



Spain – DGOJ position on criteria to be followed in advertising of welcome bonuses and promotions



Full title: Position of the Directorate General for the Regulation of Gambling (DGOJ - Dirección General de Ordenación del Juego) in relation to the proposal by gambling operators on information criteria on welcome bonuses and promotions.

In a meeting of the Joint Committee for the Monitoring of the Code of Conduct for Commercial Communications in relation to Gambling Activities, held on June 19, 2013, and as a 4th point on the agenda, the Self-Regulatory Organisation for Commercial Communications (Autocontrol) highlighted the problem posed in examining/ reviewing commercial communications of gambling activities, especially in the case of gambling “Bonuses/ Passes/ Vouchers”, and checking compliance with the rules set out in the Code of Conduct, in relation to determining when such communications may, where relevant, infringe the principle of responsible gambling.

As a result, and after (the DGOJ) having sought advice from the Responsible Gambling Advisory Counsel, in the meeting of the Joint Committee for the Monitoring of the Code of Conduct for Commercial Communications in relation to Gambling Activities, held on 17th September, as proposed by DGOJ it was established that in order to ensure the compliance with the principle of truthfulness when issuing Copy Advice, Autocontrol will require, furthermore, in the advertising of welcome bonuses that, where appropriate, the following information relating to the bonus/ voucher offered is included in every channel/ medium with the exception of online banner ads and radio commercials:

- a) The amount of the bonus
- b) The minimum deposit required from the user to access the bonus
- c) The amount to be gambled or the number of times one needs to bet a certain amount so as to free up / unlock the bonus
- d) Time limit / term to free up / unlock the bonus

To the extent that the inclusion of all this information in marketing communications via banners/ micro-banners on web-pages and short radio commercials can be difficult, a term of 15 days was granted to gambling operators to reach a consensus and present an alternative proposal to the DGOJ regarding the criteria to be followed with respect to the welcome bonuses and promotions advertised via these channels.

The gambling operators presented their alternative proposal on 4th October 2013. Analysed the same way, the DGOJ deems that, for advertising channels consisting exclusively of Internet banner and micro-banners and radio commercials less than 6 seconds, the information mentioned above may be implemented in this way:

- 1. Mention in the initial communication that the bonuses are subject to conditions, which are available on the website of the gambling operator.
- 2. Conditions of the promotional bonus/ voucher presented/ shown separately and as a result sufficiently differentiated from the other terms and conditions displayed on the website. In the case of banners and micro-banners, the marketing communication must

be re-directed via a link to this website – like a “landing page” which becomes a mandatory step for a user prior to registration or gambling.

3. In all cases, the content of the initial marketing communication must not be likely/ liable to mislead.

4. In the case of bonuses/ vouchers advertised by micro-banners, if the inclusion of the caption “*bono sujeto a condiciones*” (“vouchers subject to conditions”) is not possible to insert due to the size (lack of space) and static nature of the medium, the hyperlink must lead in every case to the “landing page” mentioned in para. 2.

Marketing communications by operators through internet banners and micro-banners and radio commercials less than six seconds should incorporate the provisions mentioned above within one month from the sending of this communication.

In relation to the other channels, as the DGOJ expressed in the last meeting of the Joint Committee for the Monitoring of the Code, all of the information referenced above should be included, considering it possible/ feasible and proportionate in view of the nature of the channels.
