



UK Advertising Guidelines Target ‘Bet Now!’ Marketing

15TH FEB 2018 | WRITTEN BY: [DAVID ALTANER](#)

UK-licensed bookmakers will soon no longer be able to make “Bet now!” promotions to market in-play betting services during football matches, even though QVC UK will still be free to flog jewellery or jumpers with time-pressured promotions.

What is the difference between “Bet now!” marketing from William Hill or actor Ray Winstone and bet365 and “Buy now!” on home shopping channels?

According to the Committees of Advertising Practice (CAP), the difference is the potential for addiction.

On Wednesday, the CAP announced [stricter standards](#) for gambling advertising that seek to limit ads’ appeal to problem gamblers, along with trying to rein in misleading free bet and bonus promotions.

“There’s potentially less harm to compelling someone to ‘buy a jumper now!’ in a sale, than in compelling them to gamble,” said Matt Wilson, a spokesman for the Advertising Standards Authority (ASA).

The new CAP guidelines are part of a UK regulatory crackdown on misleading terms and conditions and marketing, conducted along with the Competition and Markets Authority and the Gambling Commission. The guidance around problem gambling comes into effect on April 2, while the restrictions on bonus marketing are immediately active.

The new CAP standards include:

- Restrictions on ads that create an “inappropriate sense of urgency”, such as any “Bet Now!” offers during live events.
- Limits on trivialisation of gambling, such as those that encourage repetitive play.
- Prevention of marketing that gives an unrealistic perception of the risks of gambling.

- “Money back” promotions must be in cash and not in bonuses, and any offers labelled “risk free” must incur no loss to the player.
- Terms and conditions that seek to limit controversial matched betting techniques must be clearly stated upfront.
- Restrictions on ads that give excessive emphasis on money motive for gambling.

The guidelines also provide more detail on the kinds of problematic gambling behaviour that should not be portrayed and define vulnerable groups that marketers need to ensure they protect.

On Wednesday, the Gambling Commission also fined GVC Holdings £350,000 for “repeatedly misleading consumers” with advertising on free bonuses at its ElectraWorks subsidiary.

The Gambling Commission said it expects businesses to adjust their marketing to fit the new guidance.

“We support any enforcement activity by the ASA against operators who do not comply, and will not hesitate to take our own action against those who do not take their responsibilities seriously,” said programme director Ian Angus.

Despite singling out online gambling as worthy of more restrictions than promotion in retail, the CAP admits that evidence so far “strongly suggests gambling advertising has a relatively small impact on problem gambling”.

“It’s notable that problem gambling rates have remained stable during a period of quite considerable growth in advertising volumes,” the CAP wrote.

Still, complacency would be wrong, the agency wrote.

“Although the overall impact is small, the evidence points to potential risk factors in the form of claims, imagery or approaches that might unduly influence people to behave irresponsibly,” the agency wrote.

“That’s why CAP is setting tougher standards to tackle any potential for harm.”

The restriction on “Bet now!” promotions dates to a Department for Digital, Culture, Media & Sport consultation on gaming machine stakes and prizes, which suggested that urgent calls to action could encourage impulsive gambling and risk exploiting problem gamblers, said Melanie Ellis, a lawyer at Harris Hagan in London.

“CAP does concede that reminding consumers that time-limited promotions are due to expire is likely to be acceptable, but operators will need to consider carefully where the balance lies and whether such statements are putting undue pressure on consumers to bet when they otherwise would not,” Ellis said.

Money-back offers given as a free bet rather than cash are also common, so “operators may need to go back to the drawing board on some of their promotions”, she said.

One London-based gambling consultant suggested that a prohibition on “Bet now!” promotions could be seen as contradicting earlier Gambling Commission guidelines.

“In-play betting” means placing a bet while the tennis or football match is taking place and “that necessarily means that time limits will exist naturally due to the nature of the event”, said David Clifton of Clifton Davies Consultancy.

In September 2016, the Commission said it does not consider that in-play betting “represents such a significant risk to the licensing objectives that additional measures are required” and neither is someone who bets in play “automatically at risk of harm from gambling”, according to Clifton.

“I think that the new CAP guidelines could have been clearer because I don’t believe the words “Bet now!”, when taken in isolation, necessarily create an urgent call to action of the type that would necessarily encourage irresponsible gambling behaviour,” he said.

“I can foresee some interesting ASA rulings ahead.”