



# WAGERING ADVERTISING & MARKETING COMMUNICATION CODE

This Code has been adopted by the Australian Association of National Advertisers (AANA) as part of advertising and marketing self-regulation. The object of this Code is to ensure that advertisers and marketers develop and maintain a high sense of social responsibility in advertising and marketing wagering products in Australia.

This Code is accompanied by a Practice Note which has been developed by the AANA. The Practice note provides guidance to advertisers and complainants, and must be applied by the Advertising Standards Board in making its determinations. In the event of any ambiguity the provisions of the Code prevail.

## 1. DEFINITIONS & INTERPRETATION

In this Code, unless the context otherwise requires:

**Advertising or Marketing Communication** means:

a. any material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of, an advertiser or marketer,

- over which the advertiser or marketer has a reasonable degree of control; and
- that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct,

b. but does not include

- labels or packaging for products;
- corporate reports including corporate public affairs messages in press releases and other media statements, annual reports, statements on matters of public policy and the like; or
- in the case of broadcast media, any material which promotes a program or programs to be broadcast on that same channel or station.

**Board** means the board appointed by the Advertising Standards Bureau from time to time, the members of which are representative of the community, to administer a public complaints system in relation to Advertising or Marketing Communication.

**Licensed Operator** means a person or company licensed in a State or Territory of Australia to provide Wagering Products or Services to customers in Australia.

**Medium** means any medium whatsoever including without limitation cinema, internet, outdoor media, print, radio, television, telecommunications, or other direct-to-consumer media including new and emerging technologies.

**Minor** means a person under 18 years of age.

**Wagering Product or Service** means a product or service, provided by a Licensed Operator, which offers betting on horse races, harness races, greyhound races, sporting events,

novelty events or other contingencies (or a series of races, events or contingencies); but does not include gaming, such as casino games or electronic gaming machines, keno, lotto and lottery products or trade promotions.

For the purposes of this code, Wagering Product or Service includes betting on fantasy sport teams, odds compilation and tipping services offered or provided by a Licensed Operator.

## 2. CODE OF PRACTICE

### 2.1

Advertising or Marketing Communication for a Wagering Product or Service must not, having regard to the theme, visuals and language used, be directed primarily to Minors.

### 2.2

Advertising or Marketing Communication for a Wagering Product or Service must not depict a person who is a Minor unless the person is shown in an incidental role in a natural situation and where there is no implication they will engage in wagering activities.

### 2.3

Advertising or Marketing Communication for a Wagering Product or Service must not depict a person aged 18-24 years old engaged in wagering activities.

### 2.4

Advertising or Marketing Communication for a Wagering Product or Service must not portray, condone or encourage wagering in combination with the consumption of alcohol.

### 2.5

Advertising or Marketing Communication for a Wagering Product or Service must not state or imply a promise of winning.

### 2.6

Advertising or Marketing Communication for a Wagering Product or Service must not portray, condone or encourage participation in wagering activities as a means of relieving a person's financial or personal difficulties.

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## 2.7

Advertising or Marketing Communication for a Wagering Product or Service must not state or imply a link between wagering and sexual success or enhanced attractiveness.

## 2.8

Advertising or Marketing Communication for a Wagering Product or Service must not portray, condone or encourage excessive participation in wagering activities.

## 2.9

Advertising or Marketing Communication for a Wagering Product or Service must neither portray, condone or encourage peer pressure to wager nor disparage abstention from wagering activities.

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This section does not form part of the Wagering Advertising & Marketing Communication Code and is provided here for information only.

## COMPLAINTS UNDER THE AANA SELF-REGULATORY SYSTEM

Complaints about the content of an advertisement or marketing communication can be made under this Code and the other AANA Codes to the Advertising Standards Bureau:

You can make a complaint by:

- Lodging a complaint online at:  
<http://www.adstandards.com.au>
- Writing a letter (and sending via post or fax) to:  
The Advertising Standards Bureau  
Level 2  
97 Northbourne Avenue  
TURNER ACT 2612  
Fax: (02) 6262 9833

Once the Advertising Standards Bureau has received your complaint, it then assesses the complaint to determine whether it is eligible for consideration by the Advertising Standards Board. The Board is the body established to consider complaints. If accepted the advertiser/marketer is notified and a response is requested. The complaint is then considered by the Board and the advertiser and complainant are advised of the determination. A case report is then published.

The original complainant or advertiser/marketer can also ask for a review of the determination.

<sup>1</sup> If your complaint is about a program (not an advertisement) on television or radio, please contact the relevant industry body.