



Dear Partner,

You are receiving this letter via your marketing agency with important information regarding the rules for gambling advertising in The Netherlands. We would like to draw your attention to the legal framework and risks associated with creating or commissioning advertisements for operators without a license from the Dutch Gambling Authority (Kansspelautoriteit). We will also briefly touch upon the restrictions that apply to licensed operators.

What is prohibited?

In the Netherlands, it is prohibited to advertise for gambling operators who do not hold a license from the Gambling Authority. This prohibition is laid down in Article 1, paragraph 1, section b, of the Dutch Betting and Gaming Act (*Wet op de kansspelen*, hereinafter: "Wok"). It includes, among other things, creating or disseminating advertisements for illegal gambling offers.

Even if an operator is licensed in another country, promotion is prohibited in the Netherlands unless a Dutch license has been granted.

Examples of prohibited activities

- Advertising on websites or social media
- Promotion through influencers
- Promotion via affiliate links
- Content marketing or branded content referring to illegal gambling

Please note: strict rules also apply to licensed operators

Even when an operator holds a license, advertising is not automatically permitted. Advertising is only allowed under strict conditions, for example if it:

- Clearly does not reach vulnerable groups, such as minors, young adults, or individuals with problematic gambling behavior;
- Offers recipients a simple way to opt out of receiving the advertising;
- Complies with all other requirements as set out in Article 2ab of the Dutch Decree on Recruitment, Advertising and Addiction Prevention in Gambling (*Besluit werving, reclame en verslavingspreventie kansspelen*).

What are the consequences?

The Gambling Authority can take enforcement action against both the gambling operator and involved parties, including marketing agencies, news outlets, and other advertisers. Measures may include administrative orders subject to penalty payments and fines. Additionally, reports may be submitted to the competent supervisory authorities in the field of marketing and advertising, such as the Netherlands Authority for Consumers and Markets (ACM) and the Advertising Code Foundation (SRC).

What can you do?

We strongly advise you to check in advance whether a gambling operator holds a Dutch license. This can be done easily via the Kansspelwijzer on the website of the Gambling Authority. When a gambling operator holds a Dutch license, we also strongly advise you to check whether your marketing activities comply with the conditions set for advertising for licensed operators.

If you have any questions or are unsure about a promotional activity, please consult your marketing or media agency, a legal advisor, or contact the Gambling Authority directly.

More information

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www.kansspelautoriteit.nl