

Spain: Gambling Advertising Code of Conduct

Full title of Code

Code of Conduct for Commercial Communication of Gambling Activities (*Código de conducta sobre comunicaciones comerciales de las actividades de juego*) 2012; amended 2013 and 2019.

Amended by the Joint Committee for Monitoring of the Code, in force 20th May 2013. Amended again 2019, in force 15 January 2020, articles 6.15 and 7.2, 7.3.

Two agreements signed by Autocontrol:

Agreement¹ with the Directorate General of Gambling Regulation (DGOJ - *Dirección General de Ordenación del Juego*) from the Economy and Finance Ministry² to co-regulate the advertising, sponsorship and promotion of gambling activities (November 2011).

Agreement for the establishment of a code of Conduct for Commercial Communication of Gambling Activities signed with the Directorate-General of Gambling Regulation (DGOJ); the audiovisual authority at the time - Telecommunications and Information Society State Department (SETSI - *Secretaría de Estado de Telecomunicaciones y para la Sociedad de la Información*), now the National Commission of Markets and Competition (*Comisión Nacional de los Mercados y la Competencia* - CNMC); and Gambling Operators (June 2012)

List of companies bound by the Code:

http://www.autocontrol.es/pdfs/LISTADO_ENTIDADES_ADHERIDAS_C%C3%93DIGO_JUEGO.pdf

INTRODUCTION

Within the scope of gambling activities, the legal provision for signing co-regulatory agreements and the promotion of self-regulatory systems, which includes codes of conduct for matters concerning advertising, promotion and sponsorship, is found in Articles 24.5 and 7.4 of Law 13/2011, of 27 May, on the regulation of gaming, developed in accordance with regulations in additional provision seven of RD 1614/2011³, of 14 November. Likewise, insofar as the

¹ In English: <http://www.gregsregs.com/downloads/SPGamblingCo-RegAgreementDGOJeng.pdf>

² now Ministry of Finance and Public Administrations (*Ministerio de Hacienda y Administraciones Públicas*)

³ In English: http://www.gregsregs.com/downloads/SPGamblingRD1614_2011.pdf

⁴ <http://www.autocontrol.es/pdfs/Code%20of%20Advertising%20Practice%20English%20Version.pdf>

⁵ <http://www.iccwbo.org/advocacy-codes-and-rules/document-centre/2011/advertising-and-marketing->

² now Ministry of Finance and Public Administrations (*Ministerio de Hacienda y Administraciones Públicas*)

³ In English: http://www.gregsregs.com/downloads/SPGamblingRD1614_2011.pdf

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audiovisual media service providers will disseminate a significant part of these commercial communications, it must be pointed out that Article 12 of Law 7/2010, of 31 March, the General Law on Audiovisual Communication, also establishes the right to self-regulation by means of approving codes which regulate audiovisual communication content and the regulations for professional diligence required for carrying it out. On the other hand, note that the co-regulatory Agreement between the Directorate General for the Regulation of Gambling (DGOJ) of the Ministry of Economy and Finance (*Ministerio de Economía y Hacienda*) – now Ministry of Finance and Public Administrations (*Ministerio de Hacienda y Administraciones Públicas*), and Autocontrol, on matters related to advertising, sponsoring and promoting gambling activities, signed on 17 November 2011, under the scope of the previously mentioned Article 24.5 of Law 13/2011, by virtue of which the DGOJ recognises and supports the self-regulatory system used by Autocontrol, and establishes mechanisms for mutual collaboration between the same, in order to contribute towards improving the development of gambling advertisements to the benefit of consumers and users, and the sector itself.

Finally, and continuing with the line marked by the aforementioned co-regulation Agreement, this Code of Conduct has been drawn up with a basic aim: to protect consumers within the scope of commercial communications related to gambling, paying special attention to minors and other vulnerable people or groups included within responsible gaming policy framework.

SCOPE OF APPLICATION

This Code shall apply to all advertisements, promotion, sponsorship and any other form of commercial communication disseminated in Spain, of any type of gambling activity regulated in Law 13/2011, of 27 May, on the regulation of gambling, including the promotion of companies, brands and events carried out by companies or bodies bound to the Code.

