



# ASA Ruling on Gala Interactive (Gibraltar) Ltd

⚖ Upheld | Television

| 07 June 2017

## Ad description

A TV ad for Gala Bingo was seen on 18 February 2017. The voice-over stated,, "Who's the chaser today? Beat the chaser for a chance to win £5000 in our weekly final chase games and a chance to play along with the chaser at an exclusive quiz night. Bingo! Play happy at galabingo.com." The ad included on-screen small print text at the bottom which stated "18+ UK residents only, promo runs till 25.02.17. Qualifying games Mon-Fri. Min tickets 5p-20p. 6 free tickets given for Sat £5k game if player beats chaser + wins prize in The Chase feature round during qualifying week. Sat game played 10pm and ticket holders entered in draw to win 1 night to London or Manchester. Terms at [www.galabingo.com/chase-bingo](http://www.galabingo.com/chase-bingo)".

# Issue

The complainant, who was unable to read the on-screen text, challenged whether the ad was misleading.

# Response

Gala Interactive (Gibraltar) Ltd t/a Gala Bingo said the text exceeded the requirements of BCAP's Advertising Guidance "On-screen text and subtitling in TV ads" as the text (comprising of 59 words) height was 57px, and the text was held on screen for 17 seconds. Therefore they believed they had complied with the BCAP Code.

Clearcast said they believed the text was clear and distinct and complied with the BCAP guidance. They said they had ensured that the text was clearly legible, large enough and held long enough to be read and was therefore not misleading.

# Assessment

## Upheld

The ASA noted that the on-screen text set out significant terms and conditions for participating in the promotion, including who could participate, the closing date of the promotion and other material information about how a consumer could participate in the promotion. We acknowledged that the text exceeded the height and duration requirements of the relevant BCAP guidance. However, we noted that the width of the text was very compressed, such that the

words appeared tall but narrow and the background consisted of rapidly moving images and light and colour changes that drew attention away from the small text at the bottom of the screen.

We considered that the on-screen text was not clearly legible and comprehensible and that consumers were therefore likely to miss the material information contained in the on-screen text. Because the qualification contained material information and was not clearly presented we therefore concluded that the ad was misleading.

The ad breached BCAP Code rules [3.1](#) and [3.2](#) (Misleading advertising) and [3.11](#) (Qualification).

## Action

The ad must not be broadcast again in its current form. We told the Gala Interactive (Gibraltar) Ltd to ensure significant limitations and qualifications were clearly presented in their advertising.

## BCAP Code

[3.1](#) [3.11](#) [3.2](#)

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