

Reg. File No. 12.04.012

Casino Advertising and Promotions Code

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INTRODUCTION

1. Whilst most gamblers are self-aware of the need to monitor and manage their gaming activity, there are some that can experience considerable financial, social and emotional harm or are otherwise unable to make wise personal decisions.
2. An individual's journey between controlled and reasonable gaming to problem gaming is not the same for everyone and the drives and motivations are triggered by different circumstances, but individuals who display some problem gaming behaviours are at risk of developing greater problems.
3. The advertising and promotion (advertising) of the temporary casino, satellite casinos and Integrated Casino Resort (the "Casinos") is a legitimate activity but nevertheless, those creating and distributing advertising relating to the Casinos must take all reasonable steps to ensure that its targeted correctly, does not offend public taste and does not create risk to vulnerable groups. This responsibility by the operator extends to ensuring that the activities of its advertising and marketing service providers and junkets are monitored and managed effectively.
4. Advertising for the Casinos must also ensure that advertising meets general standards of responsibility to protect wider audiences. Specifically, advertising must not portray, condone or encourage gaming behaviour that is socially irresponsible or could lead to financial, social or emotional harm. Irresponsible appeals playing on peoples' motivations, financial concerns, or specific risk factors in problem gaming are unacceptable.
5. This Code is intended to provide a framework to support operator decision making and for the National Gaming and Casino Supervision Commission (the Commission) to determine its position on advertising matters brought to its attention.
6. It must also be recognised that other advertising standards (e.g. NBA and CRTA) exist and these must be considered. This Code does not seek to duplicate other agencies codes or requirements, rather focuses upon the provisions of the Casino Operations and Control Law of 2015.
7. The Commission will work with other agencies (e.g. NBA and CRTA) and exchange information where its it is appropriate required by law. Findings of another agency may give cause for the Commission to review an issue in relation to the Casinos. The Commission will act where advertisements are considered inappropriate, inaccurate or irresponsible. The operator must also bear in mind that oversight of the actions of their service providers and

marketing affiliates in marketing the casino is an important element of their responsibility and accountability.

THE CASINO OPERATIONS AND CONTROL LAW OF 2015 ('THE LAW')

8. Article 65(3) of the Law specifies the requirements for the advertising of the Integrated Casino Resort (ICR). Whilst the temporary and satellite casinos do not or will not have the facilities that the ICR will have, however:
 - a. It is expected that in accordance within the provision of Article 65(3)(c) , the operator will promote the non-gaming and gaming facilities of the temporary casino and satellite casinos as a whole.

PRINCIPLES BASED REGULATION

9. The efforts to ensure that the Casinos offer fair and safe choices for consumers must be a continual focus. The Commission must be assured that a managed professional approach to the promotion of the Casinos facilities and services is being applied.
10. It is particularly important that it can be demonstrate that consideration has been given to balancing the desire to attract customers with a genuine focus to avoid increasing the likelihood that the Casinos will attract vulnerable people or stimulate behaviours that can lead to problem gambling.
11. The operator is responsible for its own advertising decisions.
12. The Operator may, for advisory purposes only and without creating any obligation on the part of the Commission to issue a binding decision, submit to the Commission draft advertising or promotional material for non-binding guidance.
13. Any advisory views provided by the Commission shall not constitute prior approval, authorisation, or endorsement of the advertising or promotional materials, and shall not limit, restrict, or otherwise prejudice the Commission's statutory powers to review, investigate, or take action in respect of any advertising or promotional activity under the Law, the Regulations, the Casino Advertising and Promotions Code or this Direction.
14. The Operator shall remain solely and fully responsible for ensuring that all advertising and promotional activities comply with the Law, the Regulations, the Code, this Direction and any other applicable legal or regulatory obligations, irrespective of whether any advisory submission has been made or informal guidance has been provided.