Within the scope of this Code, commercial communication means any form of visual, verbal, audio or written communication, disseminated by a service provider of audiovisual or electronic communication, media or information society service, including websites or other information society services, or by any other advertising vehicle with a corresponding (financial) consideration, intended to promote, either directly or indirectly, games of luck or chance (i.e. gambling), or the advertisements or promotion of gambling operators. In all cases, the following will be considered forms of commercial communication: the advertising message, sponsorship, tele-shopping, product placement and tele-promotions. Likewise, self-promotion is also included within the scope of application of this Code. For all matters not regulated in this Code, it shall be necessary to apply Autocontrol's Advertising Code of Practice⁴ and, secondarily, whatever does not conflict with the provisions in this Code, the consolidated ICC Code of Advertising and Marketing Communication Practice (2011)⁵ (abbrev.

⁴ <http://www.autocontrol.es/pdfs/Code%20of%20Advertising%20Practice%20English%20Version.pdf>

⁵ [http://www.iccwbo.org/advocacy-codes-and-rules/document-centre/2011/advertising-and-marketing-communication-practice-\(consolidated-icc-code\)/](http://www.iccwbo.org/advocacy-codes-and-rules/document-centre/2011/advertising-and-marketing-communication-practice-(consolidated-icc-code)/)

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ICC Code)	
ETHICAL STANDARDS	
1. Principle of Legality	<p>Commercial communications related to gambling or gambling operators shall comply with the legislation in force, whatever their content, advertising medium or form they take, and in no case should they encourage the violation of the applicable legislation.</p> <p>Without being exhaustive, in addition to the provisions on advertising, promotion and sponsorship of gambling activities contained in Law 13/2011 of 27 May and its implementing regulations, should be included the General Advertising Act 34/1988, of 11 November; Law 3/1991, of January, on Unfair Competition, as well as any other regulations related to the sector, depending on the advertising/ dissemination medium used, such as General Law 7/2010, on Audio-visual Communication, or Law 34/2002, of 11 July, on Information Society Services and Electronic Commerce.</p>
2. Principle of good faith	Commercial communications related to gambling activities or gambling operators shall abide by the requirements of good faith and good business practices, whatever their content, the dissemination method or form they adopt/ take.
3. Principle of identification	Commercial communications shall be easily identifiable and clearly recognisable as such.
4. Principle of Truth	<p>4.1. Commercial communications must be truthful. Therefore, they cannot mislead their audience, nor can they omit or hide important data if such omission is liable to mislead its audience.</p> <p>4.2. If the gambling activity is advertised or promoted by an advertiser other than the operator, the former must inform clearly of this matter and provide the identity of the licensed operator running the gambling activity.</p> <p>4.3. Commercial communications and self-promotions must include all the essential elements of the terms and conditions of the bonuses or promotions, being understood as essential those that directly affect the validity of the offer, the redemption of said bonuses and any winnings, among others: terms for bonus redemption terms if they apply, other relevant amounts (for example, minimum deposit required), minimum stake, number of times that the amount has to be placed and, where appropriate, any limits on the amount released (e.g.: maximum amount, discount of the amount of bonus, etc.).</p> <p>In those advertising spaces which, due to their size or capacity, it is not possible to include the aforementioned information, the provisions of the current official position of the Directorate General of Gambling Regulation will at all times be fulfilled.</p>
5. Principle of Social Responsibility	Commercial communications related to gambling activities will be made with a sense of social responsibility and, as a consequence, all commercial communications or self-promotions will be not be permitted to:

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- 5.1. Directly or indirectly incite antisocial or violent behaviour.
 - 5.2. Promote unauthorised forms or types of gambling activities or encourage the development / carrying out of gambling activities by those who have not obtained the corresponding license.
 - 5.3. Depict, endorse or encourage socially irresponsible gambling behaviour, as well as conduct giving rise to (that leads to) economic, social or emotional damage.
 - 5.4. Feature/ provide messages that can devalue effort, work or study in comparison with gambling
 - 5.5. Convey tolerance in regard to gambling in working environments/ the workplace.
 - 5.6. Suggest that gambling can improve personal skills or enhance social recognition (status/ social standing).
 - 5.7. Include sexual content or link/ associate gambling to seduction, sexual success or increased physical attraction.
 - 5.8. Present gambling as an essential or fundamental aspect of life.
 - 5.9. Exert peer pressure to gamble or belittle/ denigrate abstinence from gambling.
 - 5.10. Present family or social relationships as secondary to gambling.
 - 5.11. Denigrate people who do not play or, conversely, depict those who do gamble as being socially superior.
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6. Principles of responsible gambling

