



# Victoria Government Gazette

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By Authority of Victorian Government Printer

## Gambling Regulation Act 2003

### MINISTERIAL DIRECTION PURSUANT TO SECTION 4.8A.2 OF THE GAMBLING REGULATION ACT 2003

I, Melissa Horne MP, Minister for Casino, Gaming and Liquor Regulation, acting pursuant to section 4.8A.2 of the **Gambling Regulation Act 2003** (Act) direct that:

- (a) a wagering service provider licensed in Victoria that provides interactive wagering and betting services; or
- (b) a wagering service provider elsewhere that provides interactive wagering and betting services to a Victorian resident –

must comply with the requirements set out in this direction.

This Direction is in addition to the Ministerial Direction pursuant to section 4.8A.2 of the Act published in the Victoria Government Gazette (No. S 349) on 6 July 2022.

#### 1. Definitions

**Commission** means the Victorian Gambling and Casino Control Commission.

**Digital advertising** includes, but is not limited to, online banner, digital display, static pop-ups including those that appear on television and video, or on an online platform and which do not include any audio during the advertisement, or direct marketing sent in a digital format.

**Direct marketing** includes any advertising, promotion or offer made by, or on behalf of, a wagering service provider directly to a person by means of telephone, email, SMS, text message, post, electronic transmission, data cast or other direct means, including directly to a telephone, internet application, website, broadcast service or other electronic means that can be used by an account holder to make a bet (but does not include those parts of a telephone, internet application, website, broadcast service or other electronic means that can only be accessed by an existing account holder).

**Gambling advertising** means any advertising by a wagering service provider of a particular gambling product, products or gambling activity (including to open a gambling account and provision of activity statements), whether in print or electronic form, including media (internet and all electronic and social media), radio, television, print media, signs and billboards, and any advertising on radio or television in the nature of a plug or endorsement, celebrity commentary, or program content which is in exchange for payment, or some other form of valuable consideration.

**In-app advertising** means gambling advertising displayed within sections of a smartphone application containing, but not limited to:

- (a) the 'My Account' window
- (b) responsible/safer gambling information
- (c) the header and/or footer
- (d) rotating banners or carousels
- (e) articles or 'blog posts'
- (f) any other area that is required to include previous responsible gambling messaging.

**Interactive wagering and betting service** includes a wagering and betting service that enables a person to make a bet using:

- (a) a telephone
- (b) an Internet application
- (c) a website

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- (d) a datacasting service
- (e) a broadcast service.

**Modified call-to-action message for radio advertising** means the following message – ‘For free and confidential support visit [gamblinghelponline.org.au](http://gamblinghelponline.org.au)’.

**Modified call-to-action message for TV and video advertising** means the following message – ‘For free and confidential support, call the number on the screen or visit the website’.

**Previous responsible gambling messaging** means responsible gambling messaging required to be, or was being, displayed prior to 30 March 2023.

**Print advertising** means gambling advertising published in hard copy in all forms of media, but not limited to, newspapers, magazines, brochures, direct mail and direct marketing sent in hard copy.

**Radio advertising** means gambling advertising broadcast on, but not limited to, free or subscription-based radio or on podcasts and direct marketing conducted via telemarketing.

**Required tagline** means one of the taglines as set out in:

- (a) Clause (1) in Schedule 1 for the purposes of Clauses (3) and (4) of this Direction; or
  - (b) Clause (2) in Schedule 1 for the purposes of Clauses (5) to (9) of this Direction
- that is equally rotated over a 12-month period with the other required taglines set out in either Clause (1) or (2) of Schedule 1 as applicable.

**Shortened call-to-action message** means the following message – ‘Set a deposit limit.’

**Social media advertising** means all forms of promotional content relating to gambling advertising, marketing (including direct marketing sent by SMS, text message or push notification) and/or communications conducted via social media platforms which is in exchange for payment, or some other form of valuable consideration. For the avoidance of doubt, social media advertising includes promotional content created and shared by another person or organisation.

**Social media platforms** includes, but is not limited to, Instagram videos, reels stories; TikTok videos; YouTube videos; Twitter posts.

**Standard call-to-action message** means the following message – ‘For free and confidential support call 1800 858 858 or visit [gamblinghelponline.org.au](http://gamblinghelponline.org.au)’.

**Television and video advertising** means gambling advertising broadcast on, but is not limited to, free or subscription-based television and/or video-on-demand services such as streaming sites or gambling advertising broadcast or shared on social media sites or online.

**Wagering service provider** means a person who:

- (a) operates a totalisator
- (b) operates a betting exchange
- (c) carries on business as a bookmaker, turf commission agent or betting aggregator
- (d) is an agent of a person mentioned in paragraph (a), (b), or (c).

**Wagering services** means the services provided to an account holder by a wagering service provider.

**Website advertising** means gambling advertising displayed within sections of a website containing, but is not limited to:

- (a) the ‘My Account’ window
- (b) responsible/safer gambling information
- (c) the header and/or footer
- (d) rotating banners or carousels
- (e) articles or ‘blog posts’
- (f) any other area that is required to include previous responsible gambling messaging.

