

Great Britain : Marketing guidelines for Affiliates

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Introduction

The regulatory landscape, most particularly in Great Britain, is changing constantly and bringing about new challenges in ensuring continued and complete compliance, particularly in the sphere of affiliate marketing.

In pursuance of our regulatory obligations, all White Hat Gaming (“WHG”)/ IVY affiliates must agree and are required to promote our brands in a socially responsible manner, and in full compliance with all applicable laws, regulations, codes of practice and internal guidelines, to ensure that any advertising activity and associated promotions remain clear, transparent, and not misleading.

It is 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. While we appreciate that you are an integral part of our business, this needs to be balanced with the increasing regulatory pressure being applied to operators. We aim to ensure that our business and partnership with you develops sustainably. This can only be achieved with your compliance and continuous assistance in ensuring that all facets of affiliate marketing are being carried out in accordance with the applicable regulations.

In these Guidelines, reference to “communication(s)” includes any marketing, promotional, and advertising activity which is used to encourage customers to sign-up to one or more of our participating brands as partnered with you.

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, offers or services, then you must obtain our written approval prior to publication. Similarly, you must not repurpose any material aimed at non-GB jurisdictions for a Great British audience.

Do not change promotional landing pages. These landing pages are crucial given that they often 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.

Do not display or place digital adverts (including pop-ups and pop-unders) 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 Putlocker.

Do not display, direct or place Communications anywhere there is gambling advice or corrective behavioural content.

You must ensure that you keep an accurate record of websites, media accounts, channels and other platforms on which you are sending or 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 or submit 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.

At any point, you must be able to disclose to us a complete list of URLs wherein you submit or display our communications. If you are unable to acceded to such request, we shall be left with no option but to terminate our Agreement with you.

Any communications must not be displayed, target, or be appealing to those under the age of 18. This includes the form and content of your Communication, such as including child-like imagery, bright colours, or choice of wording. Please note that certain games are 'age-gated' across the WHG network to mitigate this risk. Such games and any ancillary promotional assets may not be utilised in affiliate material. This also applies to any content of your website or online presence.

Should you wish to promote our brand(s) via recorded videos, kindly get in touch to acquire the relevant Guidelines.

Media Buying

Media buying activity by third parties is allowed, subject to a number of strict requirements. By its very nature, media buying activity will lead to a number of ads being placed on a variety of websites, which carries a considerable inherent risk. The following rules must be followed with respect to such campaigns:

- Any media buying activity may not be carried out without the express consent of the Marketing and Affiliate Compliance Department. This includes any reruns of previously approved campaigns. Requests submitted for pre-approval must include:
 - The target categories of sites that will be used for the campaign;
 - The duration of the campaign;
 - The offer/s that will be promoted; and
 - The landing page/s that will be used for traffic redirection.

- Additionally, any requests must be accompanied with a written undertaking from the third-party service provider that websites explicitly targeting minors, adult websites, websites offering gambling/other addiction support, and websites promoting alcohol consumption will be avoided. No approval shall be provided to media buying activity without such assurances being provided.

- The third-party provider must further consent and undertake to immediately take down any ads placed on website/platforms which by their nature or reasonable audience share may present a regulatory risk. WHG/IVY
- reserves the right to determine, at its sole discretion, any placement that would meet this criterion.

- No news/current affairs websites, encyclopaedias, sites hosting academic / learning material (especially targeting age groups under 18), as well as any sites which may reasonably be utilised by minors (e.g. sites hosting free non-gambling related games, research material (e.g. National Geographic) or arts/crafts sites) may be targeted for ad placement.

- A full report outlining all the website URLs wherein ads have been placed must be provided to us for review no later than 48 hours following the commencement of a media buying campaign.

We reserve the right to request immediate removal of any ads on any sites which we might deem to pose significant regulatory risk. Failure to comply with such requests will result in termination of the Affiliate relationship.

SMS and postal Marketing

Affiliate SMS and postal marketing for the Great British market is strictly disallowed. Any affiliates found to be promoting (directly or otherwise) any IVY brands via SMS and/or postal campaigns will have their Agreement terminated immediately. Postal campaigns include the submission of any leaflets, flyers, letters, or other material mentioning or promoting any IVY brands.

Email Marketing

As a rule, 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 to do this, subject to the conditions within these Guidelines being met. This does not include any email campaigns if they do not promote, mention, or reference (directly or otherwise) any of our brands.

In approving any email campaigns, we will ask you to provide assurances on how you will mitigate against targeting potentially self-excluded customers (e.g., by ensuring that terms relating to newsletter distribution lists are clear).

Should an email marketing campaign be carried out in breach of these Guidelines, you will be instructed to cease all future marketing campaigns until there is an effective process in place.

Social Media

If you choose to use social media for your Communications, you must:

- Clearly show the ‘Over 18’ logo in all Communications and on your profile description itself.
- Include a responsible gambling message (e.g., Please Gamble Responsibly) as well as the Gamble Aware URL in full: www.begambleaware.org. The SG message requirement can be satisfied by including the new “Take Time to Think” campaign banner / logo (available on request).
- Be able to prove that your communications are targeted and displayed to those above the age of 18. For example, with Twitter, you must use its age-screening function when marketing to consumers, or ‘checking’ the age restriction option when uploading content to YouTube. If YouTube channels are exclusively or largely (50% + of typical content) used to promote online gambling, the account itself, apart from individual videos must be age-gated. Similar options apply to other social media platforms.
- 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 review the policies of the respective social media platform. For example, Facebook requires real-money gambling-related ads to be pre-approved before release. For

clarity's sake, it is the affiliates' individual responsibility to abide by platform policies, guidelines, and limitations.

