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RIGHTLANDER

# Quarterly Compliance Report

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# Staying Compliant With Rightlander

Rightlander automates the monitoring of text, links and images across your key online customer acquisition channels. Define what you want to monitor, when and where and collaborate with Rightlander's industry experts to save time and reduce your risk exposure. Our "always on" solutions will flag relevant results to address issues such as non-compliant or inaccurate promotions, red flag content, competitive intelligence and the misuse of intellectual property.

While Rightlander offers a recommended set of standard reports for each GEO and vertical, we also pride ourselves on continually innovating, providing our clients with a host of entirely customisable scanning solutions and reports to meet almost every requirement.

Ongoing training, regulatory updates and educational information is made available to our clients on an ongoing basis. Through these resources we endeavour to serve, equip and empower every team member engaged with Rightlander with actionable knowledge to perform their function.

We're pleased to announce that our expertise is being successfully applied in various other industries including finance, forex and insurance, where the Rightlander product is now available.

Contact us today to discuss your needs!

Email: [jonathan.elkin@rightlander.com](mailto:jonathan.elkin@rightlander.com)

# Germany Begins Online Licencing Regime

*A new Interstate Treaty launched across Germany on 1st July 2021*

The new Interstate Treaty on Gambling (**ISTG 2021**), includes new licencing opportunities for sports betting, virtual slot machines and online poker for private operators. Licences issued under the new regulation will not cover casino games such as blackjack or roulette.

## Licencing Conditions

- The applicant must provide a security deposit of at least EUR 5 million. In individual cases, this amount can be increased up to the amount of the expected monthly average turnover (maximum EUR 50 million).
  - To the extent different online gambling offerings are provided via the same internet domain, the operator must provide an independent and graphically separate area for each form of gambling. The division also prohibits cross-advertising. A player must not play in different areas at the same time.
  - Upon registration on a website, the player must set a monthly deposit limit of a maximum of EUR 1,000.00.
- The limit applies per player and not per provider. This means that, generally, a player may spend EUR 1,000 per month across all gambling platforms.
  - The competent authority will monitor compliance with the EUR 1,000 limit via a central "limit control data base". Providers must pay a fee to connect to and use the limit control database.
  - With regard to online sports betting, the authorities allow more flexibility than under the current regime. Bets will be allowed on the outcome of a game as well as on events during the game or a combination of both. Also, live bets will be allowed under specific requirements.
  - For virtual slot machine games, a minimum time of 5 seconds per game and a maximum bet of EUR 1 have been implemented.

Additional specific rules e.g. on KYC for players, exclusion of minors and self-exclusion rules apply.

# Germany Licensing Regime continued...

The possibility of obtaining a licence for online casino games will be subject to separate laws of the individual federal states.

## Advertising Rules

Licensed operators will be allowed to advertise according to the new rules of the ISTG 2021. Only advertising that adheres to the following principles will be allowed:

- Advertising that motivates “non-players” to participate or encourages excessive gambling is prohibited.
- Advertising aimed specifically at minors or vulnerable persons is prohibited.
- Misleading advertising is prohibited.
- Advertising and editorial content must be separated.

In addition to these principles, there are additional restrictions on specific gambling services or forms of advertising:

- Advertising via telephone calls, SMS or similar services is prohibited, unless there is an active contact by the player or communication within an ongoing active contractual relationship.

- Advertising addressed to an individual recipient requires the prior consent of the recipient (i) to receive the advertising as well as (ii) to the prior consultation of the exclusion system by the advertiser.
- Most lotteries and certain forms of horse betting are exempt from the aforementioned restrictions.
- Revenue share advertising such as affiliate links is prohibited.
- Between 6 a.m. and 9 p.m., advertising for virtual slot machine games, online poker and online casino games is prohibited via broadcasting (i.e. tv/radio) and online.
- Advertising for sports betting is prohibited on the same broadcasting channel, immediately before or during a live broadcast of sports events. An exception is the display of live scores on the website of a betting provider.
- Active athletes or sports officials may not be used to advertise sports betting. General sponsorship of sports teams (e.g. on jerseys) will remain permissible.

# Norway: New Gambling Act Submitted

*Plans to crack down on unlicensed operators with new Gambling Act later this year*

## Status of online gambling

Gambling has been a complex topic for Norwegians. The gambling laws and regulations in Norway are outdated and ineffective. New legislation is due to come into effect later this year, aimed at specifically cracking down on operators who are not permitted to offer gambling in Norway.

## The new Gambling Act

Norway's regulated betting industry has historically been overseen by the 1995 Lottery Act, 1992 Gambling Act and 1927 Totalisator Act, which the new regime will combine into a new legislative and regulatory framework. The minister's new regulations will strengthen the existing rights model whilst maintaining the shared market monopoly with Norsk Tipping and Norsk Rikstoto. Both operators would be subject to strict state control, including the government having a final say on board appointments to each business.



## The proposed restrictions

- Remote operators will still not be permitted to offer gambling in Norway.
- Marketing gambling without a Norwegian licence is prohibited for operators and affiliates.
- Marketing gambling products to children will be a criminal offence.
- A blanket ban on gambling with credit cards.
- Operators are obliged to introduce accountability measures.
- Marketing to self-excluded gamblers will be a criminal offence.
- Marketing must also "not go beyond what is necessary to attract players to the legal gaming offers".

