

## **Marketing Guidelines for Affiliates**

### **Introduction**

Thank you for your continued support and assistance in achieving our compliance objectives for affiliates. We completely understand and appreciate that the regulatory landscape, most particularly in the UK, is changing constantly and making things more difficult to ensure continued and complete compliance particularly with the tight deadlines being imposed on the industry.

We are pleased to release our second version of our Marketing Guidelines for Affiliates. The changes and additions are summarised as follows:

- Given the numerous changes forced on to Operators by the CMA, we request that you ensure that all offers and promotions, when displaying a currency, **are not GBP/£**. Please use Euros, Dollars and/or other currencies as required.
- However, if it's your desire to do so, where your offer/promotion does contain GBP/£, this offer **MUST** be either:
  - a) taken from the creatives now available in eGass for you. These creatives, with GBP/£, have been specifically amended and created to comply with the new UK regulations; or
  - b) approved by affiliate compliance.

Should you display any other offer or promotion with GBP/£ that has not been approved, we will be left with no option but to terminate our agreement with you given the level of importance placed on this by the UKGC, ASA and CMA.

- We have changed our terms and conditions on all of our websites. These will be live on 28<sup>th</sup> February 2018, with one set for the UK and the other for Rest of the World. If you do use terms and conditions tracking links or GeoTarget, please use both of these on your website(s).
- We have added extra details and information in relation to social media usage by our affiliates. Also, we will be issuing fresh and specific guidance around streaming for our affiliates next week.

Please remember that in these Guidelines, reference to “**Communication(s)**” is to *any and all* marketing, promotional, advertising or other similar material of yours used to encourage consumers to sign-up to one or more of our participating gambling websites as partnered with you.

All of our affiliates agree and are required to promote our brands in a **socially responsible** manner, in full compliance with all applicable laws, regulations, codes of practice and guidelines to ensure that any advertising of our brands and games, and associated promotions is **clear, transparent and not misleading**.

It's imperative that you read these Guidelines carefully and in full. As an affiliate, we rely on you to exercise the **correct level of control over your marketing Communications**. Whilst we appreciate that you are an integral aspect of our business, this needs to be balanced with the heavy regulation being applied to operators. We aim to ensure that our business and partnership with you **develops sustainably into the future**. However, this will only be as a result of your compliance and continuous assistance in ensuring that all Communications are in accordance with the law. Unless this happens, we will not be able to commit to you as an affiliate, nor support our affiliates program in the long run.

We firmly believe that, **together**, we can maintain and continue to grow our relationship with you.

Should you have any queries, then please feel free to contact us.

Thank you for your continued support and assistance.

## **Key Requirements**

1. Do not create your own, or amend in any way whatsoever, creative media supplied to you unless you have received our prior written consent to do so. Any amendments to our creative media is in breach of your Affiliate Agreement with us. You must not create your own promotional banners, images or otherwise unless you receive our prior written consent. This is to ensure that we can safeguard everybody's interests with your Communication(s) being legally compliant. If you wish to use text or other materials that are not supplied to describe, advertise or promote our brands and games or any of its offers or services then you must obtain our written approval prior to any publication of it.
2. **Do not change promotional landing pages** (or otherwise). The landing pages are absolutely crucial to legal compliance given that they contain the full terms and conditions applicable to your Communication. Any changes to these links will result in the Communication itself no longer being valid or compliant. The links must not be changed, and customers must not be taken to alternative pages. *If you are unsure about which landing page to use, please: a) contact us; and b) do not enable the offer to be live until we have confirmed/approved the landing page destination.*
3. Do not display or place digital adverts on **copyright infringing websites**, such as movie streaming or piracy websites. These are websites that contain illegal content, such as a Torrent Download webpage, or those that enable you to illegally stream 'Live TV' or movies, such as Putlockers.
4. Do not display, direct or place Communications anywhere there is **gambling advice or corrective behavioural content**.
5. Do not **spam** recipients or send **unsolicited emails** (or otherwise). You must prove where you have received express consent from your intended recipients, mailing list etc. If you don't have this consent, then immediately remove the recipients from your database. Upon our request, you must be able to substantiate how your database of email recipients has been obtained, in addition to your general obligations pursuant to applicable laws relating to data privacy, security etc
6. You must ensure that you keep an accurate record of the websites, media accounts, channels and otherwise as to where you are sending, displaying or advertising Communications. We will require continued access to review such records to ensure that we can satisfy ourselves of our Regulatory obligations. You therefore can only use Communications in places and channels you have disclosed to us and we have not rejected. Any changes must be sent by way of email to us. **At any point, you must be able to disclose to us a complete list of URLs upon our request as to where you display and promote our Communications. If you can't do this, then we shall be left with no option but to terminate our agreement with you.**
7. Any and all Communications must **not** be displayed, targeted or appealing to those under the age of 18. This includes the **form and content** of your Communication, such as including **child-like imagery, colours or choice of wording**. This also applies to any form and content of your website or online presence.