15. No omission, comment, or silence by the Commission in respect of an advisory submission shall be construed as approval or acceptance of the material submitted, nor shall it create any legitimate expectation or reliance on the part of the Operator.
16. The Commission requires that advertising:
- a. Must be legal, tasteful, inoffensive, truthful and socially responsible. Claims must not be exaggerated.,
 - b. Must not portray, condone or encourage gaming behaviour that could lead to financial, social or emotional harm.
 - c. Must be socially responsible, protect children, young persons and other vulnerable persons from being influenced, harmed or exploited.
 - d. Must not use language, icons or imagery or anything that would be appealing to, or likely to influence the behaviour of children, or induce in young people under the age of 21 a desire to gain entry to the Casinos.
 - e. Must clearly communicate that the temporary casino, satellite casinos (and the ICR when open) are regulated by the Gaming and Casino Supervision Commission.
 - f. Must clearly communicate that entry in respect of the temporary and satellite casino premises is restricted to only casino customers of 21 years and above. Only casino customers of 21 years and above can approach, have access to, or play on gaming tables and gaming machines in the ICR and minors only have the right to pass through the casino premises in the company of an adult.

PROBLEM GAMBLING, SOCIAL RESPONSIBILITY AND HARM

17. The Commission considers problem gaming to be behaviour related to gaming which causes harm to the gambler and those around them. This may include family, friends and others who know them, care for them and those they work with.
18. If someone is struggling to control their gaming behaviour it can cause stress, depression, anxiety, or they may fall behind at work and worry about money. If someone's gaming is causing any of these effects, it is considered problem gaming.
19. The operator must take all reasonable steps to protect the obvious vulnerable groups such as children and young people but also other vulnerable persons, principally problem gamblers from being harmed or exploited by advertising.

VULNERABILITY

20. The operator should exercise caution when preparing its advertising activity in that it should consider how it might affect vulnerable groups or contain content likely to increase harm. Decision making should have regard to deliberately or incidentally targeting not only vulnerable individuals, but groups of whom may be affected by economic circumstances, limitations on the capacity to understand information, and riskier players (e.g. people who have registered for limited play or been subject of attention or interventions).
21. The operator should have regard to the vulnerability of particular groups when considering the content of its advertising activity.
22. All reasonable steps should be taken to prevent any marketing material being sent to those individuals who have self -excluded, registered for time out, have been excluded, have indicated that they do not wish to receive promotions or there is reason to believe that the person or persons should not receive advertising material.
23. Reasonable steps include removal of the name and other personal details of such individuals from any marketing databases used by the operator or its group of companies. Further this includes a responsibility to ensure that any third parties who may provide marketing services on behalf of the operator or its group of companies does not send such material to those individuals described as above.

FALSE PERCEPTIONS OF RISK AND CONTROL

24. Implying that gaming is an activity without risk of loss is misleading. Portrayals of risk that are unrepresentative or place undue emphasis on the effectiveness of any controls that may minimise harm are likely to encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
25. Advertising should avoid approaches that give erroneous perceptions of the level of risk involved or the extent of a gambler's control over gaming in general.

IMPULSIVENESS AND URGENCY

26. Offers and very short-term promotions should not be presented in such a way that creates an unjustifiable sense of urgency. Approaches that place emphasis on time running out must be carefully considered although reminding consumers that other time-limited promotional offers are due to expire is likely to be acceptable.

27. "In order not to encourage irresponsible gaming behaviour, offers and short-term promotions should not be presented in a way that creates an unjustifiable sense of urgency or be repeated with such frequency to establish this effect. They must not falsely state that a promotion is only available for a specified time or date if that is not true and they should not be available for such a very limited time e.g. "this evening only" so as to impair customers opportunity to make an informed choice".

TRIVIALISATION

28. Advertising should take care to avoid any visual or verbal approach or language that could be seen to trivialise gaming or create the impression that the decision to gamble should be taken lightly.

29. Advertising should not:

- Encourage overly repetitive or frequent participation;
- Encourage people to gamble more than they otherwise would;
- Encourage people to spend more than they can afford.
- Under emphasis the need for caution when highlighting promotions or promoting the opening of accounts.

