

Rest of World : Marketing guidelines for Affiliates

Effective from: December 2021 (version 2)

Introduction

The Malta Gaming Authority (MGA) has recently strengthened its regulatory and enforcement action with respect to a number of key areas of gambling advertising. In view of this, it's more important than ever to ensure that any affiliate communications in "Rest of World" (RoW) territories is carried out in a manner that respects the limitations and principles outlined within these Guidelines.

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.

Messaging limitations

Gambling advertising must be socially responsible and must avoid portraying gambling in certain contexts, or use messaging or imagery which might be potentially harmful. Therefore, affiliate advertising of our brand(s) must not, directly or indirectly:

- encourage antisocial behavior (this includes portraying gambling with the consumption of alcohol);
- suggest that gambling can be a resolution to social, educational, personal, or professional problems;
- suggest that gambling can be an alternative to employment, a solution to financial concerns or a form of financial investment (e.g., "A life-changing win!");
- portray gambling as socially attractive;
- portray gambling in a context of toughness or link it to resilience or recklessness;
- portray gambling as indispensable or as taking priority in life, for example over family, friends or professional or educational commitments;
- suggest peer pressure to gamble or disparage abstention from gambling (e.g., "Play Now!" "What are you waiting for?", "Hurry Up!", and similar messaging);
- suggest that skill can influence the outcome of a game that is purely a game of chance;
- exploit cultural beliefs or traditions about gambling or luck; or
- suggest that solitary gambling is preferable to social gaming (e.g., "Bored at home? Play with us!").

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.
- 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 honor 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 and relevant links to safer gambling sites. You must ensure that you are not accepting traffic or otherwise appeal to those under the age of 18.
- 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 behavioral content.
- Familiarise yourself with the social media policies (and any other online policies that apply to your communications) to ensure that you remain fully compliant.

Media Buying and Newswire Distribution:

Any media buying activity and the utilisation of newswire services to distribute communications to press agencies is only to be carried out with the express approval of the Marketing and Affiliate Compliance Department. The Department will require full specifications of the campaigns being planned, including duration and target placements, and may require a full report outlining the complete list of placements which would need to be submitted by no later than 48 hours after a campaign goes live.

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 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 Gambling Therapy URL in full: www.gamblingtherapy.org.
- 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.

You may not use social media to promote any of our brands without our prior consent. While affiliates may use social media for generic purposes and/or for generating traffic to their own websites in accordance with all applicable laws, you must not 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.

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. All display ads must carry ‘18+’, a safer gambling message (e.g., ‘Gamble Responsibly’), as well as the Gambling Therapy URL. Furthermore, whenever a PPC campaign is promoting an offer, the words “Terms Apply” (or similar arrangements) must also be included.

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.

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 action 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 particular, 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.

Further information

We firmly believe that together we can maintain and continue to grow our relationship. Should you have any queries, or require further guidance, please feel free to contact us. Any affiliate-related requests are to be directed to compliance@ivyaffiliates.com.