



**NOVA SCOTIA GAMING CORPORATION**

***CODE OF ADVERTISING STANDARDS***

**Formalized: August 2008**  
**Updated: August 2011**

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***Introduction***

The *Criminal Code of Canada* gives provincial governments the authority to manage and conduct gambling within the provinces. The Nova Scotia Gaming Corporation (NSGC) is the Crown corporation charged with that responsibility in Nova Scotia. Revenue from gaming in Nova Scotia provides funding which supports initiatives that are important to our citizens. Finding the right balance between the economic benefits of gaming and the long term well-being of our communities and our citizens is NSGC's most important priority.

As a public corporation, NSGC holds the responsibility to manage legalized gambling in a manner that earns the trust and respect of the citizens of Nova Scotia. To earn and maintain their trust and respect, NSGC must practice due diligence as the stewards of the gaming industry. Nova Scotians have the right to expect the highest standards, unwavering integrity, and social and fiscal accountability from NSGC, as well as from our Operators, Atlantic Lottery Corporation (ALC) and Great Canadian Gaming Corporation (GCGC) / Casino Nova Scotia.

To solidify its commitment to social responsibility, in October 2006, NSGC adopted a Social Responsibility (SR) Charter that sets out the social responsibility commitments to the industry, to the operators and retailers, and to the citizens of Nova Scotia. NSGC's operators played an important part in developing this Charter. Their participation in programs associated with the Charter is essential.

Every year, NSGC reports to the public on its progress in each of the Five Pillars of its SR Charter through a Social Responsibility Report. As NSGC moves in this positive direction, it continues to build on its commitments with new programs and initiatives.

In 2006-07, NSGC committed to developing a means to objectively assess the social responsibility of new business initiatives to ensure they align with its corporate values. Working with external experts, NSGC created a Social Responsibility Assessment (SRA) Program that requires NSGC and its operators to ensure that social responsibility is integrated into every product and initiative offered in the marketplace. The Program provides objective guidelines to measure the social responsibility of all initiatives including advertising and marketing programs. This SRA Program piloted and independently evaluated, and is now an ongoing program for NSGC and its operators.

NSGC also committed to developing standards and supporting policies that will guide both the gaming industry and gaming retailers in the area of advertising and marketing. So, to fulfill this commitment, NSGC introduced this Code of Advertising Standards, which was formalized in 2008.

## ***Purpose and Rationale for the Code of Advertising Standards***

The Canadian Marketing Association (CMA) defines marketing as a “set of business practices designed to plan for and present an organization’s products or services in ways that build effective customer relationships.”

Advertising Standards Canada, in its *Canadian Code of Advertising Standards*, defines advertising as “any message (the content of which is controlled directly or indirectly by the advertiser) expressed in any language and communicated in any medium ... to Canadians with the intent to influence their choice, opinion or behaviour.”

These two Canadian organizations have well thought out standards, created and published to provide solid ethical guidance to businesses who advertise their products and / or services. NSGC believes these standards are comprehensive and routinely adheres to these principles. However, products offered by the gaming industry are unique in many ways, and deserve extra consideration when it comes to advertising and marketing. Gaming products may be considered entertainment, leisure activity and / or a chance to win money. Gaming products include lottery games, casino and bingo games, electronic gaming machines (VLTs) and horse racing. Some lottery tickets could be considered a “take-home” type commodity (you buy a ticket, take it with you and wait for the results). Casino and bingo games, VLT play and horse racing do not involve taking home a “product.” These could be better characterized as a gaming entertainment experience.

Another unique aspect of gambling in Canada is that the gaming industry is managed by provincial government agencies, and operated through contracted public and / or private businesses. And, here in Nova Scotia, 100% of the net revenue from gambling goes to the Province to support important public programs.

However, regardless of the uniqueness of gaming products, there is no doubt that this industry produces a commodity that the majority of adults participate in (Canadian research suggests that 76 - 79% of adult Canadians participated in some form of gaming in the past year).

So, the question is: how does a Crown corporation with a mandate to generate revenue for the public good, manage the provision and advertising of products that are popular with many adults, and ensure that social responsibility remains the top priority?

