

RESPONSIBLE LOTTERY ADVERTISING GUIDE

Introduction

All licensed lottery operators must promote their lottery in a socially responsible manner and so should be mindful of legal requirements and best industry practice. The most important sources which relate to responsible gambling advertising include:

- For operators licensed by the Gambling Commission, [the Licence Conditions and Codes of Practice](#) (the **LCCP**);
- [The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing](#) (the **CAP Code**);
- [The UK Code of Broadcast Advertising](#) (the **BCAP Code**); and
- [The Gambling Industry Code for Socially Responsible Advertising](#) (the **Gambling Industry Code**).

The Social Responsibility Code (**SR Code**) contained within the LCCP states that licensed operators must comply with the CAP Code and the BCAP Code. Compliance with the SR Code is a licence condition, which means that any breach may result in a review of the operator's licence by the Gambling Commission with a view to suspension, revocation or the imposition of a financial penalty.

The Ordinary Code contained within the LCCP states that licensed operators should follow the Gambling Industry Code. Although the Ordinary Code does not have the status of licence conditions, it helps operators demonstrate best practice in the exercise of their licensed functions. Therefore, Gatherwell's approach is to follow the Gambling Industry Code in its gambling advertising materials whenever practicable. By doing so, we aim to maintain the highest standards in social responsibility for all lotteries that we manage.

This guide assists Gatherwell's partners to ensure that all marketing of their lottery is carried out in a manner which is compliant with the requirements described above.

Age restrictions and the protection of minors

The minimum legal age to purchase a ticket for a society lottery or local authority lottery is 16.

However, in the UK government's policy paper 'High stakes: gambling reform for the digital age' published in April 2023, it challenged all lottery operators to set a minimum age of 18 to play lottery products, and to not sell lottery tickets to 16 and 17 year olds, despite being legally permitted to do so.

Gatherwell has responded to this challenge by moving to a minimum age of 18 to purchase tickets for lotteries managed by us.

All marketing activities should be conducted in a way that minimises the risk of under 18s attempting to purchase lottery tickets. As such, Gatherwell provides lottery marketing materials which include 18+ messaging.

Whenever promoting a lottery, licensed operators should be mindful of the below requirements in relation to the protection of minors:

DO ✓	DON'T ✗
<ul style="list-style-type: none"> ▪ Include an '18+' symbol or a 'no under 18s' type message in all digital and print marketing materials. ▪ Include an '18+' symbol or a 'no under 18s' type message on your social media page (and, where practicable, posts on that page) that is primarily focused on promoting your lottery. ▪ If conducting sponsored/paid-for social media advertising, ensure that such ads are targeted at consumers aged 25+ (or 18+ in respect of Facebook and Snapchat). ▪ If conducting any lottery promotion on YouTube, ensure that your channel is age-restricted to 18+ which requires users to log in to age-verified accounts to view content. ▪ If conducting radio or other broadcast advertising, include a brief 18+ message. 	<ul style="list-style-type: none"> ▪ Advertise your lottery in a manner that would make it of strong appeal to children or young persons, especially by reflecting or being associated with youth culture. ▪ Include a person or character in marketing materials whose example is likely to be followed by those under 18 years or who has a strong appeal to those aged under 18 (for example, a celebrity or social media influencer who has a strong following amongst children and young people). There is an exception to this if: <ul style="list-style-type: none"> ○ the person depicted is associated with the lottery good cause; ○ there is no explicit encouragement to purchase lottery tickets; and ○ there is no reference to scratch cards or online instant-win lottery products. ▪ Feature anyone who is, or seems to be, under 25 years old participating in gambling in any marketing communications relating to your lottery. ▪ Direct marketing communications to those aged under 18, such as by selecting media distribution which has a strong appeal to children and young people. ▪ Exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons.

Responsible gambling

Lotteries are considered gambling products and therefore operators should ensure that all advertising is socially responsible. This may include, for instance, regular reminders

to 'play responsibly' and the signposting of organisations that assist problem gamblers, such as BeGambleAware.org.

