

# COMPLIANCE COMMERCIAL CHECKLIST

v.1.1

*The following is designed to help address common potential Compliance issues with commercials and it should not be used as a definitive guide. MTG reserves the right to reject commercials according to regulatory and or business requirements.*

*Please go through the compliance checklist before submitting a commercial to MTG.*

*If you feel your commercial may have any of the issues detailed below please refer to your MTG contact.*

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## General

1. Could your commercial be confused with a program or news?  NO
2. Does it contain flashing images?  NO

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## Prohibited Products

3. Does it contain any prohibited products?  NO
  - a. Tobacco products,  
Or any products produced by a company that manufactures tobacco products
  - b. Weapons
  - c. Betting systems (*Methods for winning at games*)
  - d. Prescription-only medicines
  - e. Prostitution, sexual massage services or escort agencies
  - f. Infant formula, please check with compliance for specifics
  - g. Obscene material
  - h. Political advertising
  - i. Breath-testing device
  - j. Products for the treatment of alcohol or drug dependence  
(*Treatment centres can advertise on certain conditions, check with compliance*)
  - k. Pyramid schemes and investment schemes

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## Misleading

4. Is there anything in the commercial that could mislead the customer?  NO
  - a. Product characteristics (*E.g. batteries not included, sold separately*)
  - b. Price information (*E.g. delivery charges, cost of calls, price after tax not included*)
  - c. Are the effects of the product exaggerated?
  - d. Fail to hold evidence for any claims, comparisons or surveys made?
  - e. If something is offered as 'free', are there any other costs associated?  
(*E.g. price of phone call*)

- f. Is there an unfair comparison with a competing product?
- g. Use of enhancement  
(E.g. fake eyelashes are used, not actual computer game footage)
- h. Are there any health claims made?  
(E.g. omega 3 contribute to the maintenance of normal blood pressure)  
If yes, exact wording from EU health register must be used

5. Are there any limitations or commitments to the offer or claim?

NO

*(Limitations usually need to be explained in a disclaimer)*

- a. The price or offer is temporary
- b. The price requires a minimum commitment
- c. Time limitation to the offer, during a specific time period only
- d. Only available in certain locations *(Regions, stores, etc.)*
- e. Stocks are limited
- f. Only available to certain people *(E.g. age restriction)*
- g. Technical prerequisite  
*(E.g. streaming services need to state required broadband speed)*
- h. Minimum deposit required in order to take advantage of an offer
- i. Members only or new members only

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## Disclaimers

6. Does the commercial have an offer or a claim?

YES  NO

If yes, is the offer/claim explained in a disclaimer?

YES

*(Essential information clarifies the offer for the customer to make a fair decision)*

7. Does the disclaimer clarify the offer/claim in the commercial?

YES

8. Does the disclaimer contradict the offer/claim in any way?

NO

9. Is the disclaimer legible?

YES

- a. Easy to understand
- b. Using an appropriate amount of text
- c. Legible in text size
- d. Legible in font and font colour
- e. Contrast between background and font colour
- f. Visible for long enough to be legible

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## Harm and Offence

10. Is it likely to cause any harm to the viewer?

NO

- a. Harmful to under 18s
- b. Encouraging violence or bullying
- c. Encouraging dangerous behaviour, such as reckless driving
- d. Stereotypes
- e. Harming animals
- f. Racism
- g. Ageism
- h. Sexism
- i. Sexual orientation discrimination
- j. Violence
- k. Offensive against moral, social or cultural standards

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## Gambling

11. Does it have a disclaimer with Age restriction, T&C and Helpline?

YES

*(Required in all cases)*

12. Does the commercial have an offer/competitor-comparison?

YES  NO

If yes, is the offer/comparison explained in a disclaimer?

YES

Some examples include:

- a. Bonuses, money payback, extra games, free spins, etc.
- b. Are there limitations to the offer?  
*(Certain games, time limitation, min/max spend, wagering requirements etc.)*
- c. Does the player need to register or open an account?
- d. Is an initial minimum deposit required?

13. Does commercial use any of the following prohibited techniques?

NO

- a. Appeal to under 18s *(Cartoon style or associated with youth culture in any way)*
- b. Feature anyone in a significant role that is, or looks like they are under 25
- c. Feature gambling in a work environment
- d. Link gambling to sex/seduction, enhanced qualities, toughness or recklessness
- e. Suggest that gambling is a solution to financial problems
- f. Suggest that solitary gambling is preferable to social gambling
- g. Suggest that it offers 'risk free' or 'free bets'  
*(If there are significant limitations/qualifications to the offer)*

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## Weight loss/ Slimming products

14. Does the Weight loss commercial:

NO

- a. Promise or guarantee specific amounts or rate of weight loss?
- b. Claim that weight or fat can be lost from specific parts of the body?
- c. Encourage excessive use?
- d. Appeal to under 18s?
- e. Feature someone who is underweight?
- f. Suggest that the product/treatment is effective without a healthy diet and lifestyle?
- g. Include health claims? *(Must be on the EU register for authorized health and nutrition claims)*

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## Medicines Commercials

15. Does the medicine commercial:

NO

- a. Mislead as to the safety and efficacy of the product?
- b. Feature a prescription-only medicine? *(Prohibited)*
- c. Feature a medical professional endorsing the product?
- d. Suggest that a product is a substitute for essential medical care?
- e. Encourage excessive use?
- f. Claim to have no side effects?
- g. Claim to be safe because it is 'natural'?
- h. Contain any unlicensed products?
- i. Fail to include the name of the product and the active ingredient? *(Required)*
- j. Fail to include the disclaimer: 'always read the label?' *(Required)*
- k. Discourage medical supervision?
- l. Appeal to children?
- m. Claim to be 'guaranteed' as effective?
- n. Lead to incorrect self-diagnosis?

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## Alcohol

16. Does the commercial:

NO

- a. Feature or encourage irresponsible drinking?
- b. Appeal to children?
- c. Associate alcohol with daring/toughness?
- d. Associate alcohol with sex or seduction?
- e. Associate alcohol with enhanced personal qualities?

17. Does the commercial:

YES

- a. Have the small print 'Drink responsibly' in native language? *(Required)*

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## E-cigarettes

*Please see Compliance for the latest advice regarding E-cigarettes.*

### 18. E-cigarette commercials should never:

NO

- a. Appeal to non-smokers and/or non-nicotine users or under 18s
- b. Suggest that it is a 'stop-smoking' device or glamorize smoking generally
- c. Suggest that it is safer/healthier/less harmful than smoking
- d. Be produced by a tobacco company, or be confused with a tobacco cigarette
- e. Feature anyone that is or looks like they are under 25

### 19. E-cigarette commercials should always:

YES

- a. State if the product contains nicotine
- b. Avoid endorsements by health professionals
- c. State any age restrictions that apply

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## Teleshopping

*All teleshopping spots should be a direct 'point of sale' e.g. provide website or phone number from which the product can be ordered throughout the spot. All orders should be fulfilled within 30 days and give refunds where applicable.*

### 20. Spots should contain:

YES

- a. Contact details for order and for complaints
- b. Accurate price information and direct point of sale: 'order now' or similar
- c. Information about the customers cancellation rights

*Please fill out your information and send it to your contact at MTG with any questions*

<b>Company</b>	
<b>Date</b>	<b>Commercial</b>
<b>Comments</b>	