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**Date:** 01/02/2023

**Version:** 1.1

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### **iGaming Ontario: Marketing Compliance Pack**

#### **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 iGaming Ontario (iGO) on the website accessible at <https://igamingontario.ca/>; the Alcohol and Gaming Commission of Ontario (AGCO) on the website accessible at <https://www.agco.ca/>; 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.

## 2. General Policies

In accordance with iGO's rules, all content created to be used for advertising purposes will ensure that all marketing processes adhere to all requirements published by the AGCO.

The AGCO's rules can be found attached to this document, and also via the following link:

<https://www.agco.ca/marketing-and-advertising>

Regardless of the medium of distribution (TV, digital, print) all content created to be used for advertising purposes will ensure the following:

- i. Adverts will not be directed at those below 19 years of age
- ii. That it is clear the Website is intended for people of 19 years and older
- iii. Any terms and conditions connected to a promotion will be clearly displayed (where possible) within the promotion creative
  - a. Where it is not possible to display terms and conditions on the creative due to screen size limitations, the terms will be 'one-click' away
- iv. Content will not link gambling to sexual success, violence or racial hatred
- v. Promotional material will not attempt to mislead or deceive its intended audience
- vi. That gambling is not a solution for social or financial issues
- vii. That all person(s) featured in the creative are, and appear to be, over the age of 25
- viii. All advertising materials contain at least one responsible gambling message

## 3. Third Party, Partner or Affiliate Relationships

Mobile Incorporated Limited contracts with external parties to undertake parts of its marketing activities. Any agreements with third parties, affiliates and partners will include the following statement:

*"In our continuous commitment to provide an effective and ethical service, we are kindly request that you, our Advertising Partner follows the following key principles:*

- i. For the purpose of marketing or promotion you must adhere to the iGO and AGCO Marketing guidelines which can access here; <https://www.agco.ca/marketing-and-advertising>

- ii. *To safeguard our products & services being accessed by underage users, we ask for your assistance in ensuring that our advertising materials not be published nor be shown in locations specifically and primarily targeted at persons below the age of 19.*
- iii. *Our brand must also not appear on properties that distribute illegal or defamatory content.*
- iv. *Only content provided to you at the approval of Mobile Incorporated Limited is to be used for any promotion. At Mobile Incorporated Limited's request marketing material must be removed, for whatever reason within 24 hours of the request being made.*
- v. *You will not undertake any marketing activities in, or target any individuals in, any jurisdiction outside of Ontario, Canada.*

*Your ongoing commitment in accommodating this request and assisting us in providing an ethical service is greatly appreciated.*

*Kindly advise us if your Agency has any concerns or constraints in fulfilling the above."*

In addition, affiliates and partners will also 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 the affiliate's 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 partners 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 the partner's account being immediately suspended.

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

#### 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 Casino Content Manager.

The summarised process for approval is as follows:

1. Partner submits the marketing material to the Casino Content Manager ([marketing@mobinc.com](mailto:marketing@mobinc.com)).

As part of the upload process, the Partner is required to detail the URL where the content will be placed. If no direct URL can be provided (such as when using Google), a description can be provided. If the same content is to be used for multiple sources, then all proposed sources should be listed at this stage.

2. 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.

3. 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 Casino Content Manager at [marketing@mobinc.com](mailto: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 Ontario webpace; 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 Casino Content Manager.

In addition, the ad monitoring services also review sites displaying content approved by Mobinc's Casino Content 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 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 iGO and AGCO's respective gambling regulations, 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**

- *Alcohol and Gaming Commission of Ontario*
  - <https://www.agco.ca/responsible-gambling-0>
    - *Responsible Gambling*
    - *Policies and Culture*
    - *Marketing and Advertising*

### **Google AdWords and Banners**

- *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](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>

# AGCO - Marketing and Advertising

<https://www.agco.ca/marketing-and-advertising>

**2.03 Advertising, marketing materials and communications shall not target high-risk, underage or self-excluded persons to participate in lottery schemes, shall not include underage individuals, and shall not knowingly be communicated or sent to high-risk players.**

**Requirements** – At a minimum, materials and communications shall not:

1. Be based on themes, or use language, intended to appeal primarily to minors.
2. Appear on billboards or other outdoor displays that are directly adjacent to schools or other primarily youth-oriented locations.
3. Contain cartoon figures, symbols, role models, and/or celebrity/entertainer endorsers whose primary appeal is to minors.
4. Use individuals who are, or appear to be, minors to promote gaming.
5. Appear in media and venues, including on websites, and in digital or online media, directed primarily to minors, or where most of the audience is reasonably expected to be minors.
6. Exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of all potentially high-risk persons, or otherwise extoll the virtues of gaming.
7. Entice or attract potentially high-risk players. Instead, precautions shall be in place to limit marketing communications to all known high-risk players.

**Guidance:** Where cartoons are used, they may not primarily appeal to minors.

**2.04 Marketing, including advertising and promotions, shall be truthful, shall not mislead players or misrepresent products.**

**Requirements** – At a minimum, materials and communications shall not:

1. Imply that playing a lottery scheme is required in order to fulfill family or social obligations or solve personal problems.
2. Promote playing a lottery scheme as an alternative to employment, as a financial investment, or as a requirement for financial security
3. Contain endorsements by well-known personalities that suggest that playing lottery schemes has contributed to their success.
4. Encourage play as a means of recovering past gaming or other financial losses.
5. Be designed so as to make false promises or present winning as the probable outcome.
6. Imply that chances of winning increase:
  1. The longer one plays;
  2. The more one spends; or
  3. Suggest that skill can influence the outcome (for games where skill is not a factor);

7. Portray, suggest, condone or encourage gaming behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
8. Suggest that gaming can provide an escape from personal or professional problems.
9. Portray gaming as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments,
10. Suggest that gaming 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,
11. Suggest peer pressure to gamble nor disparage abstention,
12. Link gaming to seduction, sexual success or enhanced attractiveness,
13. Portray gaming in a context of toughness or link it to resilience or irresponsible play, or
14. Suggest gaming is a rite of passage.
15. Offer a product or promotion that is not reasonably attainable without incurring substantial losses.

**2.05 Advertising and marketing materials that communicate gambling inducements, bonuses and credits are prohibited, except on an operator's gaming site and through direct advertising and marketing, after receiving active player consent.**

**Guidance:**

- This standard does not prohibit the use of inducements, bonuses and credits.
- This standard prohibits all public advertising, including targeted advertising and algorithm-based ads.
- Direct marketing and advertising includes but is not limited to: direct messaging via social media, emails, texts, and phone calls.

**2.06 Permitted advertising and marketing materials that communicate gambling inducements, bonuses and credits must, at a minimum:**

1. **Disclose all material conditions and limitations of the offer at its first presentation on the gaming site, with all other conditions and limitations no more than one click away.**
2. **Not be described as free unless the inducement, bonus or credit is free. If the player has to risk or lose their own money or if there are conditions attached to their own money, the offer must disclose those terms and may not be described as free.**
3. **Not be described as risk-free if the player needs to incur any loss or risk their own money to use or withdraw winnings from the risk-free bet.**

**2.07 Players must be provided an opt-in process whereby they actively consent to receiving any direct advertising and marketing of inducements, bonuses and credits, and must be provided a method to withdraw their consent at any time, where such marketing and advertising materials are available.**

**Guidance:** direct marketing and advertising includes but is not limited to: direct messaging via social media, emails, texts, and phone calls.