

National Consumer Protection Framework for Online Wagering - Consistent gambling messaging implementation plan

From 30 March 2023, all licensed online wagering service providers and licensed bookmakers in Australia will be required to display new nationally consistent gambling messaging about the risks and potential harm from online wagering in all relevant promotional material and advertising across all platforms.

The measures will be enacted by each state and territory government between now and 30 March 2023 and WSPS and LBs have been forewarned that extensions to the 30 March 2023 implementation deadline will not be considered by state and territory regulators.

Taglines

The gambling messages consist of 7 taglines that must be used in equal rotation depending on the platform, and will replace existing taglines in all instances where these are currently required or displayed.

The taglines are:

- Chances are you're about to lose.
- Think. Is this a bet you really want to place?
- What's gambling really costing you?
- What are you prepared to lose today? Set a deposit limit.
- Imagine what you could be buying instead.
- You win some. You lose more.
- What are you really gambling with?

Applicable Platforms

There are some exceptions for use of the 7 taglines:

- TV, video and radio advertising have 5 taglines permitted for use.
- In-app, digital, print, social media and website advertising have 6 taglines permitted for use.
- For other platforms (such as direct marketing, sponsorship, promotional, outdoor advertising, and in-stadium advertising), all 7 taglines are permitted for use, noting that 'You win some. You lose more.' is only permitted for use when the tagline is spoken.

Taglines	TV/Video	Radio	In-app	Digital advertising	Print advertising	Social Media	Website	Other*
Chances are you're about to lose.	•	•	•	•	•	•	•	•
Think. Is this a bet you really want to place?			•	•	•	•	•	•
What's gambling really costing you?	•	•	•	•	•	•	•	•

Taglines	TV/Video	Radio	In-app	Digital advertising	Print advertising	Social Media	Website	Other*
What are you prepared to lose today? Set a deposit limit.			●	●	●	●	●	●
Imagine what you could be buying instead.	●	●	●	●	●	●	●	●
You win some. You lose more.	●	●						● #
What are you really gambling with?	●	●	●	●	●	●	●	●

Key:

● Permitted for use

* Other includes direct marketing materials or other sponsorship, outdoor advertising, promotional and in-stadium advertising

Only available for telemarketing (or other spoken forms) of advertising

Call to action

The taglines must be accompanied by the following calls to action, depending on the proposed medium:

Medium	Call to action
TV/Video	<p>On screen, the full call to action must accompany the tagline:</p> <p style="text-align: center;"><i>For free and confidential support call 1800 858 858 or visit gamblinghelponline.org.au</i></p> <p>When the tagline is read aloud, the call to action must be shortened to prevent losing interest, as follows:</p> <p style="text-align: center;"><i>For free and confidential support, call the number on the screen or visit the website</i></p>
Radio	<p>For radio advertisements over 15 seconds, the tagline <i>and</i> call to action is required to be spoken:</p> <p style="text-align: center;"><i>For free and confidential support visit gamblinghelponline.org.au</i></p>
In-app	<i>Set a deposit limit</i>
Digital advertising	<i>Set a deposit limit</i>
Print advertising	<i>For free and confidential support call 1800 858 858 or visit gamblinghelponline.org.au</i>
Social Media	<p>Taglines must be followed by a call to action. For platforms which do not have a restrictive character limit, the following text is to be used:</p> <p style="text-align: center;"><i>For free and confidential support call 1800 858 858 or visit gamblinghelponline.org.au</i></p> <p>For platforms with a very restrictive character limit, the following, shortened, call to action is to be used:</p>

Medium	Call to action
	<p style="text-align: center;"><i>Set a deposit limit.</i></p> <p>For platforms with very restrictive character limits, the modified call to action may be included in a linked follow-up post, posted immediately after the original post.</p>
Website	<p style="text-align: center;"><i>For free and confidential support call 1800 858 858 or visit gamblinghelponline.org.au</i></p>
Other*	<ul style="list-style-type: none"> • Direct marketing materials sent digitally must comply with the tagline and call to action requirements for digital advertising. • Direct marketing materials sent in hard copy must comply with the tagline and call to action requirements for print advertising. • Direct marketing materials sent via SMS must comply with the tagline and call to action requirements for social media advertising. • Direct marketing conducted via telemarketing (or other spoken forms) must comply with the tagline and call to action requirements for radio advertising. • Activity statements (via email, mail or upon request) must also include the suite of taglines and the call to action.

Summary of platform requirements

Medium	Tagline & Call to Action		Rotation required
TV/VIDEO	15 seconds or less	Over 15 seconds	
	<ul style="list-style-type: none"> tagline to be spoken call to action not required to be spoken tagline and call to action displayed on screen 	<ul style="list-style-type: none"> tagline to be spoken modified call to action to be spoken tagline and call to action displayed on screen 	<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required.
RADIO	<ul style="list-style-type: none"> tagline to be spoken call to action not required to be spoken 	<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required 	<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required.
IN-APP	<ul style="list-style-type: none"> tagline modified call to action 		<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required
DIGITAL ADVERTISING	<ul style="list-style-type: none"> tagline modified call to action 		<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required
PRINT ADVERTISING	<ul style="list-style-type: none"> tagline standard call to action 		<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required
SOCIAL MEDIA	<p><u>No character limit:</u></p> <ul style="list-style-type: none"> tagline standard call to action <p><u>Restrictive character limit:</u></p> <ul style="list-style-type: none"> tagline modified call to action <p><u>Very restrictive character limits:</u></p> <ul style="list-style-type: none"> tagline call to action in follow- up post immediately after original post 		<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required
WEBSITES	<ul style="list-style-type: none"> tagline standard call to action 		<ul style="list-style-type: none"> rotation of applicable taglines over 12 months required.
OTHER	<ul style="list-style-type: none"> tagline call to action. 		<ul style="list-style-type: none"> rotation encouraged.

More information about the National Framework measures and Department of Social Services gambling reforms is available at www.dss.gov.au/gambling. If you have any questions or would like to discuss this further, please contact Principals Julian Hoskins (julian@senetlegal.com) or Daniel Lovecek (daniel@senetlegal.com) or Senior Associate, Caitlin McCombe (caitlin@senetlegal.com).

Disclaimer: This news articles does not constitute legal advice, is not intended to be a substitute for legal advice and should not be relied upon as such. Please contact Senet for legal advice in relation to any particular matters you or your organisation may have.

About Senet

Senet is Australia's leading specialist gambling law, regulatory and compliance advisory with senior industry and regulatory experience and deep knowledge and expertise across the gambling sector. Our team includes experts with top tier law firm and significant in-house experience at executive level and senior gambling regulation and public sector leadership experience with one of the most influential regulators in Australia.

Senet are deeply immersed in the gambling industry and work across all sectors, both nationally and internationally. We are trusted advisers to both starts ups and some of the world's largest and most successful gambling and gaming operators, many of which are publicly listed both in Australia and internationally.

Senet have been consistently ranked by Chambers & Partners Global and Chambers & Partners Asia Pacific as leading gambling and gaming experts since the firm established in 2017 and was a finalist in the Australian Law Awards – Boutique Law Firm of the Year 2022. Advising leading gambling operators on Australian gambling law, informing better regulation and corporate and commercial outcomes is what we do every day.

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