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Marketing Compliance Pack (Affiliates and Partners)

1. Introduction

Mobile Incorporated Limited ('Mobinc') provides full managed turnkey gaming solutions. Partners affiliated with Mobinc will be expected to adhere to the regulations and technical standards as if they themselves were regulated directly.

Mobinc is aware of the risks that can occur when using certain marketing sources. As such it has put together a series of processes and protocols to minimise any risk to both the business and the end Customer.

Mobinc endeavours to ensure all marketing is undertaken in a socially responsible manner and in accordance with all legal and regulatory requirements (including the Advertising Codes). This includes all applicable guidance published by the Committee of Advertising Practice (CAP) and/or the Advertising Standards Authority on the website accessible at <https://www.asa.org.uk/>; the Gambling Commission of Great Britain's Licence Conditions and Codes of Practice ("LCCP") including in particular the Requirements of responsible placement of digital adverts and Marketing available at <https://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf>; the Gambling Industry Code for Socially Responsible Gambling at <http://igrg.org.uk/wp/responsible-advertising/>; protecting children and other vulnerable persons from being harmed or exploited by gambling; all consumer protection laws; and all applicable laws and regulations related to gambling.

The same commitment to social responsibility towards marketing practices shown by Mobinc is expected of all parties contracting with Mobinc, whether that be agencies, affiliates or partners operating a white label through the platform.

Mobinc sites currently operate exclusively in the territory of the United Kingdom. All content published on external sites must also be suitable for operate in the United Kingdom.

2. Third Party, Partner or Affiliate Relationships

Mobinc contracts with various third parties and partners. Contracts and/or agreements may vary from party to party; however, affiliates and partners will be subject to the following special terms:

Affiliates – please see Affiliate Marketing Policy

- i. Mobinc must have full visibility of where marketing material representing the Mobinc brand is being placed at all times
- ii. Affiliates will only be permitted to advertise content associated with Mobinc brands upon receiving formal authorisation from Mobinc directly
- iii. Mobinc works on a '1 strike and you're out' rule. Failure to comply with the terms of contract will result in Your Account being immediately suspended

Partners

- i. Partners must give full disclosure of which traffic sources they intend to use for promotion and Mobinc's approval
- ii. If you choose to use affiliates to promote Your brand, then they must be instructed that Mobinc works on a '1 strike and you're out' rule. Failure to comply with the terms of contract will result in their Account being immediately suspended.

Comprehensive information relating to the above will be displayed in each respective contract/agreement.

3. General Policies

In accordance with CAP guidelines set forth in *CAP – Gambling Code* (<https://www.asa.org.uk/asset/6E35DA0A-C47F-4AB8-9767E4E7635BFEC9/>) all content created to be

used for advertising purposes will ensure that marketing communications affiliated with Mobinc will not:

- target children, young persons and other vulnerable persons at risk of being harmed or exploited
- 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 provide an escape from personal, professional or educational problems such as loneliness or depression
- suggest that gambling can be a solution to financial concerns, an alternative to employment or a way to achieve financial security
- portray gambling as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments
- suggest that gambling can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration
- suggest peer pressure to gamble nor disparage abstention
- link gambling to seduction, sexual success or enhanced attractiveness
- portray gambling in a context of toughness or link it to resilience or recklessness
- suggest gambling is a rite of passage
- suggest that solitary gambling is preferable to social gambling
- be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture
- be directed at those aged below 18
- include a child or a young person
- feature anyone who is, or seems to be, under 25 years old and/or behaving in an adolescent, juvenile or loutish way
- exploit cultural beliefs or traditions about gambling or luck
- condone or encourage criminal or anti-social behaviour

In addition to the above, in accordance with *CAP – Promotional Marketing* (<https://www.asa.org.uk/uploads/assets/uploaded/1d557d72-d45f-4e25-a6d3b8b40b4b54fe.pdf>) all content created to be used for advertising purposes will ensure that marketing communications affiliated with Mobinc will:

