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Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 4146

Mr S M Gana (Rise Mzansi) to ask the Minister of Trade, Industry and Competition:

- (1) Following his reply to question 385 for oral reply on 7 May 2025, by what date will the report of the National Gambling Board (NGB) on their review of gambling and betting advertising campaigns be released to the public;
- (2) in terms of the specified review, (a) which operators were found to have utilised advertising and marketing practices which do not comply with relevant legislative and regulatory requirements and (b) what enforcement action has been and/or will be taken against the specified operators;
- (3) what is the approach of (a) his department and (b) the NGB to (i) updating the laws and regulations pertaining to gambling and betting advertisements in line with new technology and marketing practices and (ii) strengthening the enforcement of the existing laws and regulations?

REPLY:

- (1) A formal review of gambling and betting advertising campaigns has not been conducted. However, the National Gambling Board (NGB) undertook an internal assessment of advertisements broadcast during the review period (FY23/24) to evaluate their compliance with the relevant provisions of the National Gambling Act, 2004 (Act No. 7 of 2004), and associated regulations. This assessment focused particularly on whether operators adhered to advertising requirements, such as the mandatory display of responsible gambling warnings in appropriate font size and duration, as outlined in Regulation 3(2) of the National Gambling Regulations. Specific instances were identified where these requirements were not met, including advertisements by licensed operators that promoted online slot games with minimal or ineffective responsible gambling messaging and aired during family programming times where minors were likely to be exposed.

Furthermore, the NGB sought to determine whether the current advertising regulations are adequate to protect consumers, particularly vulnerable groups such as minors. The findings indicated significant gaps, both in compliance and in the regulatory framework itself, highlighting the need for enhanced regulatory provisions, including more explicit restrictions on the timing, placement, and content of gambling-related advertisements, especially across digital and streaming platforms.

(2)(a) The NGB's review has identified several gambling operators who engaged in advertising and marketing practices that are not compliant with the National Gambling Act, 2004 (Act No. 7 of 2004), and associated regulations. Notable contraventions include the use of targeted digital formats such as pop-up advertisements, sponsored content, influencer-led campaigns, and algorithm-driven video content. These methods often lacked appropriate responsible gambling messaging and were accessible to minors, thereby breaching provisions regarding the protection of vulnerable persons and responsible gambling communication. (b) The matter is being escalated to the National Gambling Policy Council (NGPC) for deliberation and resolution. A coordinated national response will be formulated to ensure that corrective action is implemented in line with the legislative and regulatory framework. Such measures may include the issuance of enforcement directives, compliance notices, or the amendment of existing regulatory provisions. The **dtic**, in collaboration with the NGB, will oversee the implementation of these corrective interventions.

(3)(a)(i) The department has addressed issues of gambling advertising in the National Gambling Policy document of 2016. This was also entrenched in the National Gambling Amendment Bill, 2018. The Portfolio Committee in 2018 had redrafted the Bill and excluded advertising in the document. The department is reviewing the Bill in its totality, this will include an in-depth address of advertising and take into consideration technological advancements and global trends in advertising. The department is strengthening collaborations with role players in the advertising space and will continue to strengthen these collaborations because this will assist in drafting a coherent Bill that will address advertising problems that the country faces. (b)(ii) The National Gambling Board (NGB), through its oversight function, continuously assesses the processes employed by Provincial Licensing Authorities (PLAs) regarding the approval of advertisements and promotional activities. Where deficiencies or regulatory gaps are identified, the NGB advises **the dtic** on necessary legal and regulatory reforms.

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