

House of Commons Library

Research Briefing

Published Friday, 13 August, 2021

What does the law require?

Under the Gambling Act 2005, gambling operators selling into the British market must have a Gambling Commission licence to transact with, and advertise to, British consumers. The Commission's Licence Conditions and Codes of Practice (LCCP, October 2020) require operators to

comply with the Advertising Codes, administered by the Advertising Standards Authority (ASA).
The Codes are designed to ensure that gambling adverts do not:

- portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
- exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons.
- suggest that gambling can be a solution to financial concerns.
- link gambling to seduction, sexual success or enhanced attractiveness.
- be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.
- feature anyone gambling or playing a significant role in an advert if they are under 25 years old (or appear to be under 25).

Adverts that breach the Codes have to be amended or withdrawn. If serious or repeated breaches occur, the ASA can refer advertisers to the Gambling Commission and broadcasters to Ofcom.

Concerns about advertising

Gambling advertising has increased substantially since the 2005 Act came into force. This has led to concerns about its impact on children, young people, and vulnerable adults. The relationship between gambling and sport has come under particular scrutiny.