

INTRODUCTION

The code of conduct for the gaming industry is based on an agreement from 16 March 2019 between all stakeholders in the gaming industry. The Code of Conduct was regulated and expanded on 3 July 2020.

Since the partial liberalization of the gaming market in 2012, the development of the gambling market has been positive. The market for gambling is well-functioning, there is better control of gambling addiction and the gambling industry contributes tax revenue to the Danish State. According to a study made by VIVE (The National Research Center for Welfare) in 2016, the prevalence of gambling problems is less in Denmark than in e.g. Norway, England and Finland.

In close cooperation with the Danish authorities, the parties to this agreement wish to ensure effective and uniform regulation of the market, which both promotes fair competition between gambling operators and counteracts potential risks associated with games for money. Gambling is for the vast majority of consumers an entertaining leisure activity. However, there are some players who develop gambling problems. The gambling industry therefore has a special responsibility to take all reasonable steps to minimize the potential harmful effects of gambling, including ensuring that children under 18 do not have access to gambling for money.

The purpose of this Code is to strengthen consumer protection and help ensure that games do not evolve from entertainment to addiction.

PURPOSE AND ROLE

Among other things, the purpose of the code is to increase the responsibility of the gambling providers' marketing of games by establishing frameworks and tools that go beyond the requirements already imposed by legislators and authorities, in order to enhance the protection of consumers and to help ensure that gambling does not morph from entertainment into addiction.

The code should be regarded as a benchmark and as a set of minimum requirements for the industry. Individual gambling providers may go beyond the stipulations contained in the code.

The code is intended to supplement existing legislation and regulation.

WHO IS COVERED BY THE CODE OF CONDUCT

It is the intention of the parties to the agreement to get the entire gambling industry to sign up to comply with the code of conduct. The aforementioned parties will work intensively to ensure the sign-up of gambling providers in the Danish market and will regularly publish a list of the gambling providers that have signed up to the code.

All gambling providers and industry associations are welcome – and are encouraged – to subscribe to the code of conduct. No payment is required in order to subscribe to the Code beyond the costs associated with complying with its stipulations, but there may be subsequent costs associated with the establishment and operation of a complaints body to oversee the industry. Those gambling providers that sign up to and comply with the Code will be able to direct attention to it on their websites.

THE FRAMEWORK FOR THE CODE OF CONDUCT

The Code will address a number of specific areas in the sections below, where additional frameworks and guidelines will be set out. However, the existing legislation already includes a number of rules that gambling providers must follow. These are:

MARKETING RULES IN DANISH LAW

- All gambling marketing must be legal, which includes an obligation not to be misleading
- The marketing of gambling games must be socially responsible, and must incorporate a particular emphasis on protecting children, young people and vulnerable audiences from harm or exploitation
- The marketing of gambling games must not be targeted towards children and young people below 18 in terms either of the format of the communication or the choice of medium
- The marketing of gambling games must not make use of well-known individuals to falsely imply that taking part in gambling has contributed to their success
- The content of the marketing of gambling games must not convey the impression that taking part in gambling will generate a solution for financial problems or increase the player's social acceptance
- The marketing of gambling games must present the chance of winning in a correct and balanced manner which does not create the impression that the likelihood of winning is greater than it actually is

RESTRICTIONS ON THE DESIGN OF GAMBLING ADS

In order to enhance social responsibility in the design of gambling advertising, the Code sets out the following rules as a supplement to the existing legislation. Taking into account that children and young people under 18 primarily receive marketing messages via the Web and social media rather than from live TV broadcasts, gambling providers must make use of suitable data tools and the data they have available about their customers when advertising on the web and on social media, in order to avoid marketing to this group of individuals.

