

# Marketing and Affiliate Guidelines for Ontario

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## Introduction

Marketing activity in Ontario is subject to a comprehensive regulatory regime and therefore must always be carried out in a manner that is compliant and socially responsible. The Marketing and Affiliate Compliance Department within White Hat Gaming (“WHG”) is primarily responsible for the ongoing approval of advertising material, the issuance of network-wide guidance and the provision of further support to all network licensees with respect to any promotional activity, both organic (i.e. issued directly by the licensee on its brands’ platforms) or affiliate-related (i.e. issued by a third party with which the licensee has a direct relationship and which authorises it to publish advertising material on such licensee’s behalf).

## Organic advertising approvals process

As a rule, any organic advertising activity must be submitted for review and pre-approval by the Marketing and Affiliate Compliance Department. This includes any promotional content (e.g., ad copies, banners, and other promotional assets) as well as the relevant terms and conditions concerning a specific campaign. Such requests must also specify the intended audience and platform/s on which the promotion will be carried out. The Marketing and Affiliate Compliance Department may request changes and amendments as deemed necessary for the purpose of complying with applicable laws and regulations and will thereafter issue a unique approval code for each request, signifying clearance for publication.

Specific guidelines apply to the launch of new brands, changes in Welcome Offers, and advertising on specific platforms (e.g., Track and Trigger and XtremePush, as well as social media). Licensees are instructed to refer to the respective documents for further information.

## Dos and Dents in Marketing:

You must ensure that any advert, marketing, promotional material or communication does not:

- Display, suggest, create or encourage socially irresponsible, emotional, financial, antisocial, seductive, strength/ resilience, transformative or criminal behaviour(s). Examples include (but are not limited to):
  - Gambling as a way of overcoming debt-related problems or traditional employment.

- Gambling transforming somebody's life (or an aspect of their life).
  - Linking gambling with other habits and addictions such as alcohol and/or drugs.
  - Suggesting that gambling can enhance personal qualities, such as self-image.
  - Suggesting that one's chances of winning are correlated in any way to the duration of gambling activity and/or amount of spend.
  - Gambling privately and losing track of time and knowledge of those around you.
  - Gambling taking priority in somebody's life (against family and friends, for example).
  - Providing an escape from personal, professional or educational problems.
  - Exploiting religious, spiritual or cultural beliefs, including those associated with luck.
  - Promoting peer pressure or the "fear of missing out". You must not imply any sort of urgency in your Communications.
  - Exploiting those who are vulnerable to gambling.
  - Suggesting, containing or in any other way showing generally unacceptable or offensive behaviour.
  - Communications that make a consumer play or take part of an offer for a certain period of time or value before qualifying for a player reward scheme.
  - Suggesting that gambling is related to a level of skill when games (or otherwise) are purely based on chance.
- Exploit the susceptibilities, aspirations, credulity, inexperience, or lack of knowledge of minors, and to be directed at, or of likely appeal to minors. Examples include but are not limited to:
    - Using cartoons, celebrities, characters or themed associated with minors and younger generations (under 19s). It is considered best practice to not make use of actors and personalities under the age of 25.
    - Adverts that show young, juvenile, or immature behaviour.
    - Placement of ads on platforms that have are directed primarily to minors, or where most of the audience is reasonably expected to be minors.
- Display, link or encourage gambling to seduction, sexual success or enhanced attractiveness. Examples include but are not limited to:
    - The use of an attractive model to show the success of gambling.
    - The portrayal of gambling in the context of sexual bravado or the use of overly sexualised scenarios.
- Mislead. Examples include but are not limited to:

- Failing to display terms and conditions clearly or illegibly.
- Omitting important terms and conditions to the detriment of the consumer.
- Distorting information in order to cloud its true effect (particularly around “Free” promotions- see below).
- Implying or suggesting a sense of urgency where there isn’t one.
- Advertising a Communication as “exclusive” when it isn’t.
- Implying that expressions of opinion are objective claims.
- Making comparative statements vis-à-vis competitors or the broader market without basis of objective data (which must be included within the marketing communication).

### **“Free” and “Bonus”:**

The WHG requirements for Ontario are as follows:

- “Free” can only be used when players are provided with genuinely free cash funds or spins. It cannot be tied to a deposit, and any winnings from the free bonus must be credited in cash and can be immediately withdrawn by the player. There cannot be any restrictions both in relation to a player’s ability to benefit from an offer or otherwise participate, as well as the use of the benefits derived from such an offer.
- “Bonus” is for spins or funds that have conditions attached (e.g., they are deposit-based, or have wagering requirements etc.)

### **Data Compliance in Marketing:**

Communications must only be sent to players who have opted-in expressly to receiving promotions via the channel being employed. Only XtremePush and Track and Trigger communications operate outside the parameters of the standard communication preferences available to players (Web Push communications are consented to via the user’s web browser and XtremePush onsite pop-ups and account inbox messages fall outside opt-in parameters due to their nature as “in-built” features of the respective sites). This rule does not apply to transactional emails, which are only to be submitted following review and approval from the Data Compliance as well as the Marketing Approvals and Affiliate Compliance teams.

