

Case Report

1. Case Number :	0120-25
2. Advertiser :	Rainbet
3. Product :	Gambling
4. Type of Advertisement/Media :	Internet - Social - Instagram
5. Date of Decision:	4-Jun-2025
6. Decision:	Upheld – Modified or Discontinued

ISSUES RAISED

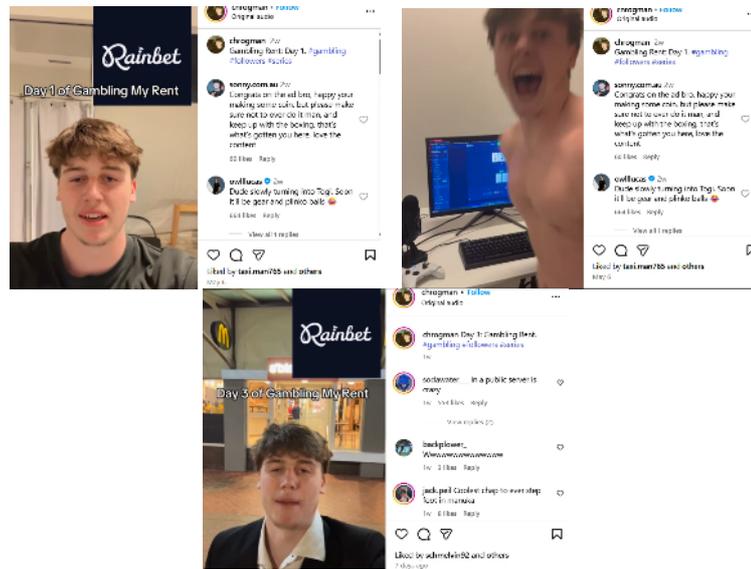
AANA Code of Ethics\2.5 Language
AANA Code of Ethics\2.6 Health and Safety
AANA Code of Ethics\2.7 Distinguishable advertising

DESCRIPTION OF ADVERTISEMENT

There are two versions of this Instagram post on the @chrogman page dated 6 and 15 May 2025.

Version 1 features a video of a man saying "Day 1 of gambling so I can pay the rent. Day 1 competitor, Rainbet. Let's run it baby." The man goes to a computer and says "Let's fucking go baby, blackjack 400 bucks, lets do it." The man reacts to the game as he is playing it. The caption says "Gambling Rent: Day 1. #gambling #followers #series."

Version 2 features a video of a man saying "Day 2 of gambling so I can pay the rent. Today's competitor, Rainbet. Let's run it baby. Let's fucking go baby, 400 on blackjack, let's do it." The man reacts to the game as he is playing it. The caption says "Day 3: Gambling Rent. #gambling #followers #series."



THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Undisclosed Gambling Advertisement. Violation of the influencer marketing rules. It is not disclosed in the ads that they have an affiliate relationship with the rainbet gambling brand.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

We can confirm that the content shared by @chrogman was not part of any direct sponsorship or paid arrangement with Rainbet. The individual may be a user of the site or possibly participating in our affiliate program, but no formal agreement or compensation was involved in the production of this content.

We're committed to adhering to advertising standards and transparency. If any breach of guidelines is confirmed, please don't hesitate to update us. We will take appropriate action, including voiding the user's affiliate code if necessary.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether the versions collectively forming this advertisement breach Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement contains undisclosed advertising.

The Panel viewed the advertisement and noted the advertiser's response.

Is the material advertising?

The Panel noted the definition of advertising in the Code: "any material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer,

- over which the advertiser or marketer has a reasonable degree of control, and
- that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct".

The Panel considered that the account that posted the content included an affiliate link for Rainbet in their bio. The Panel noted the advertiser's response that the user was not part of any direct paid promotion or sponsorship agreement. The Panel considered that the advertiser had control over providing affiliate links to users, and this was a form of promotion. The Panel considered that the presence of an affiliate code was sufficient to meet the criteria of the advertiser having a reasonable degree of control.

Section 2.5: Advertising shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

The Panel noted the Practice Note for this section of the Code includes:

"The "f" and "c" words are generally viewed as harmful, unacceptable and not permitted... Advertisements which use the 'f' word in full will be seen to constitute strong and offensive language, even when the audience is restricted."

The Panel considered that the 'f' word was used in full in the advertisement, and this constituted strong and obscene language.

Section 2.5 conclusion

The Panel considered that the advertisement did breach Section 2.5 of the Code.

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel considered that the advertisement actively glorified gambling with rent money. The Panel noted that problem gambling is a serious issue which can lead to financial and personal harm. The Panel considered that most members of the community would view it as inappropriate for advertising to celebrate or promote the act of gambling essential funds such as rent money.

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety.

Section 2.6 conclusion

The Panel considered that the advertisement did breach Section 2.6 of the Code.

Section 2.7: Advertising shall be clearly distinguishable as such.

The Panel noted the Practice Note for the Code states:

“There is no absolute requirement that advertising or marketing communication must have a label however it must be clear to the audience. If it is clear to the audience that the content is commercial in nature (for example by the nature of the content, where the content is placed, how consumers are directed to the content, the theme, visuals and language used, or the use of brand names or logos), then no further disclosure or distinguishing element is needed.”

The Panel considered that both versions of the advertisement feature brief images of the advertiser’s logo, however the advertiser was not tagged in the posts and there was no indication in the caption of the posts that would clearly indicate that this was advertising material.

2.7 conclusion

The Panel concluded that the advertisement did breach Section 2.7 of the Code.

Conclusion

Finding that the advertisement breached Section 2.5, 2.6 and 2.7 of the Code the Panel upheld the complaint.

THE ADVERTISER’S RESPONSE TO DECISION

Ad Standards notes that the affiliate links have been removed from the Instagram page, and therefore the posts no longer constitute advertising.