We 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, which platforms you intend on using, along with URLs to all relevant 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.

Affiliate-run promotions and campaigns

Any affiliate-run promotional campaigns (e.g., prize draws, exclusive offers, leaderboard tournaments etc) must be submitted to us for review and pre-approval prior to being made public. Any such requests must include the full details of the offer / promotion, a draft set of Terms and Conditions, and any imagery or other promotional assets that will be used in relation to the campaign.

White Hat Gaming has a comprehensive set of internal guidelines concerning the proper running of such promotions which shall be applicable in full to any affiliate-run campaigns wherein an IVY brand is featured. Affiliates are expected to be able to comply in full with these requirements, and must ensure that any promotions are run fairly, and that participants are provided with full, clear, and non-misleading details.

SEO and PPC activity

While SEO and PPC activity may be allowed (subject to pre-approval on an 'ad-hoc' basis), affiliates must steer clear of engaging in any 'black hat' activity which would generate considerable risk and reputational damage with search engines. 'Black hat' practices seek to surreptitiously generate a higher ranking for a website through the use of unethical tactics. This includes activity such as:

- Keyword stuffing: Filling sites with repeated keywords, multiple variations of the same keyword, or irrelevant keywords with the aim of manipulating page ranking.

- Cloaking: Attempting to hide the true content of a website or webpage to a search engine crawler.
- Sneaky redirects: Seeking to redirect a search engine crawler to a different website or webpage than the one users would ultimately be directed to when clicking on a link; or redirecting users to a different website or webpage than the one described in the search results. Another example is the use of multiple backlinks which are merely deployed to boost search results.

Furthermore, any PPC activity must be subject to a granular review and pre-approval. As members of the Betting and Gaming Council (BGC) we have fully transposed the provisions of the latest Industry ('IGRG') Code in our internal guidelines. Any PPC requests must include:

- A full list of keywords which shall be bid on, along with the matching option (broad/phrase match modifier or exact match modifier) per keyword; and
- The headline, display URL, and description text (all variations if more than one will be used).

All display ads must carry '18+', a safer gambling message (e.g., 'Gamble Responsibly'), as well as the Gamble Aware URL in the description text. Furthermore, whenever a PPC campaign is promoting an offer, the words "Terms Apply" (or similar arrangements) must also be included. Inclusion of these elements in headlines or the display URL are no longer allowed.

In addition, all PPC activity must abide by and integrate the list of negative keywords which is continuously updated across the industry. We may request evidence that you are abiding by this requirement at any point.

CMA Compliance

Given the numerous changes required by the CMA, we request that, if you are not targeting the Great British market, you ensure that all offers and promotions do not feature monetary values in GBP/£. Please use Euros, Dollars and/or other currencies, as required. Different Marketing Guidelines apply should you wish to promote our brands in other jurisdictions outside of Great Britain. Should you be interested, please get in touch.

However, if it is your desire to target the Great British market, where your offer/promotion contains GBP/£, this must either:

- a) Use pre-approved creatives which have been specifically amended and created to comply with GB regulations; or
- b) be approved by the Marketing and Affiliate Compliance Department.

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, in view of the level of importance placed on this by the Gambling Commission, the ASA, and the CMA.

Disallowed claims

As an affiliate, you must not be using the COVID-19 pandemic in any way to promote our brands and/or to drive traffic to your promotional sources. We take a zero-tolerance approach with respect to any breaches of this rule and will terminate any agreements in case of non-compliance therewith.

As credit cards are no longer accepted in Great Britain, you must ensure that any references to such form of payment are removed from your promotional sources that promote our brand(s).

Any links between IVY brands and “buy now pay later” service providers (e.g., Klarna, Clearpay) are strictly disallowed. We do not make use of such service providers in Great Britain, and therefore any such mentions would be incorrect and pose an unacceptable regulatory risk. Failure to comply with requests for changes/corrections to such content may result in termination of any agreements.

Any claims which imply quick pay-outs, no verification, a ‘risk-free’ (or ‘low-risk’) experience, and/or which similarly seek to portray any IVY brand as not following all applicable rules are strictly disallowed and will lead to immediate termination of any affected affiliate relationships. We have deployed automated checks for several keywords which are disallowed and will take immediate actions should any use thereof be identified.

Data Compliance

Any data that you hold relating to an individual must have been collected, processed, and stored in accordance with applicable laws (in the UK being the Data Protection Act 2018 and the GDPR). You should keep clear 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 (when expressly authorised), 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 “opt out”, “unsubscribe” or similar measures, and you are obliged to honour such requests. You must not make this opting-out process difficult or at a cost.

Additionally, any email should make clear reference to you in the “From” field. 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 must not be misleading. It should not be written in such a manner as to constitute “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.

Do not spam recipients or send unsolicited emails. You must prove that you have received express and specific 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 and security.

Critical Points and Tips

- If in any doubt, ask. Our Marketing and Affiliate Compliance Department will be happy to answer or resolve any queries that you may have.
- Do not change any creative media or create your own campaigns (or similar) without our prior written consent.
- Only use pre-approved material. These have been amended to specifically comply with the latest GB regulations.
- 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 brands whatsoever unless we have given our express prior written consent.
- Use your best efforts to ensure that only those above the age of 18 can view your Communications, such as deploying age-gating 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 should include 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, and free 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 for 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 changing continuously, and we encourage you to stay updated on any developments resulting from regulatory decisions or internal guidelines.
- Use your best efforts to retain the highest 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 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 remain fully compliant.