## 2. Commencement

2.1 This direction takes effect on 30 March 2023.

## 3. Television and video advertising

3.1 Television and video advertising must include –

- (a) a voiceover of a required tagline and the modified call-to-action message for TV and video advertising spoken slowly, calmly and evenly paced at the end of the advertisement with a perceptible pause between those messages and any other content that forms part of the advertisement;
- (b) a display of the same required tagline used for the purposes of sub-clause 3.1(a) and the standard call-to action message on the screen presented in the required format that occupies the majority of the screen at the end of the advertisement, for the same period for which the messages are being spoken as required by sub-clause 3.1(a).

3.2 Despite sub-clause 3.1(a), for television and video advertising that is 15 seconds or less, the modified call to action message for TV and video advertising is not required to be spoken.

3.3 In this Clause –

**required format** means messages displayed as proportionate and relative to an A4 size landscape canvas on a black background with white text that includes:

- (a) the required tagline displayed in upper case Arial bold 60 pt which occupies at least  $\frac{1}{3}$  of the canvas; and
- (b) the standard call-to-action message displayed in sentence case Arial bold 40 pt which occupies at least  $\frac{1}{3}$  of the canvas.

3.4 A canvas of a different size to that described in sub-clause 3.3 must be proportionate and relative, regardless of orientation, to the formats as described in sub-clauses 3.3(a) and (b).

## 4. Radio advertising

4.1 Radio advertising must include a required tagline and the modified call-to-action message for radio advertising spoken slowly, calmly, and evenly paced at the end of the advertisement with a perceptible pause between those messages and any other content that forms part of the advertisement.

4.2 Despite sub-clause 4.1, radio advertising that is 15 seconds or less, is not required to include the modified call-to-action message for radio advertising.

## 5. In-app advertising

5.1 In-app advertising must include a required tagline and the shortened call-to-action message displayed in the required format at one of the following locations:

- (a) at least one banner on a rotating carousel; or
- (b) permanently at the bottom of the home page; or
- (c) permanently below the bet slip section of the application.

5.2 In this Clause –

**required format** means black text on a white background with the largest font possible so that the messages are clear, legible and easy to read.

## 6. Digital advertising

6.1 Digital advertising that is in the form of dynamic advertising must include the display of a required tagline and the shortened call-to-action message presented in the required format in the final frame of the advertisement.

6.2 Digital advertising that is in the form of static advertising must include a relevant tagline and the shortened call-to-action message that appears distinctly separate from the advert (e.g., through colour, font, size, etc.) so that it is not to be confused as being part of the original advert.

6.3 In this Clause –

**required format** means messages displayed in black font on a white background as proportionate and relative to an A4 size landscape canvass that includes:

- (a) the required tagline displayed in upper case Arial bold 60 pt which occupies at least  $\frac{1}{3}$  of the canvas
- (b) the digital call-to-action message in sentence case Arial bold 40 pt which occupies at least  $\frac{1}{3}$  of the canvas.

6.4 A canvas of a different size to that described in sub-clause 6.3(a) must be proportionate and relative, regardless of orientation, to the format as described in sub-clauses 6.3(a) and (b).

## 7. **Print advertising**

7.1 Print advertising must include a required tagline and the standard call-to-action message that appear distinctly separate from the advert presented in the required format.

7.2 In this Clause –

**required format** means black text in the largest font possible consistent across the whole message on a white background.

## 8. **Social media advertising**

8.1 Social media advertising which is a posting of more than 160 characters must include a required tagline and the standard call-to-action message presented in the required format.

8.2 Social media advertising which is a posting of 160 characters or less must include a required tagline and the shortened call-to-action message presented in the required format.

8.3 Despite sub-clause 8.2, the shortened call-to-action message may be presented in black text on a white background in a linked post which appears immediately after the post that contains gambling advertising and the required tagline.

8.4 Despite sub-clauses 8.1 and 8.2, if the social media advertising is in the form of a push notification, the requirements of subclauses 8.1 and 8.2 may be included in a separate standalone push notification that is sent immediately following the push notification that includes the social media advertising and in any case within 30 seconds of the push notification that included the social media advertising.

8.5 In this Clause –

**required format** means black text on a white background at the end of the advert so that the messages are clear and easy to read.

## 9. **Website advertising**

9.1 Website advertising must include a required tagline and the standard call-to-action message presented in the required format so as not to be confused with content related to wagering.

9.2 If the website advertising is presented on a rotating banner or carousel, the requirements of sub-clause 10.1 must be included in the final frame of the rotating banner or carousel.

9.3 In this clause –

**required format** means messages displayed in the largest possible font consistent across the whole message in black text on a white background which is clear and easy to read.

## 10. **Record keeping**

The wagering service provider must keep a copy (in print or electronic form) of any gambling advertising available for inspection for a period of 12 months following the conclusion of the advertising campaign.

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**Schedule 1 Required taglines**

**(1) Television, video and radio advertising**

- (a) Chances are you're about to lose.
- (b) What's gambling really costing you?
- (c) You win some. You lose more.
- (d) Imagine what you could be buying instead.
- (e) What are you really gambling with?

**(2) In-app, digital, print, social media and website advertising**

- (a) Chances are you're about to lose.
- (b) Think. Is this a bet you really want to place?
- (c) What's gambling really costing you?
- (d) What are you prepared to lose today?  
Set a deposit limit.
- (e) Imagine what you could be buying instead.
- (f) What are you really gambling with?

Dated 23 March 2023

HON. MELISSA HORNE MP  
Minister for Casino, Gaming and Liquor Regulation

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