As effective business managers, NSGC believes that advertising is an important key to fulfilling its economic and social mandate, providing high standards are maintained. And, NSGC agrees, as is set out in the Canadian Marketing Association’s definition of marketing, that advertising is one of the best ways to “build effective customer relationships.”

To ensure this is the case, the following Code of Advertising Standards will apply to all gaming industry advertising and marketing. This includes advertising and marketing

initiated by NSGC, its operators, ALC, GCGC / Casino Nova Scotia, as well as retailers who are licensed to provide ticket or video lottery to the public.

### ***Code of Advertising Standards***

Nova Scotians have a right to expect gambling-related advertising and marketing to be truthful, respectful and sensitive to the potential for harm that may result from excessive gambling.

The following elements of this Code of Advertising Standards relate to any and all advertising and marketing campaigns and / or materials including product / game themes, are being implemented and / or promoted by NSGC, ALC, Casino Nova Scotia and / or retailers.

Throughout this Code, use of the word "must" indicates that compliance is required. The word "should" indicates that the clause is not compulsory, but is a recommended best practice.

#### *Compliant*

NSGC manages the Nova Scotia gaming industry in a well-regulated environment. To ensure compliance with all the elements of this Code, NSGC and its operators must make certain that employees working in their advertising and marketing departments are fully conversant with its contents.

- Advertising and marketing campaigns and / or materials must comply with any and all applicable sections of the *Criminal Code of Canada*, the *Gaming Control Act* and provincial laws and regulations.
- NSGC and its operators will continue to employ the Social Responsibility Assessment Program as a mandatory screening tool for all advertising and marketing campaigns and / or materials.
- In addition to the standards set out in this Code of Advertising Standards, gaming industry advertising should comply with the comprehensive standards developed by Advertising Standards Canada in its *Canadian Code of Advertising Standards*.

#### *Honest, Fair and Open*

NSGC is accountable to its shareholder for all of its actions. NSGC conducts business in an open and transparent way. Likewise, product advertising must deliver on NSGC's promise to be honest, fair and open with the public.

- Advertising and marketing campaigns and / or materials must:
  - ▶ Provide factual information that is not deceptive and contains no false statements related to the product being advertised;

- ▶ Not omit important and relevant information about the product that may be essential for the public to make informed choices;
  - ▶ Describe the prize amounts accurately; and,
  - ▶ Not be presented in any way that is intended to conceal its commercial intent.
- All claims associated with products must be supportable by facts.
  - Information on the odds of winning must be available to the public through accessible means, and should state the facts in a clear and simple way. Where it is reasonable and appropriate to do so, odds of winning should be included in the advertising message.

### *Responsible Gambling*

NSGC's commitment to the people of Nova Scotia is to ensure the Province has the most progressive and responsible gaming industry in the world.

- Advertising and marketing campaigns and / or materials must not:
  - ▶ Imply exaggerated chances of winning;
  - ▶ Encourage gambling beyond one's means;
  - ▶ Explicitly imply that financial rewards are a likely outcome of gambling;
  - ▶ Portray gambling as an alternative to employment or as a financial investment;
  - ▶ Suggest that gambling longer will increase the chances to win;
  - ▶ Suggest that skill can influence the outcome of purely random games of chance;
  - ▶ Suggest that using playing systems or "lucky" icons can influence the outcome of games;
  - ▶ Imply inferiority or unpopularity for not taking part in, or losing at, any game of chance;
  - ▶ Contain endorsements by well-known personalities that suggests playing games of chance contributed to their success;
  - ▶ Focus unduly on the possibility of benefits accrued to players based on their volume of gambling activity; and,
  - ▶ Perpetrate myths that are commonly associated with gambling.
- Product advertising, marketing campaigns and / or materials must include a visual Age of Majority and responsible play message, as approved by NSGC, in print, online, electronic and television advertising. In the case of radio advertising, Age of Majority and responsible play messages will be included where feasible.

### *Protect Minors*

NSGC recognizes that gambling is not child's play. That is why, as a corporation, it invests a significant amount of time and money each year in more than a dozen prevention and responsible gambling programs. The advertising and marketing of gambling products must be carefully developed with extra care given to content and placement to ensure the target for advertising is adult audiences.