PROBLEM GAMING BEHAVIOURS AND OTHER INDICATORS OF PROBLEM GAMBLING

30. Advertising that positively portrays or refers to individuals displaying problem gaming behaviours are not permitted. Any implication that such behaviours are to be dismissed, normal, light-hearted or humorous are unacceptable.

31. Problem gaming behaviours can include;

- Chasing losses,
- Losing track of time while gambling,
- Excessive play periods,
- Mood swings (including, highs and lows, irritability and shortness of temper);
- Manipulative, dishonest, disruptive, secretive or evasive behaviour;
- Detachment from surroundings;
- Preoccupation with gambling; and
- Isolating oneself from others or avoiding other activities to spend more time gambling.

ADVERTISING GAMING AS A LIFESTYLE PRIORITY

32. Gaming is for most an enjoyable, controlled social event within a broader balanced lifestyle. It is important that advertising supports this. As such:

- Advertising must not portray gaming as indispensable or as taking priority in life; e.g. over family, friends, work or education.

ADVERTISING THAT APPEALS TO PERSONAL MOTIVATIONS

33. There are motivations that are associated with heightened risk. advertising must not:
- a. Suggest or imply that gaming can provide an escape from personal, professional or educational problems such as loneliness or depression nor is it a means of coping with personal, professional or educational problems.
 - b. Suggest that gaming can be a solution to financial concerns, an alternative to employment or a way to achieve financial security or present gaming as a viable alternative to employment.
 - c. Portray gaming in a context of toughness (physical, moral or intellectual) or link it to resilience or recklessness.
 - d. Link gaming to seduction, sexual success or enhanced attractiveness or suggesting a character's transformation owing to their participation in gambling.
 - e. 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.

INFERENCES OF CULTURAL ACCEPTABILITY

34. Gaming is perceived differently by different cultures and this has to be respected.
35. Advertising must not:
- a. Promote cultural belief or traditions about gaming or luck and should avoid the use of cultural symbols and systems (e.g. horoscopes), if these symbols relate to strongly and communally held beliefs.

CRIME AND ANTI-SOCIAL BEHAVIOUR

36. Gaming in some populations and in the popular media is associated with crime and criminals. Advertising references to crime; fictional, historical or otherwise are not to be included.
37. Marketing communications must not condone, encourage in any way associate gaming with criminal or anti-social behaviour.

RECALL AND RAPID TAKEDOWN (RTDS)

38. Following a substantiated direction by the Commission, the Operator shall activate the Rapid Takedown System (RTDS) and ensure the cessation of any display, distribution or re-publication of any advertisement/material deemed misleading, inappropriate, or unlawful, **within forty-eight (48) hours from notification**.
- a. **Where direct access or control is available**, the Operator shall deactivate/cease the relevant advertisement/material **immediately** and, in any event, within the forty-eight (48) hour timeframe. .
 - b. **Where direct access or control is not available** and action by third parties is required (including, indicatively, media owners, platforms, affiliates, networks, contractors, outdoor advertising providers or other intermediaries), the Operator shall, **within forty-eight (48) hours, initiate and document** all necessary steps to secure cessation (including, indicatively, written takedown/cessation requests, instructions to cease placements, cancellation of media buys, communications and escalation actions), and shall **complete** the cessation **as soon as reasonably practicable without undue delay**, while keeping the Commission informed of progress..
 - c. The Operator shall **confirm execution in writing** within the forty-eight (48) hour timeframe, including (as applicable) confirmation of immediate deactivation and/or confirmation of the actions initiated pursuant to paragraph 38.2(b).
 - d. The Operator shall submit a **recall report within forty-eight (48) hours**, which shall include, at a minimum: campaign/material identification details, relevant channels, timestamps (notification time, deactivation time and/or action initiation time), corrective actions taken, and **supporting evidence** (e.g., screenshots, platform reports, correspondence). Where full cessation cannot be completed within forty-eight (48) hours due to third-party or technical constraints, the recall report shall additionally include the steps initiated under paragraph 38.2(b), the reason for the constraint, and the expected completion timeline. A **follow-up confirmation/evidence** shall be provided upon completion.
 - e. Non-compliance constitutes a violation punishable under the applicable provisions.