# Africa: an overview of online gambling

## *A lucrative market, or a big risk?*

### **The current legal landscape**

Online gambling, in particular, is rarely regulated. Some countries, like Tanzania, have pioneered the development of gambling regulations in Africa, while others lag behind. Although this means that foreign operators are free to offer their products and services throughout much of Africa, this does cause uncertainty in jurisdictions where regional authorities seek to impose laws not recognised at federal level.

### **South Africa**

The National Gambling Act of 2004 prohibits the offering of and participation in "interactive games" online, which includes all games of chance, including slots and card games. Sports betting currently accounts for 24% of the industry's revenues, and is expected to double in size within the next five years. It's estimated that approximately half of the adult South African population places sports bets on a regular basis.

### **Nigeria**

The gambling ban was lifted in 2004,

however, online gambling is not yet regulated at the federal level. There is currently a conflict between the national regulatory body, Nigeria Lottery Regulatory Commission, and the Lagos State Lotteries Board, each claiming the right to impose regulation. Much like in the rest of the continent, online sports betting accounts for the vast majority of the GGR.

### **Kenya**

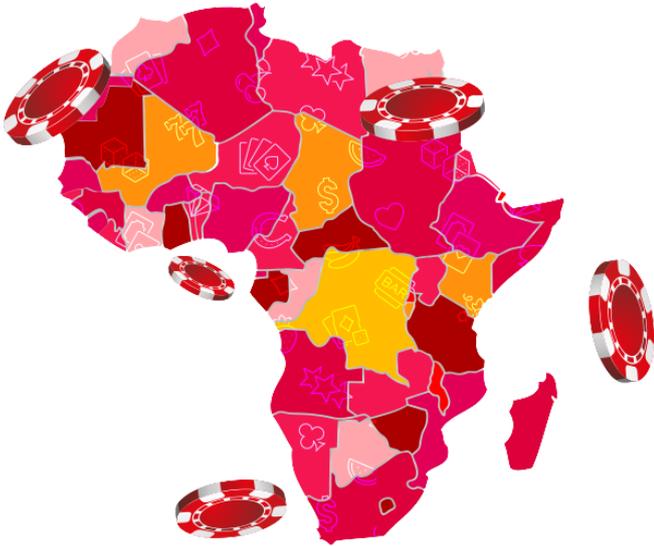
This market is regulated by the Gaming bill of 2019. Kenya's gambling market is, also dominated by sports betting. It is estimated that about 7 million Kenyans are currently registered for gambling services. Licenses to operate are issued by the Betting Control and Licensing Board. Applications cost around \$4,200 with renewals at \$1,000.

### **Tanzania**

Regulated by the Internet Gaming Regulations 2012, updated in 2019. Tanzania has seen rapid growth in online gambling as its mobile broadband infrastructure has expanded.

# Africa Continued...

*A lucrative market, or a big risk?*



Licenses can be obtained for both online casinos and online sportsbooks, and the gross gaming revenues are taxed at 25% for both types of operation.

## Ghana

The Gaming Act, 2006 (Act 721) regulates the gambling industry in Ghana. The Gaming Commission is the authority established to regulate, control, monitor and supervise the operation of games of chance in Ghana, with the exception of National Lotteries which fall within the regulatory scope of the National Lottery Authority (NLA).

Licenses for sports-books will cost around \$40,000, and casinos a hefty \$50,000.

## Uganda

Regulated under the Lottery and Gaming Act 2016. While this law doesn't explicitly apply to online gambling operations, sportsbooks offering their services via the internet are formally licensed by the country's National Gaming Board.

Ugandans are estimated to spend an average of over \$40 million on gambling products each year.

Licenses are awarded by the National Gaming Board. Licensing fees are \$2,700 for Sportsbook and \$4,000 for casino. These are much higher for foreigners.

Gambling operators are subject to a tax of 20% on the gross gaming revenue and are mandated to withhold 15% of players' winnings.

## Conclusion

The African gambling industry is regarded as a very lucrative market, with countries like South Africa, Nigeria and Kenya presenting lots of opportunity. Economic growth alongside better technological infrastructure and willingness to regulate, provide a good ground for steady growth.

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# What's happening with Rightlander?

## Scale Email Marketing With Confidence

It is critical that affiliate email campaigns build trust through approved and compliant content. Rightlander now helps clients to identify and review potential risks so that you can scale your email marketing with confidence. These risks include, but are not limited to, inaccurate offer terms, non-compliant messaging, unapproved copy, the inclusion of time sensitive calls to action and content that does not follow brand or product guidelines.

## Instant Messenger

Instant messengers are amongst the most downloaded and used apps globally and collectively have billions of users. Our team of experts can now monitor advertising content placed on popular services such as Telegram.

Rightlander monitors different types of content used in instant messengers to ensure that marketing guidelines are followed. This includes analysing text for brand mentions and non-compliant phrases and the use of emojis that may mislead users. We also detect affiliate links to allow brands to connect an instant messaging channel or user with an affiliate. This allows the necessary corrective action to be taken when unapproved or damaging content is found.

Contact [jonathan.elkin@rightlander.com](mailto:jonathan.elkin@rightlander.com) to find out how we can help you monitor the above marketing channels and many more.

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# Email us for more info!

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# Trusted by leading brands

