[BG] Ban on the advertising of gambling in radio and television programmes

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On 14 May 2024, amendments to the Gambling Act were published in issue 42 of the State Gazette. The amendments introduced a prohibition in paragraph 1 of Article 10 against gambiling advertising in radio and television programmes, except for the broadcast of the draws of the state-owned "Bulgarian Sports Totalisator" and the announcement of these draws (point 1), and in printed works and electronic media, including websites (point 3). The motives for this legislative decision are to prevent widespread solicitation of gambling and to protect the interests of minors.

The following additional competence has been conferred on the media supervisory authority in paragraph 8 of the same article. The provision stipulates that in exercising its powers under Article 32 paragraphs (1) and (10) of the Radio and Television Act (supervising the activities of media service providers in complying with the Media Act and referring infringements of regulations in the provision of media services to the competent authorities), the Council for Electronic Media shall supervise advertising content in the media space. In the event that the Council for Electronic Media finds facts and circumstances which infringe the legal provisions on advertising, it shall refer the matter to the National Revenue Agency for administrative proceedings. The Council for Electronic Media shall refer the matter to the National Revenue Agency, providing information on the facts and circumstances found, the legal provision possibly infringed, the offender, i.e. the specific media service provider, and any other relevant information.

A new definition has been inserted in paragraph 23 of section 1 of the additional provision of the Gambling Act: "gambling advertising" is information disseminated in any form, by any means, which directly invites consumers to participate in gambling games, including by giving the impression that by participating in the game consumers will be able to solve personal or financial problems or achieve financial well-being, or which invites citizens to participate in the game with promises of large winnings. Gambling advertising is also any form of commercial message, announcement, recommendation or action which uses a gambling operator's name or trademark or a gambling operator's company or trademark on products and goods.

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The restrictions also provide for penalties in Article 105 of the law. A gambling organiser who advertises gambling in breach of Article 10 is liable to a fine of between BGN 30 000 (approximately EUR 15 000) and BGN 50 000 (approximately EUR 25 000). Persons who publish, broadcast or disseminate the advertising of gambling in breach of Article 10 shall be liable to a pecuniary sanction of between BGN 10 000 (approximately EUR 5 000) and BGN 30 000 (approximately EUR 15 000) or a fine of between BGN 5 000 (approximately EUR 2 500) and BGN 10 000 (approximately EUR 5 000).

Закон за изменение и допълнение на Закона за хазарта, обнародван в бр. 42 от 14 май 2024 г. на „Държавен вестник

https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=214700

Act amending and supplementing the Gambling Act, published in issue 42 of 14 May 2024 of the Official Gazette

Закон за хазарта

https://lex.bg/laws/ldoc/2135783265

Gambling Act

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