As a minimum, Gatherwell ensures that all marketing materials that it provides include the BeGambleAware logo.

Lottery operators licensed by the Gambling Commission typically hold a Lotteries Council membership, which permits the use of the BeGambleAware logo. However, local authority licensed operators (who are not members of the Lotteries Council) may also use the BeGambleAware logo to encourage responsible gambling practices, subject to any terms and conditions applicable to the logo's use. Please visit <https://www.begambleaware.org/> for more information.

Whenever promoting a lottery, licensed operators should be mindful of the below requirements in relation to responsible gambling:

DO ✓	DON'T ✗
<ul style="list-style-type: none"> ▪ Include the BeGambleAware logo and/or a 'play responsibly' type message in all digital and print marketing materials. ▪ Include the BeGambleAware logo and/or a 'play responsibly' type message on your social media page (and, where practicable, posts on that page) that is primarily focused on promoting your lottery. ▪ If conducting radio or other broadcast advertising, include a brief safer gambling message such as 'play responsibly, BeGambleAware'. 	<ul style="list-style-type: none"> ▪ Portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm. ▪ Suggest that participating in a lottery can provide an escape from personal, professional or educational problems such as loneliness or depression. ▪ Suggest that participating in a lottery can be a solution to financial concerns, an alternative to employment or a way to achieve financial security (however, you may refer to other benefits of winning a prize). ▪ Portray participating in a lottery as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments. ▪ Suggest peer pressure to participate nor disparage abstention. ▪ Suggest that participating in a lottery can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to

gain control, superiority, recognition or admiration.

- Link participating in a lottery to seduction, sexual success or enhanced attractiveness.
- Portray participation in a lottery in a context of toughness or link it to resilience or recklessness.
- Suggest participation in a lottery is a rite of passage.
- Suggest that solitary gambling is preferable to social gambling.
- Exploit cultural beliefs or traditions about gambling or luck.
- Condone or encourage criminal or antisocial behaviour.
- Condone or feature gambling in a working environment (an exception exists for workplace lottery syndicates and gambling premises).

Other advertising requirements

In addition to the above requirements in relation to the protection of minors and responsible gambling, operators should also comply with general advertising requirements, such as:

- ✓ Ensuring that marketing communications and advertisements do not amount to or involve misleading actions or misleading omissions.
- ✓ Ensuring that any significant terms and conditions which apply to marketing incentives are provided transparently and prominently to consumers.
- ✓ Ensuring that consumers are not sent direct electronic marketing communications (for example, email or SMS) unless the recipients have positively opted-in to receiving such communications, and that all recipients are given the opportunity to easily opt-out with each communication.

These are key requirements referenced in the LCCP.

General advertising requirements are also contained within the CAP Code (for non-broadcast advertising) and the BCAP Code (for broadcast advertising). Lottery operators

should maintain a strong awareness of these advertising codes whenever conducting marketing activities.

Engagement of third parties to promote lotteries

Lottery operators licensed by the Gambling Commission are responsible for the actions of third parties who they engage to provide marketing or advertising services relating to their lottery. You should refer to the LCCP for more information in respect of contracting requirements with third parties.

If an operator engages a marketing agency or affiliate, it is the responsibility of the operator to ensure that the agency or affiliate follows the relevant advertising codes when promoting a lottery. In essence, this means that any marketing activities conducted by a third party appointed by a licensed operator should be carried out to the same standard that an operator would do so if conducting the marketing activities in-house.

Closing

Gatherwell is committed to being an ethical and responsible External Lottery Manager (ELM), and we trust that the information contained in this guide will help you to maintain the highest standards in responsible advertising of your lottery.

If you have any questions concerning the topics covered in this guide, please contact us at account-managers@gatherwell.co.uk

Disclaimer

This guide does not constitute legal advice and is provided for general information purposes only to assist Gatherwell's partners with their advertising compliance. We give no warranty as to this guide's fitness for purpose, accuracy or completeness. If you require any specific advice regarding any matter covered in this guide, you are encouraged to seek independent legal advice.