- conduct promotions equitably, promptly and efficiently and be seen to deal fairly and honourably with participants and potential participants
- do everything reasonable to ensure that promotions are safe and cause no harm to consumers or their property
- ensure alcoholic drinks do not feature prominently in promotions
- not portray promotions to be socially undesirable to the audience addressed by encouraging excessive consumption or irresponsible use
- do everything reasonable to ensure that unsuitable or irresponsible material does not reach consumers or other recipients

- ensure no promotion or promotional item should cause serious or widespread offence to consumers
- ensure that promotions are conducted under proper supervision and make adequate resources available to administer them
- not give consumers justifiable grounds for complaint
- ensure that marketing communications do not mislead consumers
- ensure all significant conditions which apply to promotions are to be provided transparently and prominently to consumers in marketing content, with other terms and conditions being at most only one click away
- ensure promotional material must not create an inappropriate sense of urgency like those including “Bet Now!” offers during live events
- ensure promotional material must not trivialise gambling (e.g. encouraging repetitive play).
- prevent approaches that give an irresponsible perception of the risk or control (e.g. “Risk Free Deposit Bonus”)
- prevent undue emphasis on money-motives for gambling

In addition to CAP Codes 8 (Promotions) and 16 (Gambling), all content created to be used for advertising purposes will ensure that marketing communications affiliated with Mobinc will also adhere to the following CAP Codes:

- *Recognition of marketing communications* (<https://www.asa.org.uk/asset/1DB5B325-1581-4DD0-9A1E2CE1A4D1704B/>)
- *Misleading advertising* (<https://www.asa.org.uk/asset/A95A4AED-20F6-4618-BD705FD4A6257083.C6CC8139-2648-4770-9AC0982FB5988635/>)

4. Creative Guidelines and Content Submission

All promotional material used by a Partner to promote their white label site must be approved by Mobinc’s Marketing Compliance Manager.

The summarised process for approval is as follows:

1. Mobinc’s Marketing Compliance Manager provides Partner with marketing creative guideline documents which they have agreed to abide by as part of their contractual obligations.
2. Following the guidelines, Partner uploads the marketing material via their secure access to the Partner portal for approval and emails the Marketing Compliance Manager notifying them of a formal submission (with the link to the marketing material included in the email). Alternatively, the Partner may submit the content as an attachment to the email directly.

As part of the upload process, the Partner is required to detail the URL where the banner creative will be placed. If no direct URL can be provided (such as when using Google), a description can be provided. If the same creative is to be used for multiple sources, then all proposed sources should be listed at this stage. Once submitted for approval, the traffic source information is viewable only by Mobinc’s Marketing Compliance Manager.

3. Mobinc's Marketing Compliance Manager is notified of the upload and checks to ensure that the content meets the regulatory requirements (see section 7. *Regulatory Guidelines*).

Mobinc's Marketing Compliance Manager has an internal target of 3 working days for approval turnaround.

4. Mobinc's Marketing Compliance Manager sends all feedback to partner:

a. If marketing material is approved, it is made available to the Partner for distribution.

b. If the marketing material is not approved, it is returned to the Partner with comments on improvements against the marketing creative guidelines. This content must be resubmitted and receive authorised approval before it can be published.

Any questions can be sent directly to Mobinc's Marketing Compliance Manager at marketing@mobinc.com.

5. Monitoring Services

Mobinc utilises the services of various ad monitoring services to monitor its brand activity online. This allows Mobinc to monitor a range of IP infringing websites deemed to be a significant risk to the company. These websites include those that may be named on the City of London Police Infringing Website List.

The ad monitoring services contracted by Mobinc will scan a range of IP infringing websites multiple times on a daily basis within the UK; identify any ads associated with Mobinc found to be advertised on the website when visited; capture the ad data for of those brands and relay the information to Mobinc's Marketing Compliance Manager.

In addition, the ad monitoring services also review sites displaying content approved by Mobinc's Marketing Compliance Manager, supplying information from all pages on which the content is detected. This hereby allows Mobinc to keep independent oversight on content published by partners and affiliates.

6. Dealing with a misplaced advertisement

Despite Mobinc's best efforts, it is impossible to ensure that adverts representing the Mobinc brand will not end up in places they shouldn't.

