

Gambling Code Appendix

1. Introduction

- 1.1 This Appendix is prepared in line with the National Gambling Act (Act 7 of 2004) and the Regulations thereto, in consultation with the National Gambling Board (NGB).
- 1.2 Any decisions made in terms of the Appendix will be shared with the NGB who may, at their discretion, initiate an investigation in terms of s82 of the Act. It is noted that this section of the Act makes contravention of certain sections of the Act a criminal offence, and a breach of licensing conditions.
- 1.3 It is noted, for clarity, that in relation to online gambling, simply put:
 - online betting on sports events is legal
 - online gambling is illegal

2. General provisions

Advertising for a gambling device, activity, premises or website:

- 2.1 Must not encourage the removal of a person from the register of excluded people;
- 2.2 Must not be promoted as being free or available at a discounted rate as an inducement for gambling;
- 2.3 Must not be promoted in a false and misleading manner, in accordance with Clauses 4.1 and 4.2.1 of Section II of the Code;
- 2.4 Must not contain lewd or indecent language, images or actions. Reference is made to Clause 1 of Section II of the Code;
- 2.5 Must not portray excessive play;
- 2.6 Must not imply or portray any illegal activity, including but not limited to illegal online gambling;
- 2.7 Must not present gambling as a means of recovering past gambling or other financial losses;
- 2.8 Must not contain claims that imply that people who gamble will experience personal, financial or social success;
- 2.9 Must not imply gambling is an alternative to employment;
- 2.10 Must not imply gambling is a means to acquire financial security;
- 2.11 Must not imply that winning is the probable outcome of gambling;
- 2.12 Must not imply that gambling involves skill;
- 2.13 Must not imply that gambling is a form of investment;
- 2.14 Must not imply that the longer or more one gambles, the greater the chances of winning;
- 2.15 Must not imply that gambling is likely to make players' dreams a reality.

3. Advertising to minors

- 3.1 A gambling activity, other than an amusement game, may not be advertised in a manner that is targeted at or designed to attract minors.
- 3.2 Advertising for gambling may not contain or portray people or characters engaged in gambling activities who are or who appear to be under the age of 18.
- 3.3 Advertising for gambling may not be placed:
 - 3.3.1 In media primarily directed at people under the age of 18;
 - 3.3.2 At venues where the majority of the audience is under the age of 18;
 - 3.3.3 On outdoor displays directed at schools, youth centres, technikons or university campuses.

4. Responsible Gambling Messaging

- 4.1 All advertising for gambling activities, devices, premises or websites must contain a statement warning against the dangers of addictive and compulsive gambling.
- 4.2 In respect of any printed or electronic mail advertisement this warning must:
 - be in a font of at least the same size as the font used for the body of the advertisement and shall incorporate, at a minimum
 - the name, toll-free number and slogan of the National Responsible Gambling Programme;
 - a reference to the fact that only persons of the age of eighteen years or older may lawfully participate in gambling.
- 4.3 In respect of any video or television advertisement, including advertising in the form of product placement during a programme, this warning must:
 - incorporate, at a minimum
 - the name, toll-free number and slogan of the National Responsible Gambling Programme;
 - a reference to the fact that only persons of the age of eighteen years or older may lawfully participate in gambling;
 - be published in visual format so that each slogan appears in a legible and noticeable format for at least three seconds.
- 4.4 In respect of any radio advertisement this warning must:
 - incorporate, at a minimum
 - the name, toll-free number and slogan of the National Responsible Gambling Programme;
 - a reference to the fact that only persons of the age of eighteen years or older may lawfully participate in gambling;
 - be broadcast at least once every 3 minutes; and
 - be in a clearly audible format;
- 4.5 In respect of any text message service on a cellular telephone or similar device the message must:
 - incorporate, at a minimum

- the name, toll-free number and slogan of the National Responsible Gambling Programme;
- a reference to the fact that only persons of the age of eighteen years or older may lawfully participate in gambling;

4.6 In the case of advertisements appearing on billboards, web pages or multi-page pamphlets, the warning must:

- incorporate, at a minimum
 - the name, toll-free number and slogan of the National Responsible Gambling Programme;
 - a reference to the fact that only persons of the age of eighteen years or older may lawfully participate in gambling;
- be displayed on at least ten percent of the surface of the billboard, the home page of the web page or the front page of a multi-page pamphlet.