

GAMBLING UPDATE

Potential ban on gambling advertising in Great Britain

The possibility of gambling advertising being banned, including shirt sponsorship and perimeter advertising at football matches, appears to have significantly increased with the publication of two parliamentary reports. We set out the key practical takeaways for gambling operators and sports clubs/leagues who have advertising or sponsorship agreements.

Overview of parliamentary reports

Gambling Related Harm All-Party Parliamentary Group (APGG)

The [report](#) of this cross-party parliamentary group includes a key recommendation that there should be: "A ban on all gambling advertising". The report also makes specific reference to banning:

- › shirt and league sponsorship by gambling companies;
- › pitchside advertising of gambling companies;
- › gambling advertising on online games such as FIFA (presumably prohibiting gambling brands from appearing on a team's kit or pitchside advertising in a game).

House of Lords Select Committee on Gambling

This [report](#) expressly states that it does not see a justification for an outright ban on all gambling advertising. However, similar to the APGG report, it recommends banning gambling sponsorship on sports kits, as well as banning advertising gambling both in or near sports grounds. Given the impact on smaller clubs, it proposes that such restrictions should not take effect for clubs below the Premier League before 2023, with a similar flexibility for other sports. It also recommends that the restrictions do not apply to horseracing or greyhound racing.

Status of the parliamentary reports

Whilst the recommendations in the reports will not necessarily result in a change in legislation, any common recommendations across the two reports (such as a ban on shirt sponsorship) are strong indicators that such recommendations will be enacted.

If you would like any further advice or assistance, please contact Melanie Ellis (melanie.ellis@northridgelaw.com) or Tom Edmonds (tom.edmonds@northridgelaw.com)

What steps to take?

- › **Contracts** Sponsorship and advertising contracts should provide for the possibility of all/or some of such activities being banned. For example, they could include an agreed reduction in the fee if specific activities (e.g. shirt sponsorship or in-stadia advertising) are banned and a right to terminate if all such activities are banned.
- › **Virtual advertising:** Clubs/broadcasters should consider the use of virtual advertising (advertising overlaid onto physical items, such as a perimeter advertising board). Any restrictions on advertising are likely to focus on persons in Great Britain being exposed to gambling advertising, including via attending a sports event live or watching it on TV. As a result, restrictions may not cover advertising that can only be viewed by persons outside Great Britain. This would be significant as it would enable gambling brands to 'virtually' advertise on perimeter boards at English football matches which are broadcast overseas, for example to Asia, a traditional target market for such advertising.
- › **Engaging with legislators:** Parties who do not favour a ban would be well advised to explain clearly their rationale and contribute to the debate on this topic, whether individually or collectively. An example is the English Football League, which is [reported](#) to have highlighted the significant financial contribution of betting companies to football clubs. At a minimum, such parties should respond to any consultation on new legislation which seeks to ban advertising.