



# **GAMING BOARD OF TANZANIA**

## **THE GAMING ADVERTISING CODE OF PRACTICE, 2023**

*(Made under Regulation 14A)*

## TABLE OF CONTENTS

<b>Part One</b> .....	3
Definitions.....	2
Introduction.....	5
Background.....	5
Observation.....	5
Implication.....	6
Objective of the Gaming Advertising Code.....	6
Scope.....	6
<b>Part Two</b> .....	7
Contents of Gaming Advertising.....	7
Compliance with General Legislations.....	7
Specific Provisions.....	7
Advertising of Gaming Activities.....	8
Gaming Advertising Must Not.....	8
Prize Promotions and Advertising.....	8
Permissible Advertising of Loyalty Programs.....	9
Consent of Individuals or Organizations Used in Adverts.....	9
Unsolicited Telephone Calls and SMS.....	10
Pricing of Tickets.....	10
<b>Part Three</b> .....	11
Mandatory Responsible Gaming Messages.....	11
Presentation of Message on Radio.....	11
Presentation of Message on Television.....	11
Radio Blackout .....	12
Television Blackout .....	12
Print Media.....	12
Outdoor Signage.....	13
Ground Signage.....	13
News Bulletin .....	13
Special Provisions for Short Messages.....	14
<b>Part Four</b> .....	14
Role of the Board.....	14

## PART ONE

### 1. INTRODUCTION

#### 1.1 Background

##### 1.2.1 Legislative Mandatory

Advertisements relating to promotion of gaming activities are regulated under the Gaming Act, 2003 and its Regulations. Section 86A of the Written Laws (Miscellaneous Amendments) (No.6) Act, 2019 provides that *the Board shall regulate gaming advertisements in a manner provided in the regulations*. Further, Regulation 113 stipulates that, “*any advertisement for any gaming activity may be scrutinized by the Board and where the Board is satisfied that such advertisement is undesirable, the licensee shall be required to withdraw such advertisement*”. This Advertising Code of Practice therefore, makes more clear provisions on the criteria and procedures to be observed while issuing advertisements with a view to preventing the adverse effects that the gaming operations may have to the public. Notwithstanding the adverse effects on gaming public, the GBT is mindful of social and economic benefits that may be missed if conduct of gaming adverts is not properly regulated. It is therefore the intention of the GBT to ensure that the gaming adverts are properly regulated in order to achieve social and economic benefits accruing from gaming activities.

##### 1.2.2 Observation

Despite the presence of the aforementioned regulatory tools, the incumbent regulatory frameworks however, do not provide

descriptive mode of its application in terms of requirement and conduct or practice by promoters of gaming activities.

### **1.2.3 Implication**

In absence of standardized and described gaming advertising regulatory framework, the objective of preventing harm to the vulnerable groups including the problem gamblers, protecting the minors (underage) and ensuring sustainability of gaming industry may not be optimized.

## **1.2 Objective of the Gaming Advertising Code**

The Gaming Advertising Code of Practice intends to ensure that the gaming adverts are regulated with a view to preventing harm to the vulnerable groups including the problem gamblers, minors (underage). Further, the Code intends to keep in hold the sustainability of the existing business, addressing the emerging challenges and promoting the gaming industry to ensure it contributes meaningfully to our country's economy.

## **1.3 Scope**

The Code shall apply to all advertisements for any gaming activity appearing in electronic media and print media:

- a) Electronic media includes television, radio, internet services, facsimile transmissions, socio media, computer games, electronic billboards, cinemas and related means; and
- b) Print media includes advertisements in newspapers, magazines, brochures, leaflets, circulars, mailings, posters, printed billboards, displays on buildings and vehicles, and other printed publications.