Gambling activities must be undertaken/ carried out in a responsible manner. Therefore, commercial communications and self-promotions will respect the following principles:

- 6.1. Prohibition of commercial communications or self-promotions that encourages addictive or pathological gambling.
 - 6.2. Obligation to include a message reminding the public about social responsibility or the fight against addiction, adapted to the medium or service provider that disseminates the commercial communication and appropriate for the type or form of gambling activity. In this regard, guidelines will be agreed for complying with this obligation.
 - 6.3. Prohibition of commercial communications or self-promotions that exploit suffering or suggest that gambling enables players to escape from personal, professional or educational problems, from loneliness or depression.
 - 6.4. Prohibition on suggesting that gambling can be a solution to financial problems.
 - 6.5. Prohibition on leading people to believe that excessive gambling losses do not have any consequences.
 - 6.6. Prohibition on presenting gambling as a means of recovering financial gambling losses.
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- 6.7. Prohibition on making offers of credit to gamblers.
- 6.8. Prohibition on providing misleading information regarding the possibility of winning and making people believe that if they keep on playing/ gambling their chances of winning will increase.
- 6.9. Prohibition on suggesting that the gambler's skill or experience will eliminate the element of luck/ chance upon which winning is dependent.
- 6.10. Prohibition on depicting compulsive gambling as rewarding/ fulfilling.
- 6.11. Prohibition on associating repetitive, uncontrolled or compulsive gambling situations with strong / powerful emotions.
- 6.12. Prohibition on encouraging uncontrolled betting or risks.
- 6.13. Commercial communications and self-promotions of bingo, roulette, punto banco (baccarat), blackjack, poker, fixed odds sports or horse racing bets, gaming machines and cross/ matched bets will limit the welcome bonuses used in commercial communications to the amount maximum amount of two hundred euros (€ 200).
- 6.14. Commercial communications and visual self-promotions of bingo activities, roulette, punto banco (baccarat), blackjack, poker, fixed odds sports or horse racing bets, gambling machines, and cross/ matched bets will include in the advertising mandatory responsible gambling warning logos and prohibition of those under 18 through a standardised warning in accordance with Annex II, deploying a full screen at the end of the advertising for a duration of 2 seconds that may be replaced or supplemented by the banner provided in the Annex III, at the bottom of the image throughout the announcement and to the format and dimensions provided in the said annex.
- 6.15. Commercial communications and self-promotions of bingo activities, roulette, baccarat, blackjack, poker, fixed odds sports or horseracing, gambling machines and cross/ matched bets will not include the presence of active/ current athletes engaged in gambling activities or recommending/ endorsing them.
- 6.16. During live broadcasts, by any means, of sporting events, horseracing or any other events of a competitive nature, commercial communications that broadcast bonuses or promotions of any kind may not be made within the broadcast itself.
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7. Protection of minors Minors, who are immature, gullible, easy to persuade and suggestible, are especially vulnerable to advertising and other commercial communications and, as such, deserve special protection in this area. Consequently, it is forbidden to use commercial communication or self-promotions that:

- 7.1. Suggest minors can gamble or place bets.
- 7.2. Use or include minors, nor have people under 25 in a starring role.
- 7.3. Directly or indirectly encourage minors to gamble, or exploit the special relationship of trust children have with their parents, teachers or other people, including, among others, those who are recognisable by their fame among the public and who appear in children's media or whose activity is focused on
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minors.

Furthermore, it is forbidden to use any visual, audible, verbal or written elements that are especially addressed to minors and, where appropriate, shall contain a warning about the use of fiction in advertising.

