

GAME'S UP FOR MISLEADING GAMING ADS- SAYS ASCI

Mumbai, 24th November 2020: The Advertising Standards Council of India (ASCI) has introduced guidelines to make real-money gaming advertising safer and more responsible. The guidelines have been developed to ensure that such advertising makes users aware about financial and other risks that are associated with playing online games with real money winnings.

As per a recent KPMG study, online gaming grew 45% in FY20 with the user base surpassing 365 million by March 2020 on real-money games (RMGs). The card-based and fantasy segments both achieved strong traction. As India is a mobile-first country, more than 90% of online gamers play games on their phones. The online gaming market, worth more than \$500 million now, could be worth \$1.1 billion by 2021. In 2019, around 5.6 billion mobile gaming apps were downloaded in India – the highest in the world and representing nearly 13% of gaming apps globally. Internet penetration in India is 31% and KMPG expects it to reach 53% by 2021 – which would give over 700 million people access to the internet and its wealth of gaming options.

The rapid growth, and the real danger of the negative impacts of RMG advertisements, prompted ASCI to develop advertising guidelines to ensure users are aware of the financial and addiction risks. The government, via the Ministry of Information & Broadcasting, The Department of Consumer Affairs as well as Ministry of Electronics & Information Technology, have given these ASCI guidelines their full support and backing to comprehensively address growing concerns about the potential misleading and harmful advertisements in the sector.

The guidelines will be effective from the 15th of December 2020, and apply to advertisements that are legally permitted.

The guidelines:

1. No gaming advertisement may depict any person under the age of 18 years, or who appears to be under the age of 18, engaged in playing a game of ONLINE GAMING FOR REAL MONEY WINNINGS, or suggest that such persons can play these games
2. Every such gaming advertisement must carry the following disclaimer:
 - a. Print/static: This game involves an element of financial risk and may be addictive. Please play responsibly and at your own risk
 - i. Such a disclaimer should occupy no less than 20% of the space in the advertisement
 - ii. It should also SPECIFICALLY meet disclaimer guidelines 4 (i) (ii) (iv) and (viii) laid out in the ASCI code
 - b. Audio/video: “This game involves an element of financial risk and may be addictive. Please play responsibly and at your own risk.”

- i. Such a disclaimer must be placed in normal speaking pace at the end of the advertisement
 - ii. It must be in the same language as the advertisement
 - iii. For audio-visual mediums, the disclaimer needs to be in both audio and visual formats
3. The advertisements should not present 'Online gaming for real money winnings' as an income opportunity or an alternative employment option.
4. The advertisement should not suggest that a person engaged in gaming activity is in any way more successful as compared to others.

Manisha Kapoor, Secretary General of ASCI, said: "We have observed gaming advertisements target youth and families by suggesting that these can become sources of income and livelihood for them. We have noted concerns about such advertisements, both from consumers as well as the government. The key fact that is completely suppressed in most of these advertisements is the real possibility of losing money. Millions of users of these apps come from lower income families, who can ill afford to lose their hard earned money. The frequent use of celebrities in many of these advertisements make them more attractive to consumers, and consumers tend to trust their heroes and role models blindly. Combined with the fact that these games are highly addictive, these advertisements end up being not just misleading, but also harmful to individuals and society. And therefore, they are violative of the ASCI code.

The idea of framing specific guidelines for advertisement of such games is to inform advertisers as well as members of the public what criteria we will use to scrutinize advertisements against which we receive complaints. While the government will take a decision on the legal issues surrounding the sector, we believe these advertising guidelines will make the online gaming for real money winnings more transparent and safer. We are particularly happy with the wholehearted support and backing of the government to ASCI in implementing these guidelines, and this is yet another demonstration of the belief in the strength of self-regulation. We hope that these guidelines will usher in an era of more responsible and truthful advertising in this sector."

About The Advertising Standards Council of India (ASCI)

The Advertising Standards Council of India (ASCI), established in 1985, is committed to the cause of self-regulation in advertising ensuring the protection of the interest of consumers. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across ALL MEDIA such as Print, TV, Radio, hoardings, SMS, Emailers, Internet / website, product packaging, brochures, promotional material and point of sale material etc. In January 2017, the Supreme Court of India in its judgement affirmed and recognized the self-regulatory mechanism as an

effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for TV and Radio in India. ASCI’s role has been acclaimed by various Government bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI), Ministry of AYUSH as well as the Ministry of Information and Broadcasting (MIB). MIB issued an advisory for a scroller providing ASCI’s WhatsApp for Business number 77100 12345, to be carried by all TV broadcasters for consumers to register their grievance against objectionable advertisements. ASCI is a part of the Executive Committee of International Council on Ad Self-Regulation (ICAS). Among several awards bestowed by the European Advertising Standards Alliance (EASA), ASCI bagged a Gold Global Best Practice Award for the Mobile App “ASCIonline” (2016). As well as a special recognition for its “Guidelines for Celebrities in Advertising” at the first-ever ‘Global Awards for Effective Advertising Self-Regulation’ hosted by the ICAS (2019)

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