## PART TWO

### 2. CONTENTS OF GAMING ADVERTISING

#### 2.1 Compliance with General Legislations

Gaming advertising must be compliant with applicable legislations of Tanzania including but not limited to:

- 2.1.1 The Cybercrimes Act, 2015,
- 2.1.2 Gaming Act, Cap 41,
- 2.1.3 Gaming Regulations, 2003,
- 2.1.4 Media Service Act, 2016,
- 2.1.5 Electronic and Postal Communications (Digital and Other Broadcasting Networks and Services) Regulations, 2018 as amended in 2022
- 2.1.6 Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulation 2018 as amended,
- 2.1.7 Electronic and Postal Communications (Online Content) Regulation 2020 as amended,

#### 2.2 Specific Provisions

##### 2.2.1 Advertising of Gaming Activities:

- a) Must not encourage a breach of the law;
- b) Must not depict children participation;
- c) Must not be false, misleading or deceptive;
- d) Must not suggest that winning will be a definite outcome of participating in gaming activities;
- e) Must not suggest that participation in gaming activities is likely to improve a person's financial prospects;
- f) Must not promote the consumption of alcohol while engaging in gaming activities;

- g) Must be published in accordance with decency, dignity, good taste and;
- h) Must not offer any credit, voucher or reward as an inducement to participate in any gaming activity;
- i) Must not make claims related to winning or the prizes that can be won which are not based on fact, or unable to be proven, or are exaggerated.

### **2.2.2 Gaming Advertising shall not**

- a) in relation to non-skill gaming, suggest that a player's skill can influence the outcome of gaming activity; or
- b) in relation to skill gaming, exaggerate the extent to which skill can influence the outcome of gaming activity.

### **2.2.3 Prize Promotions and Advertising**

If gaming advertising refers to the value or nature of one of the prizes which are available to be won or the frequency with which the prize might be won, the advertising:

- a) Must include sufficient information to allow a reasonably informed person to understand the overall return to player or, if the product does not have an overall return to player, the odds of winning; and
- b) Must, if the advertising is intended to encourage a person to gamble during a particular period, include sufficient information to allow a reasonably informed person to appreciate how likely it is that the prize will be won by someone during that period.

#### **2.2.4 Permissible Advertising of Loyalty Programs**

- a) A gaming operator may, despite clause 2.2.1(h), advertise an inducement in the form of participation in an acceptable loyalty program by:
  - i) Drawing attention to the name of the loyalty program and its availability to customers of the gaming operator;
  - ii) Publishing the program's terms, conditions and benefits: on a public webpage; or on signs in or near a gaming area; and in a document available in or near a gaming area so long as the terms, conditions and benefits are published in their entirety.
- b) A gaming operator may, despite clause 2.2.1(h), advertise an inducement in the form of participation in an acceptable trade promotion lottery, or of a complimentary gaming product, by drawing attention to the prizes.

#### **2.2.5 Consent of Individuals or Organizations Used in Adverts**

Gaming operators should ensure that no advertisement of a promoted game includes the name of or any image which are identifiable with, any individual or organization to whom prize has been distributed under provisions of the scheme without the consent of that individual or that organization and the Board.

#### **2.2.6 Unsolicited Telephone Calls and SMS**

Gaming operators should ensure that no unsolicited telephone calls, Short Message Service (SMS) or other forms of direct or personal communication are made with a view to encourage the

purchase of tickets for participating in a draw without the prior written approval of the Board.

### **2.2.7 Pricing of Tickets**

Gaming operators should ensure that no tickets are given away free or sold for less than full price payable in accordance to terms and conditions submitted to the Board.

## **PART THREE**

### **3. MANDATORY RESPONSIBLE GAMING MESSAGES**

**3.1** All advertising in gaming activities should include mandatory responsible gaming messages.

#### **3.1.1 Presentation of Message on Radio**

This may always be accompanied by the condensed responsible gaming message and when announced on radio, the mandatory message must be:

- a) spoken in a neutral tone;
- b) otherwise presented in a way which reflects the importance of a responsible gaming message; and
- c) ending with GBT toll free number **0800110051**

#### **3.1.2 Presentation of Message on Television**

- a) In the case of an advertisement longer than 15 seconds, it must always be accompanied by the expanded responsible gaming message;
- b) In the case of celebrity commentary—must include the person expressly or impliedly representing the gaming operator mentioning the GBT toll free number **0800110051** and the need to gamble responsibly;



- c) In the case of the presence of a logo on screen (other than as part of a television commercial which includes a mandatory responsible gaming message)—must include the placement of the condensed responsible gaming message adjacent to the logo, occupying no less space than that occupied by the logo; and
- d) The message must be spoken in a neutral tone at the same time as it appears on the screen.