7.4. Present gambling as a sign of maturity or symbol of adulthood.

7.5. Present gambling as a present a child can give or receive.

7.6. Are addressed to children under the age of 18.

8. Self-regulatory principles of commercial communications in audiovisual communication services.

In addition to complying with the provisions applicable to commercial communications and self-promotion contained in the General Law 7/2010⁶, of 31 March, on Audio-visual Communication and, in particular, the provisions of Article 7 on children's rights, special attention will be paid to when the gambling advertisements and self-promotions are broadcast (i.e. scheduling), as well as taking into account those programmes or television/ programming blocks that are mainly or specifically addressed to children alongside the advertising which is broadcast and inserted. For the purposes of this Code, programmes addressed to children will be understood as those classified and marked as "especially recommended for children" (*"especialmente recomendado para la infancia"*) and "not recommended for children under 7" (*"no recomendado para menores de siete años"*), according to the Self-Regulation Code for Television Content and Children⁷ (*Código de autorregulación sobre contenidos televisivos e infancia*), referred to in Article 7 of the previously mentioned Law (i.e. law 7/2010).

Consequently, in accordance with the nature of the type or form of gambling and the potential harm to the participant, the following principles are established:

1. The following may only be broadcast between 22.00 and 06.00:

1.1. Commercial communications and self-promotions of roulette, baccarat, *blackjack*, poker, and all fixed odds bets related to sports or horse racing, without prejudice to what is stated in point 4 referring to the broadcasting of live events. Nevertheless, this time frame/ watershed (scheduling restriction) will not be applicable to gambling advertisements mentioned in this paragraph broadcast by radio, although those radio advertisements may not be broadcast during the time slots with enhanced protection⁸ - established in Article 7.2 of General Law 7/2010, of 31 March, on Audiovisual Communication.

GRS note: The scope of this provision has been extended as a result of a proposal from DGOJ⁹ as approved by the Joint Monitoring Committee - to include slot machines and exchange betting for sports and horse racing. Whilst the Code applies to all gambling activities regulated by Law 13/2011, the basic

⁶ [http://www.gregsregs.com/downloads/SPGenAVLawD\(extradefs_art.7.2edit\).pdf](http://www.gregsregs.com/downloads/SPGenAVLawD(extradefs_art.7.2edit).pdf)

⁷ See age rating symbols [here](#)

⁸ From 8:00 to 9:00 and 17:00 to 20:00 on working days, and from 9:00 to 12:00 on Saturdays, Sundays and public holidays

⁹ Unanimously approved by Joint Monitoring Committee on 14th May - here is proposal from DGOJ - [Spanish](#) English translation: [here](#)

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regulations approving exchange betting and slot machines was only approved in 2014.

1.2. Commercial communications and self-promotions for contests included in a programme classified as "not recommended for children under the age of 18" (*"no recomendado para menores de dieciocho años"*).

1.3. Commercial communications and self-promotions whose content could affect the physical, mental or moral development of minors.

1.4. Self-promotions of programmes dedicated to games of chance and betting that can only be broadcast between 01.00 and 05.00 in the morning, in accordance with Article 7.2 of General Law 7/2010, of 31 March, on Audiovisual Communication.¹⁰

2. Commercial communications and self-promotions that advertise bingo, pari-mutuel betting and other bets shall be broadcast outside the time slots with enhanced protection established in Article 7.2 of the aforementioned Law 7/2010, and shall not be broadcast within/ during or next to programmes addressed to children, without prejudice to the provisions of point 4.

3. Commercial communications and self-promotions of contests included in a programme classified/ rated as "not recommended for children under 18", lotteries with a delayed effect (with built-in delay), complementary games and raffles will have no time frame restriction provided they are not broadcast next to or inserted into programmes mainly or specifically addressed to children.

4. In the case of live pool (pari-mutual) or fixed odds sport or horse racing betting, it will also be possible to broadcast commercial communication or self-promotions during the transmission of sporting events, from the moment they begin until they end, including the regulatory intervals or commercial breaks, as long as they correspond to the betting organisation which offers them, whether they are about the event being transmitted or about other events that fit into the same sports competition, even if they are not being broadcast at that moment.

GRS note: The scope of this provision has been extended courtesy of a proposal from DGOJ¹¹ as approved by the Joint Monitoring Committee – to include exchange betting for sports and exchange betting for horse racing.

5. Sponsors shall respect the conditions established in General Law 7/2010¹², of 31 March, on Audiovisual Communication and in Royal Decree 1624/2011¹³, of 14 November.

9. Self-regulatory principles of commercial communications disseminated via electronic means in information society services.