MARKETING MATERIAL MAY NOT

1

Be aimed at young people under 18 through the choice of media or the context in which the marketing message is being presented

2

In case of direct marketing of gambling, use persons under the age of 25 or use persons who may be perceived by the player as “authorities” who have special insight into the game. However, this does not apply to activation of sponsorships

3

Show or encourage socially irresponsible gambling behavior that might lead to financial, social or emotional harm

4

Inappropriately exploit the weaknesses, credulity, inexperience or insufficiency of knowledge of vulnerable individuals

5

Suggest that gambling permits an escape from personal, professional or educational problems such as loneliness or depression

6

Suggest that gambling can be a solution to financial problems

7

Show gambling as something that is either indispensable or takes precedence in one’s life, e.g. is more important than family, friends or professional or educational obligations

8

Connect gambling with seduction, sexual success or enhanced attractiveness

9

Suggest that solitary gambling is preferable to social gambling

RESTRICTIONS ON DESIGN OF GAMBLING ADS

- 10 Exploit cultural beliefs regarding gambling or luck
- 11 Show gambling advertisements next to payday loans ads.

RESPONSIBLE GAMBLING MESSAGE

- 12 It is good practice to include a responsible-gambling message in all marketing where practicable, and such a message is a requirement for all gambling commercials on TV
- 13 A responsible-gambling message is intended to encourage the individual user to be moderate and to be aware of the extent of their own gambling. The message can be formulated in many ways, and some wordings may be subject to copyright. Some examples of suitable wording are “Gamble carefully”, “Gamble for fun, not to win”etc.
- 14 Since there are many forms of marketing and marketing channels, it is difficult to lay down precise requirements for how a responsible-gambling message should be presented. However, it should be ensured that the message is displayed in such a way that the recipient is made aware of it.
- 15 There needs to be more information about measures that prevent gambling addiction either in the form of more specific information, or in the form of separate advertisements that inform consumers about what options you have to limit your gambling and how to seek help.

AGE LIMIT MESSAGE

16

Marketing of gambling on TV, social media or in print media must include an "18+" or "Age limit 18 years" or equivalent message. However, there may be a "16+" or "Age limit 16 years" for advertisements for lottery games, however, a "16+" or "Age limit 16 years" or similar message with regard to land-based lottery and class lottery.

SPONSORSHIP OF SPORTS EVENTS

17

The logos or marketing messages of gambling providers must not appear on merchandise targeted at or designed exclusively for children.

INTERNET AND SOCIAL MEDIA

18

All gambling operators must include responsible gambling information on their official websites and point to sources that give more detailed information

19

Gambling operators' profiles and pages on social media (eg Facebook, Youtube, Twitter, Instagram, etc.) must clearly state the age limit for gambling (an "18+ message"), as well as refer to the gambling addiction hotline ("StopSpillet").

20

When marketing on social media that offers the opportunity to screen for the user's age (eg Twitter) or age-restricting content (eg Youtube), gambling operators' must use such an opportunity to ensure that marketing material is not shown to children or young people under 18 year.

POP-UP WINDOWS WITH REALITY CHECK INFORMATION

- 21** In order to increase the players' awareness of their expenditure of time and money, gambling providers must at regular intervals provide players with clear information regarding their winnings and losses, as well as telling them how long they have been logged in.
- 22** Messages displaying the expenditure of time and money must be displayed long enough for a player to be able to take in the information. The messages must subsequently be acknowledged by the player, who, in addition to acknowledging the message, must be given the opportunity to either stop or continue playing.

TRAINING

- 23** The gambling operators must train all employees who will have customer contact in the understanding and prevention of gambling problems. In betting shops, the responsible manager shall be trained.

MONITORING OF GAMBLING BEHAVIOR

- 24** Online gambling operators (operators with online casino and betting licences) must have an automated process implemented that monitors players' behavior so that gambling addiction can be actively prevented.

GAMBLING ADVERTISEMENT BOARD

- 25** The Parties to this agreement intend to establish Gambling Advertisement Board as soon as possible, which will deal with complaints about gambling operators' violations of the Code of Conduct.

FOLLOW-UP AND REVISION

The wording of the code of conduct focuses on the most common forms of marketing, including print media and TV advertising. Technological developments are enabling new marketing channels to be developed all the time. Wherever possible, the intentions and principles of the Code should also be interpreted as applying to new media and consumer-targeted channels.

The Code will be evaluated and revised regularly – at least once a year as a minimum. The evaluation and audit are conducted by the parties to the agreement during a dialogue involving other gambling providers, the legislator and those Danish authorities having responsibilities in this area. However, each of the parties to the agreement is free to establish additional or alternative rules for their gambling offerings and to inform the other parties to the agreement and the Danish Gambling Authority accordingly.