### **3.2 Radio Blackout**

- 3.2.1 Gaming advertising must not be placed on radio between **6.00am** and **2.00pm**, Monday to Friday (including holidays).
- 3.2.2 This clause does not apply to gaming advertising on a dedicated sports channel.
- 3.2.3 Notwithstanding provision of clause 3.2.1, the advertising of responsible gaming issues may freely be aired.

### **3.3 Television Blackout**

- 3.3.1 Gaming advertising must not be placed on television between **6.00am** and **2.00pm**, Monday to Friday.
- 3.3.2 This clause does not apply to gaming advertising on a dedicated sports channel.
- 3.3.3 Notwithstanding provision of clause 3.3.1, the advertising of responsible gaming issues may freely be aired.

### **3.4 Print Media**

- 3.4.1 Gaming advertising in print media (including newspapers, magazines and leaflets), the mandatory responsible gaming message:

- a) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
- b) must occupy at least 10% of the space occupied by the advertising.

### **3.5 Outdoor Signage**

In outdoor gaming advertising, the mandatory responsible gaming message—

- 3.5.1 must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
- 3.5.2 must occupy at least 10% of the space occupied by the advertising.

### **3.6 Ground Signage**

- 3.6.1 This clause applies to gaming advertising which is an outdoor or indoor display or sign at a place which is the venue:
  - a) for any sort of event which is broadcasted on television; or
  - b) for an event on which gaming activities take place.
- 3.6.2 Subject to sub-clause (c), in gaming advertising to which this clause applies, the mandatory responsible gaming message:
  - a) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
  - b) must occupy at least 10% of the space occupied by the advertising.
- 3.6.3 If gaming advertising to which this clause applies is presented by means of a display which:
  - a) is constantly moving, scrolling or changing; or
  - b) is capable of immediate or scheduled systematic change—the mandatory responsible gaming message: must be presented

in a font, in a colour and with sufficient contrast such as to make it distinct; and must occupy at least 25% of the space occupied by the advertising.

### **3.7 Special Provisions for Short Messages**

#### **3.7.1 Messages of 160 Characters or Less**

Gaming advertising which is a text message must be concluded with the condensed responsible gaming message.

#### **3.7.2 Messages Longer than 160 Characters**

Gaming advertising which is an electronic message of more than 160 characters must be concluded with the condensed responsible gaming message and the GBT toll free number **0800110051**

### **3.8 News bulletin**

Gaming adverts shall not be aired in both Radio and Television just before, during and just after the following programs:

- a) News;
- b) Live events of national interest; and
- c) Parliamentary sessions

## **PART FOUR**

### **4. ROLE OF THE BOARD**

- 4.1** Gaming Act, Cap 41, Section 86A as amended by Written Laws (Miscellaneous Amendments) (No. 6) Act, 2019 provides that the Board shall regulate gaming advertisements with a view to protecting minors and vulnerable groups from being harmed or exploited by gaming activities;
- 4.2** Regulation 113 of Gaming Regulations, 2003 provides for scrutiny of gaming activities adverts and approval by the Board thereof; and
- 4.3** The Board may direct a licensee to rectify, withdraw, remove or discontinue an advertisement which contravenes provisions of this code.

### **5. AWARENESS ON THE CODE OF PRACTICE**

It is a duty- bound upon all gaming operators to adhere to this Advertising Code of Practice with a view to keeping in hold the sustainability of the existing business, addressing the emerging challenges and promoting the gaming industry while embracing responsible gaming.

### **6. MONITORING AND REVIEW**

In order to ensure sustainability of gaming industry, this Code shall be monitored and reviewed from time to time in line with emerging trends in gaming environment.

### **7. APPROVAL AND EFFECTIVE DATE**

This Advertising Code of Practice became effective on the date of approval by the Board of Directors. The Approval was granted **on 19<sup>th</sup> June, 2023.**