In order to mitigate this risk, Mobinc employs a variety of methods to review sites so we can react to any content deemed to be misleading, illegal or in breach of the rules set out above effectively. These methods range include, but are not limited to, manual checks and/or utilising external ad monitoring services (see section 5. *Monitoring Services*). In addition to identifying misplaced advertisements, these methods are also utilised to detect cases of IP infringement.

In the event misplaced advertisements and/or IP infringement has been detected, Mobinc will ensure the following steps are taken, highlighted in paragraph 8 of Annex I in *Mobinc Affiliate Marketing Policy*:

- i. Take down the advert and/or kill any referral links to protect the Customer
- ii. Identify which contracted party was responsible for placing the advert
- iii. Commence disciplinary procedures against the offending party

7. Regulatory Guidelines

The diversity of marketing content means that various regulations will come into effect depending on the format and medium of the content. All marketing parties are expected to comply with CAP gambling regulations and various sections in the IGRG code for socially responsible advertising, however, they are also expected to adhere to the regulatory material set out in various documents relevant to the content in question. A list of regulatory materials are detailed as follows:

All Content

- *CAP - Gambling Advertising Guidance*
 - <https://www.asa.org.uk/uploads/assets/uploaded/5e19ecb5-a0b2-4322-aeb13047bb408298.pdf>

- *CAP - Misleading Advertising*
 - <https://www.asa.org.uk/asset/A95A4AED-20F6-4618-BD705FD4A6257083.C6CC8139-2648-4770-9AC0982FB5988635/>

- *CAP - Recognition of Marketing Communications*
 - <https://www.asa.org.uk/asset/1DB5B325-1581-4DD0-9A1E2CE1A4D1704B/>

- Gambling Commission of Great Britain's Licence Conditions and Codes of Practice
 - <https://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf>
 - *Protection of children and other vulnerable persons*

- *Responsible placement of digital adverts*
- *Marketing*

- *IGRG - Gambling Industry Code for Socially Responsible Advertising*
 - <https://bettingandgamingcouncil.com/wp-content/uploads/2020/08/IGRG-6th-Edt-Draft-FINAL.pdf>
 - *General principles*
 - *Social Responsibility messaging*
 - *Inclusion of 'BeGambleAware' in advertising*
 - *18+ messaging*

Promotional Marketing

- *CAP - Promotional Marketing*
 - <https://www.asa.org.uk/uploads/assets/uploaded/05d0ca28-072b-4de6-816c94a0b344500a.pdf>

- *CMA action in the remote gambling sector (29th August 2018)*
 - https://assets.publishing.service.gov.uk/media/5b87cd2a40f0b63c9ca2b51d/Further_information_for_online_gambling_companies.pdf
 - *Promotions*

Television

- *CAP - Promotional Marketing*
 - <https://www.asa.org.uk/uploads/assets/uploaded/05d0ca28-072b-4de6-816c94a0b344500a.pdf>

- *BCAP – Gambling Code*
 - <https://www.asa.org.uk/asset/3CFADBC6-5BD9-4550-AC953501031A5477/>

- *IGRG - Gambling Industry Code for Socially Responsible Advertising*
 - <https://bettingandgamingcouncil.com/wp-content/uploads/2020/08/IGRG-6th-Edt-Draft-FINAL.pdf>
 - *Television advertising – watershed*
 - *Television advertising – responsible gambling messaging*
 - *Television advertising – text & subtitling*

Google AdWords

- *Google Advertising Policies – Gambling and Games*
 - <https://support.google.com/adspolicy/answer/6018017?hl=en>

YouTube

- *Google Advertising Policies – Gambling and Games*
 - <https://support.google.com/adspolicy/answer/6018017?hl=en>

Facebook/Instagram

- *Facebook Advertising Policies – Real Money Gambling*
 - https://www.facebook.com/policies/ads/restricted_content/gambling

Twitter

- *Twitter Advertising Policies – Gambling Content*
 - <https://business.twitter.com/en/help/ads-policies/restricted-content-policies/gambling-content.html>