Besides applying the principles established in Sections 1 to 7 of this Code and in

¹⁰ Under Art. 7.2 Law 7/2010: Programmes dedicated to games of chance and betting may be broadcast only between the hours of 01:00 and 05:00

¹¹ Unanimously approved by Joint Monitoring Committee on 14th May – here is proposal from DGOJ - [Spanish](#); English translation: [here](#)

¹² Art. 16 - [http://www.gregsregs.com/downloads/SPGenAVLawD\(extradefs_art.7.2edit\).pdf](http://www.gregsregs.com/downloads/SPGenAVLawD(extradefs_art.7.2edit).pdf)

¹³ Arts 12 and 13: <http://www.gregsregs.com/downloads/SPRD1624-2011.pdf>

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Law 34/2002, of 11 July, on Information Society Services and Electronic Commerce, it is established as a specific principle within this area that pop-up advertisements can be easily closed and do not prevent browsing.

IMPLEMENTING RULES

1. Association with the Code

1.1. The signatory companies to this "Code of Conduct for commercial communications related to gambling", have expressly stated they shall adhere to the Code and in regard to their gambling advertisements, they undertake to respect the standards it includes.

1.2. The signatory companies to the Code of Conduct herein also undertake to respect the Code's stipulations in their advertising activities, as well as to abide by and immediately comply with the content of the resolutions that the AUTOCONTROL Advertising Jury may issue to settle claims submitted in relation to the Code.

1.3. The list of signatory companies to this Code will be made public.

1.4. The signatory companies to this Code may publicly inform they have agreed to abide by it on their websites and in their Corporate Responsibility Reports.

2. Monitoring Compliance with the Code

2.1. Posteriori Code compliance control (monitoring retrospective compliance of the Code)

2.1.1. Compliance control of the standards contained in the Code will be performed by the Autocontrol Advertising Jury, which will deal with resolving possible complaints made in relation to any commercial communications of affiliated companies (ones that have agreed to abide by the Code) which infringe its standards.

2.1.2. In this sense, the companies abiding by the Code undertake to scrupulously and immediately observe and comply with the content of the decisions the Advertising Jury may issue for the resolution of complaints made in relation to the Code, whether ceasing to disseminate the affected commercial communication or applying the necessary modifications.

2.2. Extra-judicial settlements of claims and disputes

2.2.1. Apart from the companies that adhere to the Code, the following bodies may also file complaints before the Advertising Jury for infringement of the standards contained in this Code: Public Administrations -including the National Gaming Commission (now the DGOJ)-; the Joint Monitoring Committee; individual consumers, as well as non-profit associations, or any company or business or professional association with a legitimate interest; and the consumer and user associations included in a register in accordance with the provisions of Law 26/1984, of 19 July.

2.2.2. To apply the Code effectively and to process and settle possible claims of infringement submitted by the adhered companies, the Autocontrol Advertising Jury will be governed by the principles of impartiality, transparency, contradiction, effectiveness, legality, freedom of choice and consumers' right to representation established in Recommendation 98/257/EC of the European

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Commission, and will proceed pursuant to the provisions of its Regulations. The Jury will settle the claims presented in view of the ethical standards contained in the Code herein, explaining in each case whether or not the standards have been infringed.

2.2.3. In their settlements, the Jury will determine which party or parties will be responsible for satisfying the administrative costs that result from processing the claim filed before Autocontrol, taking into account whether or not the petitions formulated by the claimant have been accepted and, depending on the case, the concurrence of circumstances such as bad faith or a temerity of either one of the parties.

Payment of the previously mentioned administrative costs made before Autocontrol will be exempt for the Gaming Administration (established under Title V of Law 13/2011, of 27 May), the Secretary of State for Telecommunications and the Information Society, individual consumers, consumer and user associations included in a register in accordance with the provisions of Law 26/1984, of 19 July, and the Joint Monitoring Committee of the Code herein, for whom the processing and settlement of claims will be free of charge. In such cases when the claimant is exempt from payment, if the claim is admitted, it will be the company against which the claim was filed that will assume payment of the administrative costs made before Autocontrol.

2.2.4. Decisions issued by the Advertising Jury as a consequence of applying this Code will be immediately communicated to the stakeholders for compliance. Subsequently, the decisions will be published on the website or any other means belonging to Autocontrol.