Similarly, cross-marketing activity must be only directed towards players who have specifically opted into such form of communications, as well as the relevant opt-in for the particular communication channel. Any cross-marketing proposals are to be reviewed and approved by the Data Compliance and Marketing and Affiliate Compliance teams.

In an email or other form of Communication, the commercial intent must be made clear and obvious to the recipient. The standard WHG email footer must not be amended in any way. The Subject line must be clear and not misleading (e.g., giving the impression that a communication is not of a promotional nature), and the content itself must comply with these Guidelines.

All Communications (except transactional) must include clear instructions and/or a link enabling the customer to opt-out from receiving further promotional messages, with no exception.

### **Social Media Communications:**

Operators must ensure that all paid/sponsored social media ads for the Ontario market only be targeted at users of 19 years of age and over. Furthermore, organic content posted on owned social media channels must similarly be restricted to 19+ users.

Where social media platforms allow for geotargeting on a provincial level, this must be implemented. In any case, the above requirements must be met, even if provincial geotargeting cannot be deployed.

Operators shall indicate their association with iGO on all owned social media accounts in the masthead of their landing page on the social media platform (e.g. Facebook cover image), by means of the inclusion of the IGO logo (where space permits) or, at a minimum, the following statement: *[BRAND] operates pursuant to an Operating Agreement with iGaming Ontario*.

Social media communication is not accepted in any form unless the Marketing Approvals Department provides specific approval. For the avoidance of doubt, both the creation of social media profiles/pages and any content posted thereon which is aimed towards an Ontario audience must be subject to pre-approval. Licensees are to be guided by the specific Social Media Guidelines when planning any social media activity.

### **Significant and Promotional Terms**

Significant terms are the material conditions and limitations relating to an offer or promotion that should enable a consumer to get a full idea of the principal benefits and limitations/restrictions of an offer, without having to trawl through further lengthy terms. Onsite banners must feature Significant Terms if a promotion is being specifically advertised. In this section, the term “specific advertisement” refers to instances where the principal benefit/s of a promotion are presented.

Significant Terms must be placed as close to the corresponding specific advertisement as possible, and preferably in such a manner as to be visible simultaneously with the advert. Therefore, for example, in the case of onsite banners, Significant Terms must be displayed directly underneath or over them.

In any case, Significant Terms are to include a live link to a compliant landing page wherein the full terms and conditions of the particular offer are presented, no more than one click away.

Specific Promotional Terms and Conditions should not be confused with the General Website Terms and Conditions, and the General Promotional terms. These are available on the casino website and are completely standard in nature across all brands managed and operated by WHG. No changes should be made to these two sets of standard Terms at any point without the express consent of the Legal Department.

Detailed advice concerning the content of Promotional Terms and Conditions can be found in specific Guidelines.

### **Inclusion of iGO logo**

The iGO logo must be included in website footers, as well as all visual media advertising materials produced for the Ontario market, including, but not limited to:

- Television (including on-demand)
- Digital & Social Media
- Print

In media that utilizes video, animation and/or rotating static images (e.g. GIFs), the iGO Logo may be inserted within a section of one of these display elements. The iGO Logo must appear such that it is clearly integrated into a minimum of 5% of the total creative.

### **Affiliate Advertising Activity**

Any affiliate advertising activity directed at or otherwise comprising (in full or in part) of an Ontario audience must be submitted for review and pre-approval.

Any third-party affiliates who wish to specifically engage in advertising for any WHG brands directed at an Ontario audience must declare and confirm at the onboarding stage that they shall not, at the same time, engage in advertising of any brands that do not hold an active AGCO licence. For the avoidance of doubt, we reserve the right to terminate any affiliate relationship with immediate effect should such affiliate be in breach of this requirement.

**Affiliates may not promote any inducements, bonuses, and credits (including welcome offers).**

Advertising promotional offers to existing players must be exclusively submitted on the basis of their explicit consent. Therefore, broad targeting of existing players is not permitted.

## **Key Requirements**

Do not create or amend any creative media supplied to you unless you have received our prior written consent to do so. Any amendments to our creative media or creation thereof would be in breach of your Affiliate Agreement with us. This includes promotional banners, images, or other assets. This is to ensure that your communication(s) are always legally compliant. If you wish to use text or other material that is not supplied by us to describe, advertise, or promote any of our brands, games, or services, then you must obtain our written approval prior to publication. Similarly, you must not repurpose any material aimed at non-Ontario jurisdictions for an Ontario audience.

Do not change landing pages. 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 promotional material to go live until we have confirmed/approved the landing page.

You must ensure that you keep an accurate record of websites, media accounts, channels, and other platforms on which you are displaying communications. We will require continued access to review such records to ensure that we can satisfy our regulatory obligations. You can therefore only display communications via platforms which you would have disclosed to us and which we would have not rejected. Any changes to such arrangements must be sent to us for review and approval prior to being implemented.

Any communications must not be displayed, target, or be appealing to minors and vulnerable audiences. This includes the form and content of your Communication, such as including child-like imagery, bright colours, or choice of wording.

Advertising promotional offers is strictly disallowed.