behind this is that a role model who has extensive reach among that group is more appealing to that group than one with less reach. An advertiser who uses a role model with extensive reach among minors and young adults creates the suspicion that they are targeting that group. In that sense, the actual reach and the targeting overlap.

Reach is also discussed in Article 9 paragraph 3 of the ROK. That article concerns the reach of the specific advertising. That reach is used to clarify the vague criterion of “targeting”.

In principle, reach is defined here as: the sum of all persons who are “exposed” to the role model at least once via owned and earned media, per type of media, in the past three months.

The premise of the ROK is that if reach exists among minors and young adults that exceeds 25% of the total reach, minors and young adults are deemed to be targeted. The reasoning behind this is that “targeting” means that the advertising is more appealing to a specific group than it is to society as a whole. That extensive appeal then leads to a relatively higher percentage among that group. This separates the term “targeting” from the intention of the party who is advertised, therewith objectifying it. This reach therefore plays an important part in this article in determining whether a role model may be used, and in Article 9 paragraph 3 ROK in answering the question of whether the advertising concerned is targeted.

For the sake of clarity: the limit imposed on the reach among minors and young adults is a separate requirement. Substantive requirements also apply to the advertising itself, of course.

The percentage of 25% was determined by looking at the percentage of minors and young adults among the entire population of the Netherlands. According to Statistics Netherlands, in 2020 they constituted 28% of the population. If a role model or an advertisement has less reach among minors and young adults, it can be concluded that this group is not being targeted.

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