2.2.5. If the infringements are repeated, or in the event of non-compliance with a decision issued by the Jury, the Joint Monitoring Committee reserves the right to exclude the company from the list of companies who agreed to abide by the Code herein. The Committee will make the expulsion or exclusion public, as well as the reasons which led to the decision. Once a company has been expelled for this reason, it may not be included again as a company adhered to the Code herein for a period of at least one year.

2.2.6. Likewise, the Joint Monitoring Committee reserves the right to file a complaint before the competent authorities against the infringing company or exercise the pertinent legal actions in the event any one of the companies adhered to this Code fails to comply with the content of a decision issued by the Advertising Jury that refers to the infringement of current legislation on advertising matters.

2.3. Prior consultation

2.3.1. With the aim of ensuring the commercial communications adapt to the Code herein, the companies that have agreed to abide by the same may use the confidential and binding pre-clearance or copy advice system to present the commercial communications related to gaming or the advertising or promotion of gaming operators to the Autocontrol Technical Advisors. The Technical Advisors shall generally respond to said consultations within a maximum of three business days after they were made, except in cases of force majeure. Exceptionally, in the event the same operator makes a massive number of

requests, the processing period for the operator in question may be extended. Finally, said period may also exceptionally be extended if, after a previous agreement with the operator in question, Autocontrol deems it is necessary to consult the competent Administration.

2.3.2. Applicants will supply the Autocontrol Technical Advisors with as much truthful and exact information about the subject matter of the commercial communication as required for the preclearance report or copy advice.

2.3.3. The Autocontrol Technical Advisors shall resolve the preclearance or copy advice in a clear and concise manner, stating whether or not they consider the subject matter of the commercial communication or promotion is in accordance with the Code, or, if appropriate, they will explain the modifications that are necessary to adapt the commercial message to the content of the Code.

2.3.4. In the event the advertiser disagrees with the result of the preclearance report issued by the Autocontrol Technical Advisors, they may voluntarily request the Jury to review the case, who, in accordance with their Regulations and taking into account the preclearance report issued by the Technical Advisors, as well as the arguments and documents presented by the advertiser, will decide their confirmation or revocation. The Jury's decision will always be binding. In the event a claim is made against the advertisement being examined, the Section of the Jury that is aware of the review shall abstain from participating in the procedure carried out before the Jury.

2.3.5. The companies adhered to the Code shall refrain from using the reply to the pre-clearance or copy advice, or the fact it was requested, for advertising purposes.

2.3.6. If the request for prior consultation or copy advice comes from a code-adhered medium, Autocontrol's Technical Advisors will send the report to all code-adhered media unless the requesting medium expressly requests Autocontrol maintain copy advice confidentiality. This will be done on an exceptional basis and due to the special and internal nature of the action.

There will be no reference to the requesting medium in the prior advice report. In the same way, AUTOCONTROL will keep the DGOJ and SETSI informed on the number of reports issued, provide copies of these and enable them to access documentary sources so they may perform their duties.

3. Joint Monitoring Committee / Joint Committee for the Monitoring of the Code of Conduct (*Comisión Mixta de Seguimiento*)

3.1. A Joint Committee is created to follow up on this Code¹⁴. It shall be composed of the Director General for the Regulation of Gambling until the

¹⁴ On 18 December 2012, the Joint Committee for the Monitoring of the Code of Conduct for Commercial Communications in relation to Gambling Activities was created, being composed by representatives of the Government, gambling operators, audiovisual media service providers (television and radio), information society service providers and newspaper publishers, as well as an AUTOCONTROL representative, with voice but without vote. This Committee's functions include, among others, periodic assessment of the application of the Code of Conduct in relation to the objectives proposed and making such proposals as it deems appropriate to improve and review the Code.

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National Gaming Commission is constituted or, in this case, by its Chairman who will act as chairman of the committee; a representative of the Ministry of Industry, Tourism and Commerce (or the Spanish Audiovisual Media Council); a representative of the Ministry of Finance and Public Administrations; five representatives of the gaming operator sector; two representative of all other industries bound/ affiliated to the code (television service providers, radio service providers, information society service providers and newspaper publishers); and a non-voting representative of Autocontrol who will act as secretary of the committee.