- Advertising and marketing of gambling products must never be targeted towards children and must not:
  - ▶ Appear in any media where the primary target audience is under the age of majority;
  - ▶ Appear at venues where the primary audience is reasonably expected to be minors;
  - ▶ Be based on themes, or use language intended to appeal to minors;
  - ▶ Appear during television, radio programming and / or on websites where the primary audience is expected to be minors; and,
  - ▶ Contain child-focused cartoon figures or themes, or use celebrity endorsements whose primary appeal is to minors.
- Product advertising, marketing campaigns and / or materials must include a visual message regarding the legal age of play.
- Product promotion material at point-of-sale must carry a message regarding the legal age of play.
- Billboard advertising must not be placed at sites that are adjacent to primary or secondary schools.
- Minors, or persons who appear to be minors, must not be used to promote gambling in advertising or marketing materials.
- Actors appearing in advertising and marketing materials must appear to be 25 years of age or older.

### *Promotions*

Other techniques, such as promotions, should also be interpreted under this Code and include any form of communication produced directly by or on behalf of NSGC or its Operators that is intended to promote products and / or inform those to whom it is addressed.

- Promotional marketing practices must:
  - ▶ Not offer promotional products to an audience under the Age of Majority;
  - ▶ Be carried out responsibly, taking into account the location in which the promotion is conducted;
  - ▶ Make it clear that, if prizes are to be won, participants must be Age of Majority in order to be eligible to win and claim a prize;
  - ▶ Clearly explain the proof of Age of Majority that is needed in order to claim a prize;
  - ▶ Contain a prominent promotional end date;
  - ▶ Contain Age of Majority and responsible play messaging on accompanying literature where feasible; and,

- ▶ Provide Age of Majority and responsible play messaging as well as information on how to access details of the promotion when using Short Message Service (SMS) or Wireless Application Protocol (WAP).

### *Reflect Nova Scotia Values*

Advertising and marketing must be consistent with NSGC's social responsibility values, respect and reflect the values known to be important to Nova Scotians, and must not offend prevailing community standards.

- Whether through content or placement, advertising and marketing campaigns and / or materials must not:
  - ▶ Promote or depict discrimination based on race, national origin, religion, sexual orientation, gender, or age;
  - ▶ Demean, disrespect or denigrate any identifiable person or segment of society;
  - ▶ Contain themes or language that are deemed unsuitable for a mass media audience;
  - ▶ Disparage or denigrate a person who chooses not to gamble;
  - ▶ Imply or portray any illegal activity;
  - ▶ Promote gambling as a way to enhance social standing or sexual prospects;
  - ▶ Glamorize inappropriate or irresponsible gambling; and,
  - ▶ Depict or promote the consumption of alcohol while gambling.
- Advertising of gambling should emphasize the entertainment aspect of gambling, while not focusing on winning as a probable outcome of play.

This Code will be reviewed on an annual basis to ensure it continues to reflect best practices and remains aligned with the stated objectives.

## Research References:

Advertising Standards Canada

<http://www.adstandards.com/en/Standards/theCode.aspx>

Gambling Commission - UK

<http://www.gamblingcommission.gov.uk>

Advertising and Marketing Standards for the B.C. Gambling Industry

<http://www.pssg.gov.bc.ca/gaming/legislation-policies/docs/stds-advertising-marketing.pdf>

Advertising Standards Authority – New Zealand

[http://www.asa.co.nz/code\\_gaming.php](http://www.asa.co.nz/code_gaming.php)

<http://www.ladbrokes.com/pdfs/en/CodeOnSRInAdvertising.pdf>

Canadian Marketing Association

[www.the-cma.org/](http://www.the-cma.org/)

Canadian Partnership for Responsible Gambling 2009-10 Responsible Gambling Digest

<http://www.cprg.ca/articles/Canadian%20Gambling%20Digest%202009-10.pdf>

Industry Code of Conduct to Promote Responsible Gambling in the Western Cape – South Africa

<http://www.wcgrb.co.za/Downloads/ProblemGambling/CodeofConduct-05-2002.pdf>

New Mexico Lottery, Advertising Standards

<http://www.nmlottery.com/pdfs/advertising-policy.pdf>

State Lotteries Advertising Code of Practice – South Australia

<http://www.salotteries.com.au/library/AdCodeDec.pdf>