## **Information Communications and Data**

Any data that you hold relating to an individual must have been collected, processed and stored in accordance with the law. You should keep **clear explicit records** of what a person has consented to, and when and how you got this consent, so that you can demonstrate compliance in the possible event of a complaint. We reserve the right to view such records to satisfy ourselves of your compliance.

If you send an email or other form of Communication, you must ensure that the **commercial intent is made clear and obvious to the recipient, together with your true and real identity**. In addition, any

Communication that you send out must include a link to “**opting out**”, “**unsubscribe**” or **similar**- and you are obliged to honour the same. You must not make this opting-out process be difficult, at cost, or otherwise.

Additionally, any email should make clear reference to you in the “From” box. In other words, there should be no confusion as to the true identity of the sender of the email. The **Subject must refer to the Email Content**, and not be misleading. It should not be written in a form of “click-bait”.

Remember, you must only use creative media only that we supply for email campaigns and they must not be altered whatsoever unless you have received our prior written consent to do so.

**We do not allow our affiliates to send out their own email marketing campaigns. If you would like to do so, then you MUST obtain our prior written consent of approval to do this.**

This does not include any email campaigns if they do not promote, mention or reference, directly or indirectly, any of our brands.

## **Social Media**

If you choose to use Social Media for your Communications, you must:

- 1) Clearly show the ‘**Over 18**’ logo in all Communications and on your Account Profile itself; and
- 2) If you are from the UK, include wording around **BeGambleAware** on your social media accounts, such as “*Gamble responsibly. www.begambleaware.org*”. For any other countries, you should make reference to “*Please gamble responsibly.*”; and
- 3) Include a **link where further gambling guidance and advice can be found**, such as “*Further details on responsible gambling can be found at www.begambleaware.org*”; and
- 4) Be able to **show and prove** that your Communications are **targeted and displayed to those above the age of 18**. For example, with Twitter, you must use their age-screening function when marketing Communications to consumers, or ‘checking’ the age restriction option when uploading content to YouTube. Similar options apply to other social media platforms; and
- 5) Be careful around the **choice of images and words that you may use in any non-promotional material** that is submitted from your social media account. For example, a “Facebook Post” that is not intended as an advertisement but relates to gambling.

Please ensure that you read, review and satisfy yourselves of the **policies** of the respective social media company. For example, Facebook requires real-money gambling-related Ads to be pre-approved before release. The above applies to YouTube channels and any other form of online or social sharing.

We now request that you do **not** use social media to promote any of our brands. In other words, we only accept affiliates who use social media for generic purposes and/or for generating traffic to their own websites in accordance with all applicable laws. You must **not**, at any point whatsoever, publish anything on social media that promotes, mentions or references, directly or indirectly, any of our brands **unless we have specifically given our prior written approval to do so**.

In addition, before using Social Media, you must **disclose to us, in writing, as to which platforms you are using, and a link to your profiles**. This applies to any platforms that you might choose to use in the future as well. Failure to inform us of these details now, **or as they change**, will lead to immediate termination of your Agreement. We require these details to continually review and monitor your Communications via Social Media.

## **Critical Points and Tips:**

- If in any doubt, **ask**. We have a dedicated Compliance team who will be happy to answer or resolve any Communication queries that you may have.
- Do not change any **creative media** or create your own campaigns (or similar) without our prior written consent.
- **No longer display Communications in GBP/“£” unless it’s taken from the new creatives now available in eGass.** These have been amended to specifically comply with the new UK regulations as a result of the CMA investigation.
- Use social media for generally promoting and/or engaging with your customers via your own company, brand, website or otherwise. In other words, **not** promoting any of our Communications whatsoever unless we have given our express prior written consent.
- Use your best endeavours to ensure that only those above the age of 18 can view your Communications, such as via **age-targeting on Social Media** or by ensuring that the **form and content of your Communications has a more mature appeal**. If you are unsure, then do not include it, or request our prior written consent before publication.
- **Test** the click-through on any Communication to ensure that it places the consumer on the correct landing page, which includes all details of the offer, including full terms and conditions. If you are unsure, then do not publish the Communication and please contact us.
- Always give an option to **opt-out** from any form of Communications and ensure that this is a simple, easy process for the recipient to follow. You must honour these requests, not delay in the unsubscribing process, and no longer send any Communications to that individual.
- If your Communications refer, review or compare a competitor or other brand, ensure that you can verify and validate any claim you make, or make clear that any content is a matter of opinion only, or otherwise simply request our written consent to such content.
- Keep a close eye on any **updates** that we (or others) provide in relation to affiliate compliance. The law and applicable regulations are moving and changing continuously and we encourage you to stay updated on any and all changes that are made as a result of regulatory decisions or guidance notes.
- Use your commercial endeavours to retain **the best standards on your website**. Remember, you must promote socially responsible gambling and must display “Over 18” signage. You must ensure that you are not accepting traffic or otherwise be of appeal to those under the age of 18.
- Familiarise yourself with the **Social Media policies** (and any other online policies that apply to your Communications) to ensure that you are fully compliant.