Each member shall be appointed with a replacement – by someone who corresponds with the appointed position- and who will replace them in the event the member is unable to attend Committee meetings.

The Committee may be extended equally if companies from new sectors agree to abide by the Code. Furthermore, if deemed necessary, the Joint Monitoring Committee may create Technical Working Groups.

3.2. The Joint Monitoring Committee will have the following duties:

a) Periodically evaluate the application of the Code in relation to the targets set. For this purpose, it will request to see periodical samples of advertisements and other commercial communications disseminated in Spain.

b) Carry out the proposals it deems necessary to improve and review the Code.

c) Six months after the Code has entered into force, it will request to see a sample of the commercial communications that comprise the subject matter of the Code herein, in order to analyse the degree of compliance.

d) In accordance with the results of the samples referred to above, devise an obligatory system regarding the use of the pre-clearance report mentioned in Article 3 of the “Applicable standards” of the Code, to be applied to one or several operators of specific games who repeatedly infringe the Code of Conduct.

e) Periodically know the results of the Code compliance reports presented by Autocontrol.

f) Decide about requests for adhesion made by specific companies of initially participating sectors, or incorporating companies foreign to said sectors.

g) Decide which claims to present before the Autocontrol Advertising Jury in all cases in which there is an infringement of the standards contained in the Code.

h) Gather information from AUTOCONTROL about whether certain advertisements, known to the public because they have already been broadcast, were subject matter of a positive pre-clearance or copy advice report issued by the Autocontrol Technical Advisors.

3.3. The Joint Monitoring Committee shall meet as often as necessary to adequately comply with their duties. The meetings will be called by the Chairman or at the request of three members or more.

3.4. The decisions shall be adopted by the simple majority of the members in attendance or represented. Members will abstain from voting in the Joint

Monitoring Committee and specifically when they affect the commercial communication of a company that has one of its members in the Committee.

4. Entry into effect

The Code herein shall enter into force on 11 June 2012. However, the commercial communications that have been disseminated prior to the entry into effect of the Code herein may continue to be used until 17 June 2012.

5. Review of the Code

5.1. The Code shall be reviewed periodically, in order to adapt it and keep it up dated.

5.2. If, as a consequence of the review, it is necessary to modify the Code, the modification will be publicly announced.

5.3. Proposals to modify the Code shall be adopted by majority by the Joint Monitoring Committee. The modification proposal shall be notified to all the companies that have agreed to abide by the Code. It will be understood that said proposals have been accepted when after a period of two months the Committee has not been formally notified of the refusal to the proposal and its consequent dissociation from the Code.

After this period of two months, the proposed changes shall enter into force for all the companies that remain adhered to the Code.

5.4. Companies that so desire may dissociate themselves from the Code by formally communicating their decision to the Joint Monitoring Committee. The dissociation will enter into force 45 calendar days after the Committee has received the communication and it will be made public in the same form as it was published.

APPENDIX I

BANNERS/ OVERLAYS APPLICATION CRITERIA.

The criteria to be taken into account regarding banners/ overlays are the following:

As regards the letters/ type (using the size of lower-case letters as a reference) the recommended minimum size is 14 pixels (measured on a screen of 720 x 576 pixels) or font size 26 in the case of a static banner ad, or 15 pixels / font size 28 if it is inserted in scroll form.

The advertiser shall calculate the time it takes for the message to cross the screen according to the number of words it contains. The following measurements are offered as a guide: 12 words – 6 seconds; 20 words – 10 seconds; 30 words – 15 seconds; 40 words – 19 seconds; etc. All of this displayed at a steady and constant speed.

APPENDIX II

STANDARD WARNING ON RESPONSIBLE GAMBLING AND MINORS. FULLSCREEN.

In accordance with the provisions of ethical standard 6.14 of this Code of Conduct, the standardized warning that incorporates the logos for responsible gambling and prohibition of gambling for those under 18 will be the following:

**APPENDIX III****STANDARD WARNING ON RESPONSIBLE GAMBLING AND MINORS. BANNER/ BAND.**

In accordance with the provisions of ethical standard 6.14 of this Code of Conduct, the standardised warning provided in Annex II may be replaced or supplemented by the band attached below, which should be included with clearly legible dimensions in the lower part of the visual throughout the ad.

