



## **Advertising and Promotion Code of Practice**



# Advertising and Promotion Code of Practice

## 1. Purpose

To establish a code of practice covering Advertising, Marketing and promotion in respect of the National Lottery and every National Lottery Game and any National Lottery ancillary activities which PLI, the operator of the National Lottery, intends to pursue.

## 2. Definitions

In this Code of Practice unless the context requires otherwise capitalised words or expressions shall have the same meanings as in the Licence and the following expressions shall have the following meanings:

**Act** means the National Lottery Act 2013;

**Advertising or Advertisement** means a form of marketing communication carried by the media, usually in return for payment or other valuable consideration or in a space that would generally be provided in return for payment;

**Good Causes** means the purposes identified in section 41(1) of the Act;

**Licence** means the licence to operate the National Lottery, made between the Regulator of the National Lottery, the Minister for Public Expenditure and Reform and Premier Lotteries Ireland DAC, and dated 27 February 2014;

**Lottery Game** means any game, competition or other procedure, including those played via Online Facilities and/or Interactive Facilities, in which or whereby prizes (whether money prizes or otherwise) are distributed by lot or chance among persons participating in the game, competition or procedure;

**Marketing Communications** means Advertising, as well as other techniques such as promotions, sponsorships and direct marketing, and should be interpreted broadly to mean any form of communication produced directly by, or on behalf of PLI, intended primarily to promote the National Lottery and/or any National Lottery Games, to influence the behaviour of and/or to inform those to whom it is addressed and to include general advertising which does not deal with National Lottery games or a collection of National Lottery games;

**Minister** means the Minister for Public Expenditure and Reform or his successor in title;

**National Lottery** means any Lottery Game or combination of Lottery Games held by the Regulator or held under a licence in accordance with the rules contained in a scheme under section 45 of the Act in relation to that Lottery Game or each of those Lottery Games;

**National Lottery Game** means any Lottery Game that forms part of the National Lottery;

**Participant** means in relation to a National Lottery Game, a person who is the owner of a valid Ticket for that National Lottery Game;

**PLI** means Premier Lotteries Ireland DAC, the operator of the National Lottery in accordance with Section 29 of the Act;

**Promotional Marketing Practices** means those marketing techniques, including sales promotions, which involve the provision of direct or indirect additional benefits, usually on a temporary basis, designed to make the National Lottery and/or National Lottery Games more attractive to Participants;

**Public Relations or PR** means any form of publicity, promotion or editorial for the National Lottery;

**Regulator** means the person appointed by the Minister under Section 7 of the Act or the Minister acting under Section 8 of the Act;

**Retailer** means any person whom PLI has authorised, in writing, or entered into an agreement with, to sell Tickets from a Retail Outlet;

**Retail Outlet** means any premises where Tickets are sold to Participants who attend personally at the premises; and

**Ticket** means a ticket entitling its owner to participate in the National Lottery, including a ticket sold by way of interactive channels on the internet.

### **3. Scope of the Code**

The primary objective of this Code of Practice is to regulate the Advertising and Public Relations (PR) activities of the National Lottery. This applies to the following:

1. Television commercials
2. Radio commercials
3. Press advertisements
4. Outdoor advertisements
5. Online and digital advertisements
6. Cinema advertisements
7. Social Media
8. All promotional materials
9. Direct Marketing
10. Public Relations activities
11. Sponsorships
12. Point of Sale and Agent Incentive programmes
13. Sales promotion
14. Agent store merchandise (Game Playslips, Lottery tickets)
15. Permanent point of sale including terminals and vending machines
16. The code of practice applies to any other activity or means of communications which is intended to advertise, market or promote the National Lottery, or any of its games.
17. This Code of Practice is applied in the spirit as well as in the letter.

### **4. Other Codes**

PLI shall comply with the *Code of Standards for Advertising and Marketing Communications in Ireland* set out by the Advertising Standards Authority of Ireland (ASAI) and any rules, classifications or rulings of the ASAI, while at the same time being aware of the exclusion applied to the National Lottery under Section 10(2) of that code.

Additionally, PLI shall comply with the General Communications Code, Code of Programme Standards and Children's Commercial Communications Code and any other relevant codes set out by the Broadcasting Authority of Ireland, *Code of Professional Practice for Public Affairs and Lobbying* set out by the Public Relation Institute of Ireland and the Act.

## 5. Standards

This Code of Practice seeks to provide a responsible basis for all advertising, promotion and public relations activity (PR activity) to be produced by PLI in respect of the National Lottery in order to maintain the integrity and sustainability of the National Lottery, while protecting Participants' interests:

1. All forms of advertising should be legal, decent, honest and truthful;
2. Marketing Communications and PR activities should be prepared with a sense of responsibility to consumers and to society;
3. Marketing communications should not state or imply that a participant's skill can influence the outcome of a game;
4. Marketing Communications and PR activities should not portray actions or behaviour that would be considered socially irresponsible or could lead to social, financial or emotional harm;
5. Marketing Communications and PR activities should not mislead or be likely to mislead, by inaccuracy, ambiguity, exaggeration, omission or otherwise;
6. Marketing Communications for promotions or events that can only be accessed through registering online or otherwise purchasing a National Lottery product should make that condition and the age restriction clear;
7. Marketing Communications and PR activities should respect the dignity of all persons and should avoid causing offence on grounds of gender, marital status, family status, sexual orientation, religion, age, disability or race;
8. Marketing Communications and PR activities should not infer that winning any National Lottery Game is anything other than a matter of chance;
9. Marketing Communications and PR activities should not exploit an individual's financial anxieties or personal difficulties nor present winning in a way that is seen to be a way out of financial difficulties or as an alternative to work;
10. Marketing Communications should not: -
  - a. suggest that playing National Lottery Games can enhance personal qualities
  - b. suggest peer pressure to engage in playing National Lottery Games or disparage abstention from doing so, or
  - c. suggest solitary National Lottery play is preferable to social National Lottery play;
11. Marketing Communications and PR activities should not encourage problem play;
12. Marketing Communications and PR activities should incorporate responsible gaming messages;
13. Marketing Communications and PR activities with any association with alcohol, tobacco, pharmaceuticals or related products are strictly prohibited;
14. Marketing Communications shall not promote any other Lottery (which is not a National Lottery) or competition, provided that this shall not prevent promotional

- marketing practices that involve PLI sponsoring prizes in competitions run by third parties; provided that the Marketing Communication contains methods to ensure awareness that any such competitions are not operated by the National Lottery;
15. Tickets for National Lottery Games shall not be awarded as prizes in non-National Lotteries;
  16. Marketing Communications shall not direct advertising at vulnerable groups (in respect of age, social status or gambling playing habits);
  17. Marketing Communications shall not offer incentives for loyalty unless prior approval has been given by the Regulator;
  18. Marketing Communications shall not cooperate with or support links to other commercials that are offering loans that can be drawn upon for the purposes of playing;
  19. All factual statements contained in Marketing Communications and materials released into the public domain shall be true and capable of independent verification;
  20. Where a factual statement is not capable of independent verification PLI shall ensure that it is not included in any Marketing Communications or PR activities;
  21. All Marketing Communications and PR activities shall ensure that no unsolicited telephone calls or other forms of direct or personal communication are made with a view to encouraging the purchase of Tickets in a National Lottery Game;
  22. Participants who opt to receive direct or personal communications from PLI may choose to opt out of such communications at any time; and
  23. No Marketing Communications or PR activities shall be produced on the basis of a top prize where the top prize(s) has already been won.
  24. All Marketing Communications and PR activities relating to Good Causes shall comply with all applicable codes regardless of whether Regulatory approval under Clause 9.8 of the Licence is required.

## **6. Under 18**

25. Marketing communications should not exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children;
26. Marketing communications should not be likely to be of particular appeal to children, especially by being associated with youth culture;
27. Marketing communications including branding should not make direct use of:
  - a. signs, symbols, themes, drawings, fictitious characters or real people of primary or particular appeal to children;
  - b. depict adolescent, juvenile or loutish behaviour;

- c. contain endorsements by recognisable figures who would be regarded as heroes or heroines of the young; or
  - d. induce a child to regard National Lottery play as a natural element of his or her leisure time/activities;
28. Marketing Communications should not be aimed at persons under 18 years of age;
29. No suggestion/inference should be made (in any Marketing Communications and PR activities) that anyone under the age of 18 years of age may participate in National Lottery Game;
30. Point of sale material stating that Participants must be '18 years or over' will be distributed to and displayed by all Retailers;
31. Any person who is under the age of 18 or appears to be under the age of 18 shall not be shown in anything other than an incidental role of Marketing Communications and PR activity. Only actors who are and appear to be over 21 years of age shall be shown as the main character of any National Lottery advertisement or PRs campaign;
32. No advertising shall appear in media or parts of media (to include online advertising and social media) directed primarily to people under the age of 18 years, or in media where more than 50% of the audience is expected to be under the age of 18, and;
33. Any application forms designed for promotional activity should include a question on age verification. Only individuals who confirm they are over 18 years of age may participate.
34. Marketing Communications and PR activities excluding any promotion for Good Causes which does not have a call to action in relation to the National Lottery or playing any National Lottery Game shall not be displayed within 100 metres of a school entrance.

## **7. Public Relations**

35. No Marketing Communication(s) or PR activity should make reference to the identity of any winner or beneficiary without the written agreement of, and approval from, the individual prior to the communication(s) being made public.

## **8. Advertising with Third parties**

When sponsorships or co-promotions are entered into with third-parties (not being agents of PLI) the following rules should be adhered to:

36. No Marketing Communications or PR activity should be published or broadcast without prior approval from PLI;
37. PLI shall use its best endeavours to ensure that the service or quality of co-promoters' products do not detract from the image of the National Lottery or its Retailer network;
38. The National Lottery Logo and associated brand logos shall not be reproduced by third-parties without the prior written approval/consent of PLI; and
39. PLI shall use its best endeavours to ensure sponsors' or co-promoters' involvement will not detract from the good reputation of the National Lottery.

### **9. The National Lottery's Retailers**

40. PLI shall require Retailers to display the mandatory Over 18s message in a visible location;
41. PLI shall require that Retailers do not sell any National Lottery Game to anyone under the age of 18 years;
42. PLI shall require Retailers to observe a "Think 21" practice and request photographic age verification identification (e.g. in the form of a Garda Age Card, driving licence, passport or public service card) of all persons who appear to be under the age of 21.

### **10. General Information**

All Marketing Communications materials will carry:

The National Lottery name or trademark or individual National Lottery Game names or trademarks;

Website address: [www.lottery.ie](http://www.lottery.ie)

### **11. Review of Code of Practice**

**This Code of Practice will be reviewed on an annual basis.**

#### **Contact Details**

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