

Overview of the legislative framework ¹

Definition of gambling advertising

The definition of advertising is based on Act No. 40/1995 Coll. on the Regulation of Advertising and on the Amendment and Supplementation of Act No. 468/1991 Coll. on the Operation of Radio and Television Broadcasting, as amended (hereinafter referred to as the "Act on the Regulation of Advertising"). It is a presentation or announcement intended to promote business activity, in particular to promote the consumption or sale of goods and to promote the provision of services. Advertising as defined here is disseminated mainly through communication media, which are described in more detail in the chapter Advertising vehicles

This general definition may be further specified by other areas that are materially related to the promotion and dissemination of gambling information. These include, for example, the placement of links in various forms to gambling products, sponsorship, influencing, and other marketing tools and processes that promote the consumption of gambling products and services.

These other specific areas are also characterised by the fact that they are in areas that are not sufficiently regulated by law or where the law is difficult to enforce. For example, in the case of influencing, it may be difficult to define who exactly is the entity providing the promotion and it may not be clearly discernible whether the promotion is predominantly targeted at minors. It is also common to disseminate gambling advertising on online content sharing platforms (YouTube, Stream, Twitch) and through social media.

The area of gambling promotion is further expanded by a whole large segment of direct communication between operators and players through mobile phone apps, notifications and offers to players through various communication channels. This area is of great importance from an addiction point of view as it channels player preferences and is also highly customised, being tailored to the player in question based on the data that is collected about them and therefore has a significant impact and effectiveness.

Advertising vehicles

Print media

Print media includes newspapers, magazines and brochures. This form of advertising is regulated by law, which prohibits advertisements targeting minors or containing misleading information. In the Czech Republic, gambling advertising is covered by the

¹ Based on the recommendation of the Government Office of the Czech Republic: reducing public exposure to gambling advertising:
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Advertising Regulation Act. Currently, advertisements of gambling companies are often found directly on the front pages of periodicals, e.g. Deník Sport.

Internet advertisements (banners, popups) and social networks

Advertisements on websites, including banners and pop-ups, are currently very popular. The law regulates this form of advertising so that it is not directed at minors.

Social networks such as Facebook, Instagram, Twitter and TikTok are also very popular among young people and often used for gambling advertising. Regulation on these platforms can be complex due to the global nature of the internet. In the Czech Republic, these advertisements are subject to the Advertising Regulation Act, which prohibits advertisements aimed at under-18s.

Among young people, social networking sites and online advertisements are the most used. This is due to their high level of involvement in the online world, where they spend a considerable amount of time. These platforms have a wide reach among young people and often use algorithms that can target minors, despite their official restrictions.

Public transport

Advertisements on public transport include posters and banners placed on buses, trams, subways, trains or at bus stops and stations. This form of advertising may be regulated by city ordinances and the Advertising Regulation Act. This form of advertising has a large reach because public transport passengers are in contact with advertising space for long periods of time. At the same time, public transportation is often used by young people, including school-age children, who are exposed to and internalize the advertising message.

Billboards

Billboards are large advertising areas placed along roads and in urban areas. Regulation of these advertisements includes the Road Act (Act No. 13/1997) and the Advertising Regulation Act.

Television and radio

Advertising on television and radio is regulated by the Act on the Operation of Radio and Television Broadcasting (Act No 231/2001 Coll.).

Sponsorship and product placement

Sponsorship in the gambling industry involves the financial support of sports teams, cultural events, television programmes, and other activities in exchange for advertising space or other forms of promotion of the gambling company's brand. Sponsorship is often used to build a brand and raise awareness of gambling.

The most commonly used forms of sponsorship

> **Sports teams and events**

Sponsorship of sports teams and events is one of the most common forms of promotion for gambling companies. Sports fans, including young people, are exposed to the logos and brands of gambling companies through jerseys, stadiums, and live television broadcasts. Even sports leagues themselves are named after gambling companies. During live broadcasts of sports matches, current odds appear on the screen, which may entice live betting. Similarly, they appear in the studio before the broadcast begins, including analysis of who to bet on.

> **Music and cultural events**

Gambling companies often sponsor music festivals and cultural events that are popular with young people. These events provide broad brand exposure amongst attendees.

> **Television and reality shows**

Television programmes, especially reality shows, are also a frequent target for sponsorship by gambling companies. Young people who watch these shows are exposed to advertisements and product placement. For example, in the 'Superhunt' competition presented by Nova television, the main prize is referred to by the bookmaker as the '[BETANO challenge](#)'. Similarly, in this year's series of the reality show Big Brother, the benefit for participants was named as "BETANO immunity".

Sponsorship of sports teams and events has the greatest impact on young people. Sport is often a role model for young people and identifying with teams that are sponsored by gambling companies can normalise gambling and increase its appeal.

