



Use of a participant's image for advertising purposes during the PyeongChang 2018 Olympic Winter Games

(**Participant** means any competitor, coach, trainer or official participating in the Olympic Winter Games in PyeongChang in 2018)

Rule 40 of the Olympic Charter: What you need to know as a Participant

Are you an athlete, coach/trainer or official participating in the PyeongChang 2018 Olympic Winter Games? If so, read the following document to learn more about Rule 40.

Bye-law 3 to Rule 40 of the Olympic Charter (commonly referred to in this context as "Rule 40") states that: *"Except as permitted by the IOC Executive Board, no competitor, coach, trainer or official who participates in the Olympic Games may allow his person, name, picture or sports performances to be used for advertising purposes during the Olympic Games."*

The Olympic Charter is the guiding document for the entire Olympic Movement. It defines the mission and role of the International Olympic Committee (IOC), National Olympic Committees (NOCs) and International Federations (IFs). It also provides rules for the organisation and administration of the Olympic Games, as well as guidance on disciplinary procedures and other governance issues.

1. What is the purpose of Rule 40?

Rule 40 is in place for various reasons, including:

- To preserve the unique nature of the Olympic Games by preventing over-commercialisation.
- To allow the focus to remain on the athletes' performance.
- To preserve sources of funding, as 90 per cent of the revenues generated by the IOC are distributed to the wider sporting movement. This means that every day the equivalent of 3.25 million US dollars goes to help athletes and sports organisations at all levels around the world.

2. Who does Rule 40 apply to?

Athletes, coaches/trainers and officials participating in the PyeongChang 2018 Olympic Winter Games.

3. When does Rule 40 apply?

During the Olympic Winter Games period from 1 February until 28 February 2018 (from the date of the opening of the Olympic Village until the end of the third day after the date of closing ceremony).





4. As a Participant, can my personal sponsor launch an advertising campaign during the period of the PyeongChang 2018 Olympic Winter Games?

Yes, if they are Olympic Partners.

If they are not an Olympic Partner, the following is permitted: the use of an Athlete’s person, name, picture or sports performances for advertising purposes of a company or brand where such use clearly does not create, whether directly or indirectly, the impression of a commercial connection between:

- on the one hand, the company or brand and,
- on the other hand, the Olympic Games, the IOC, the Olympic Movement, the Organising Committee of the Olympic Games, or the Athlete’s National Olympic Committee or National Olympic Team.

Support from the business community, including Olympic Partners, who acquire exclusive rights, is crucial to the staging of the Games and the operations of every organisation within the Olympic Movement. Revenue generated by commercial partnerships accounts for more than 40 per cent of Olympic revenues and Partners provide vital technical services and product support to the entire Olympic Movement, in particular to provide the best possible conditions for athletes.

Olympic Partners are: TOP Partners for international rights; NOC local sponsors for national rights; PyeongChang 2018 Olympic Winter Games sponsors for host territory rights.

5. Can my personal sponsors continue running an existing campaign during the period of the PyeongChang 2018 Olympic Winter Games?

Advertising by your sponsors – who are not Olympic Partners – may in principle continue during the period of the Olympic Winter Games, subject to the following:

- NOCs may create specific conditions, subject to the territory’s applicable laws and regulations;
- The advertising must not create any impression of a commercial connection with any Olympic property and in particular the Olympic Winter Games;
- Applications to advertise must be submitted for approval to the NOC (if national advertisement) or IOC (if international – 2 or more territories) – (See below for process)

6. Can my personal sponsors refer to my performance or my participation at the PyeongChang 2018 Olympic Winter Games?

Yes, if they are Olympic Partners.

If they are not Olympic Partners, the use of certain terms related to the Olympic Winter Games alongside the Participant’s name or image is **not permitted, whether it is an existing campaign or not**. See below for examples:

| | | |
|----------|-----------|-------------------------|
| Olympic | Olympics | Games |
| Olympiad | Olympiads | Citius, Altius, Fortius |





Any use of other *Olympic-related terms* in such a way as to imply an association with the Olympic movement, depending upon context, is **not permitted**. Please see the examples below. For a full list of terms and further details please contact your NOC.

| | | |
|---------|-------------|----------------------|
| 2018 | PyeongChang | Gold, Silver, Bronze |
| Medal | Performance | Sponsors |
| Victory | Winter | Games |

7. How do I apply for my personal sponsors' advertising during the period of the PyeongChang 2018 Olympic Winter Games?

Athletes must initiate the application process.

Step 1 Check with your NOC whether there are specific conditions applicable.

Step 2 Share (or ask your sponsor to share) all information related to the activation together with the signed athlete's image consent form:

- for a national campaign in your NOC's territory: **to your NOC**;
- for a national campaign in another NOC's territory: **to the NOC in question**;
- for an international (2 or more territories of activation) campaign: **to the IOC**.

Step 3 Wait for feedback.

8. When should I send my application?

As soon as possible to ensure that your application is reviewed in a timely manner. Note that some NOCs may establish specific periods of submission. Please consult with your NOC to get further information.

9. Can my agent, coach or personal sponsor apply in my name?

Yes, but your signature is required in the athlete's image consent form. Template of the athlete's image consent forms is available from:

- your NOC
- Athletes' space on www.olympic.org
- athletes@olympic.org
- Olympic Athletes' Hub

10. Who is responsible for implementing Rule 40?

The implementation of Rule 40 in each country is the responsibility of the NOC of the relevant territories. NOCs may have additional requirements in relation to Rule 40 and its implementation. Local laws may also have an impact on how Rule 40 is implemented in a specific country or territory. Please contact your NOC for further details.





11. What happens if I breach Rule 40 guidelines?

If the IOC/NOC is made aware of a potential breach of Rule 40, it will investigate and handle each case individually. Potential sanctions by the IOC as per the Olympic Charter or by the respective NOC, depending on its regulations, may apply.

12. Who should I contact for further information?

Contact your NOC for further information. If they are in doubt regarding specific questions, they will contact the IOC.

This document is intended as a practical guide for athletes on the application of Rule 40. Any submission is governed by the terms of the guidelines adopted by the IOC Executive Board related to Bye-law 3 to Rule 40 as applicable to the PyeongChang 2018 Olympic Winter Games, as communicated to all NOCs. It is not a comprehensive guide to Rule 40 or the Olympic Charter. For further information, please contact your NOC.

13. Can I also contact the IOC Athletes' Commission directly?

Yes. You can write to them for any athlete-related questions, advice and information at athletes@olympic.org.



