

Netherlands – Gambling Decree of 7th May 2013

Full title of law or regulation	Decree of 7 May 2013, on rules with regard to recruitment and advertising activities, as well as the prevention policy of holders of a licence under the Betting and Gaming Act (Decree on recruitment and advertising for games of chance and prevention of gambling addiction). This is an unofficial and non-binding translation of the marketing communications content rules only. https://wetten.overheid.nl/BWBR0033412/2021-10-01
Text	CHAPTER 1. DEFINITIONS (relevant extracts only)
Article 1	In this decree and the provisions based thereon, the following definitions apply: <ol style="list-style-type: none">a. Act: The Betting and Gaming Act;b. Our Minister: Our Minister of Security and Justice;c. Licensees: holders of a licence under the Act;d. Recruitment and advertising activities: any form of communication with which licensees, with or without the help of third parties, directly or indirectly advertise their goods or services.
	CHAPTER 2. RECRUITMENT AND ADVERTISING ACTIVITIES
Article 2	<ol style="list-style-type: none">1. Recruitment and advertising activities by licensees shall not encourage immoderate participation in games of chance. Immoderate participation means risky gambling behaviour that can lead to gambling addiction.2. Immoderate participation includes in any case:<ol style="list-style-type: none">a. setting an example of immoderate participation;b. trivialising the consequences of immoderate participation;c. creating the impression that participation in games of chance can be a solution to financial or other personal problems.3. Licensees shall not focus their recruitment and advertising activities for games of chance on socially vulnerable groups. Vulnerable groups in any case include minors and persons showing symptoms of risky gambling behaviour.4. Without prejudice to the first to third paragraphs, the gaming casino license holder, having one or more gaming machines in a gaming arcade, or organising remote games of chance, will not direct recruitment and advertising activities for games of chance on persons:<ol style="list-style-type: none">a. in the age group between 18 and 24 years;b. who have excluded themselves from participating in games of chance organized by the license holder5. Recruitment and advertising activities by licensees for games of chance shall not relate to goods or services of a third party if these goods or services specifically target socially vulnerable groups.6. In the recruitment and advertising activities of licensees, the promotion of other services or goods of licensees other than games of chance is permitted, provided it is sufficiently clear from the relevant recruitment and advertising activities that these other services or goods are being offered by a licensee

URL of so <https://wetten.overheid.nl/BWBR0033412/2021-10-01>

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7. Holders of a licence under [Article 30c, first paragraph, a, of the Act](#) (NL), are not permitted to engage in recruitment and advertising activities relating to the games of chance that they offer.
 8. By order of our Minister [of Security and Justice], additional rules may be made about the application of this article.
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Article 3

1. Aggressive and misleading recruitment and advertising activities by licensees for games of chance are not allowed.
 2. Recruitment and advertising activities by licensees for games of chance in the form of door-to-door visits are forbidden. This prohibition does not apply to recruitment and advertising activities by licensees under [Article 3, first paragraph](#), of the Act.
 3. Without prejudice to the second paragraph, personally approaching consumers is permitted unless a consumer has made it known to the licensee or through a designated hotline that such an approach is not wanted.
 4. Holders of a license under [Article 15](#), [23](#) or [31 of the Act](#) are not permitted to carry out advertising and recruitment activities for betting on those competitions, other than on the gaming interface operated by them, during sports competitions, horse races and harness racing, which are aimed at the spectators or viewers of the match in question.
 5. Permit holders are prohibited:
 - a. to engage in recruitment and advertising activities for games of chance in other games, other than games of chance, which are organized remotely by means of electronic communication;
 - b. to develop recruitment and advertising activities for other games as referenced under a, using the electronic means of communication with which they offer games of chance;
 - c. to permit recruitment and advertising activities for other games as referenced under a, using the electronic means of communication with which they offer games of chance.
 6. Further rules on the application of this article may be set down by Ministerial regulation.
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Article 5

1. In soliciting and advertising activities for games of chance, consumers must be fully informed about participation in games of chance. Without prejudice to [Article 4a, third paragraph of the Act](#), the consumer shall at least be informed about:
 - a. The specific nature of the games of chance being offered;
 - b. The determination of profit or possible prizes and withholding of gambling taxes;
 - c. The costs of participation;
 - d. Other obligations arising from participation or winning a prize;
 - e. The categories of persons to whom games of chance will not be offered;
 - f. Responsible participation in games of chance, the dangers of gambling addiction and access to addiction treatment;
 - g. Ensuring the privacy of participants;
 - h. The procedure for ending participation in games of chance;
 - i. The size and use of proceeds from games of chance.
 2. By order of Our Minister, rules will be established on how to give effect to the first paragraph, including the possibility to further specify the obligation to provide information as well as the manner in which:
 - a. reference is made to the risks of immoderate participation in games of chance;
 - b. an indication is given of the statistical chance of winning a prize;
 - c. an indication is given whether it concerns one-time participation, a subscription or ongoing participation until further notice.
 3. The first paragraph, preamble and i) shall not apply to soliciting and advertising
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activities of holders of licences issued under [Articles 30c](#) and [30h](#) of the Act.

4. In recruitment and advertising activities, it is not allowed to state or suggest that participants or winners are required to cooperate in any form of solicitation or advertising by the licensee.
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