Product placement

In addition, platforms such as [YouTube](#) and [Twitch](#), where influencers and players stream their content, often contain product placement by gambling companies. These influencers may promote gambling or show their logos during their videos. These platforms also have a wide reach among young people and even minors are reached here, despite official restrictions.

Product placement can also be found in news server reports, where big wins are reported within the text and operators are directly mentioned. This is content for which the operator typically pays the news server. Excerpt [here](#).

Commercial communication with registered players

Gambling operators communicate with registered players through targeted emails, notifications, incentives. Commercial communication may also take place within the gaming interface. Incentives, bonuses, notifications and cross-selling together with constant availability in the online environment are a very effective marketing toolkit. Cross-selling is a marketing technique whereby an already registered player is offered

other types of gambling in the gaming environment or through direct commercial communication, which they do not yet participate in with the operator. This is due to the fact that most operators in the market are licensed to operate different types of gambling. Operators do this in an attempt to maximise profits and increase player loyalty.

Affiliate marketing

Through affiliate marketing, gambling operators encourage third parties to promote their products. Different operators have programs of different parameters and forms, but in general it is a commission system for newly acquired players. In this way, a large part of gambling promotion is monetised through the internet, social networks. An example of an affiliate program is [here](#). Affiliate marketing is particularly advantageous to the operator because the cost of a given promotion is used solely to attract newly registered players.

Legislation governing commercial communication

Act No 40/1995 Coll., on the regulation of advertising

For the purposes of this Act, advertising means all commercial communications, i.e. advertising as well as sponsorship and other forms of commercial communication.

The communication media through which advertising is disseminated are the means by which advertising is transmitted, in particular periodicals and non-periodical publications, radio and television broadcasting, on-demand audiovisual media services, video sharing platform services, audiovisual productions, computer networks, carriers of audiovisual works, posters and leaflets.

Advertising of gambling operated without a licence is currently prohibited. Advertising must not give the impression that gambling can be a permanent source of income. Advertising must not be aimed at minors and must not use elements, means or actions that appeal to such persons. The advertisement shall contain a statement prohibiting participation by persons under 18 years of age and shall include a warning from the Ministry of Finance. The Customs Service is the supervisory authority over illegal gambling advertising. The transfer of competence for the supervision of legal gambling advertising will take effect on 1 July 2025 (currently this supervision is carried out by the Trade Licensing Authorities), with the exception of all el. Media and social networks, where the supervisory authority is the RRTV.

Act No 231/2001 Coll., on the operation of radio and television broadcasting

The law recognises different types of commercial communication. It divides them into advertising, sponsorship, teleshopping and product placement. There is a slightly different regime for each type of commercial communication. The law also uses the term commercial communication, which includes all types of commercial communication.

The Act applies to statutory radio and television broadcasters (CT and CRo) and licensed or registered broadcasters who broadcast over electronic communications networks (analogue and digital terrestrial broadcasting, broadcasting via cable, fibre optic network, etc.).

Act No 132/2010 Coll., on on-demand audiovisual media services

On-demand audiovisual media service means an information society service (i.e. any service provided by electronic means) for which the provider of the on-demand audiovisual media service has editorial responsibility and whose main purpose or the main purpose of a separable part thereof is to provide programmes to the public for the purpose of information, entertainment or education, and which enables programmes to be watched at a time chosen by the user and at his individual request on the basis of a catalogue of programmes drawn up by the provider of the on-demand audiovisual media service.

The law uses the term audiovisual commercial communication to cover all types of commercial communication. There is a slightly different regime for sponsorship and product placement.

Act No 242/2022 Coll. on video sharing platform services

Video sharing platform service means an information society service under the Act on Certain Information Society Services, the main purpose or the main purpose of which, or a separable part thereof, or the essential function of which is the provision of programmes or video recordings created by users, for which the provider of the video-sharing platform does not bear editorial responsibility and only determines the arrangement of the video content, which may also be provided by automatic means or algorithms, in particular by means of display, labelling or ranking, to the general public for the purpose of information, entertainment or education via electronic communications networks. This includes, in particular, social networks.

The law uses the term commercial communication for all types of commercial communication. The law distinguishes between cases where the commercial communication is placed by the user of the platform and when it is placed by the operator of the platform.

Act No 480/2004 Coll., on certain information society services

This Act regulates the liability of providers of information society services and lays down rules for the dissemination of commercial communications, which includes gambling advertising. In relation to gambling, the law prohibits the dissemination of unsolicited advertising that could annoy the addressees or lead to their financial expenditure. This means that gambling providers cannot send unsolicited advertising emails or other electronic communications to potential customers without their prior consent. This

prohibition is important to protect consumers from aggressive marketing practices that could lead to impulsive or irresponsible gambling. The law also requires commercial communications to be clearly labelled as advertising and to include identification of the sender, which increases transparency and allows recipients to easily identify the advertising content. For gambling, this means that any electronic advertising must be clearly identified and not misleading.