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Malta Gaming Authority: 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 the Malta Gaming Authority's Commercial Communications Committee; Article 13 of the Gaming Act (Cap. 583 of the Laws of Malta); 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. 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 the Commercial Communications Committee guidelines all content created to be used for advertising purposes will ensure that all marketing processes adhere to all requirements published by the Malta Gaming Authority.

The Commercial Communications Committee guidelines (V1 March 2019) can be found attached to this document, and also via the following link:

<https://www.mga.org.mt/wp-content/uploads/Commercial-Communications-Committee-Guidelines-1.pdf>

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. Partner submits the marketing material to the Marketing Compliance Manager (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 reviews the submitted content 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 to review and respond to content submissions.

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 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.

The ad monitoring services contracted by Mobinc will scan a range of IP infringing websites multiple times on a daily basis; identify any ads associated with Mobinc found to be advertised on the website when visited; capture the ad data for 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 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 Malta Gambling Authority gambling regulations including (but not limited to) the Commercial Communications Committee Guidelines, however, they are also expected to adhere to the regulatory material set out in various documents relevant to the content in question. The following formats and mediums detail these documents:

All Content

- *MGA - Commercial Communications Committee Guidelines*
 - <https://www.mga.org.mt/wp-content/uploads/Commercial-Communications-Committee-Guidelines-1.pdf>

- Gaming Commercial Communications Regulations
 - <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12889&l=1>
 - *General Obligations and Limitations*
 - *Responsible Gaming*
 - *Protection of minors and Vulnerable Persons*

Promotional Marketing

- *Consumers Affairs Act*
 - <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8845>
- Gaming Commercial Communications Regulations
 - <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12889&l=1>
 - *Misleading and Unfair Promotional Schemes*

Sponsorships

- Gaming Commercial Communications Regulations
 - <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12889&l=1>
 - *Sponsorships*

Television Advertisements

- *Requirements as to Advertisements, Methods of Advertising and Directions Applicable to Gambling Advertisements*
 - <http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=10180&l=1>

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

Twitter

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