RULE 40
Guidelines for Brands (Non-Olympic) and Agents
About the British Olympic Association (BOA)

The BOA is a not-for-profit organisation, where revenue raised goes towards supporting Team GB and providing the optimal performance environment for athletes at Summer, Winter, European & Youth Olympic Games.

Amongst other things, money raised by the BOA goes towards:

- Travel and accommodation
- Kit provision
- Games and pre-Games training facilities
- Medical and team support functions
- Optimising Games-time operations – working with sports pre-Games on planning, strategy and learning
- Engagement and leadership of programmes such as ‘Nearest and Dearest’
- Development programmes for the next generation of Olympians, such as the Ambition Programme

The BOA also has a role in developing and promoting the Olympic Movement within the UK. This includes, amongst other things, mass participation activities such as I Am Team GB and connecting with over 26,000 schools across the UK reaching over 1 million young people a year through the Get Set programme.
The BOA needs to raise in excess of £60m to support Team GB during the four-year cycle up to Tokyo 2020.

During this period the BOA will have taken over 700 athletes to eight Olympic Summer and Winter Games, European Games, World Beach Games, Youth Olympic Games and European Youth Olympic Festivals.

The bulk of this money is raised from sponsorship, through domestic Team GB partners and the IOC Worldwide TOP partners – some of which filters down to National Olympic Committees.

Other revenue comes from events such as the Team GB fundraising ball, sales from licensing the Team GB name and private donors. The IOC’s Worldwide TOP partners and Team GB’s domestic partners are listed* below:

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* Correct as of October 2019
**Background to Rule 40**

**Why is Rule 40 important for Team GB?**

Team GB’s participation at Olympic, European and Youth Games is funded entirely by private income. The BOA does not receive any central Government or National Lottery funding. Rule 40 helps allow the BOA to generate this necessary income to fund taking all athletes – funded or unfunded – and support personnel to the Games by protecting the exclusive rights of Olympic commercial partners for a short period during the Games.

**How does Team GB use this money?**

Funds raised are used for numerous performance-led initiatives and support infrastructure before and during the Olympic Games, all aimed at delivering the optimum environment for every athlete to achieve their best at Games-time.
What is Rule 40?

All athletes are permitted to promote their sponsors, and all sponsors are permitted to use athlete imagery, during the Games Period, in accordance with the principles set out in this guidance.

- Rule 40 governs how athletes* can use – and can allow their personal sponsors to use – their name and image during the period of 14 July 2020 – 11 August 2020 (the “Games Period”) in any advertising materials (“Materials”).

- Materials is defined very broadly, and includes all uses of an athlete’s image, name or performance in any type of advertising including print, online and digital (including social media and in mobile apps), broadcast, outdoor, as well as any personal appearances.

- It is the responsibility of all athletes to comply with Rule 40. However, businesses, agents and NGBs using or approving athlete images in advertising will want to ensure they are not putting an athlete in breach of Rule 40.

*Rule 40 applies to athletes and officials. However, for ease we refer only to athletes in this document
Personal (non-Olympic) sponsors

Non-Olympic partners/brands who sponsor an athlete are permitted to use an athlete’s image during the Games, if all of the following conditions are met:

1) they have obtained the prior consent of the athlete;

2) they have sought approval from the BOA (via rule40@teamgb.com) by supplying its marketing/ advertising/ usage plans (with detail around nature, frequency, duration and location of usage) by no later than 14 May 2020 and have received such approval;

3) the advertising is generic and does not contain any references to or intellectual property (e.g. logos, images) of the Games, the Olympic movement or Team GB (including in re-tweets of official Team GB or Olympic posts which may suggest a commercial association); and

4) the advertising has been in-market for a period of at least 90 days prior to the Games Period (prior to 14 April 2020), and is run consistently in both nature and frequency during this time (with no spike in usage prior to or during the Games).
Exemptions

The BOA will consider exemptions on a case-by-case basis, and athletes/brands are encouraged to contact the BOA at rule40@teamgb.com to discuss these. Examples of this might include where:

- athletes are competing in other sporting competitions around the time of the Games;
- the usage is purely non-commercial (i.e. charitable) and does not suggest a link to Team GB; and/or
- brands can demonstrate that their ‘business as usual’ marketing plans regularly entail campaigns which do not accord with the Rule 40 timeline (including in particular for sportswear manufacturers and ‘back to school’ launches)
Personal (non-Olympic) sponsors

Congratulatory/ good luck messaging

• Clearly, brands who sponsor athletes will want to support, encourage or congratulate athletes in relation to them competing at the Games, perhaps by tweeting or posting messages of support, congratulation or commiseration.

• The BOA encourages and welcomes this, provided such messages or materials are posted before or after (not during) the Games Period, and do not contain any Olympic or Team GB-related intellectual property. Messages posted during the Games would clearly be linked to those Games, and so run the risk of associations being created between the sponsor and Team GB/ the Games.

• The BOA recognises that, notwithstanding the above, small, local businesses will want to show their support for local athletes with messages during the Games. The BOA encourages this as far as possible provided no commercial conflicts exist. Brands and businesses should get in touch at rule40@teamgb.com to discuss their plans.
Congratulatory Messaging (examples)

**NOT ALLOWED**
- Posts appear during the Games Period
- Refer to the athlete’s performance at the Games
- #teamgb not allowed

**ALLOWED**
- Post appears outside the Games Period
- No reference made to the Games, or to any Olympic imagery or marks
Personal (non-Olympic) sponsors

Thank you messaging

• The BOA recognises that athletes will want to post messages of thanks to their sponsors, who have supported them on their journey.

• Athletes will be permitted to post thank you messages on their personal social media channels and personal website only provided that such posts are limited to only one post per non-Olympic sponsor during the Games Period. Thank you messages shall be limited to the below message (or similarly generic wording):

‘Thank you to [sponsor] for your support’

• Any such posts must not contain any Olympic or Team GB-related intellectual property and must not include any images from the Games. A single identical message, posted at the same time across multiple social media channels and personal website shall be counted as one post.

• Any such posts should not be amplified by paid spend, and must not promote specific products or services.
Thank you messaging
(examples)

Jane Doe 🧘‍♀️  @janedoe  ·  3 August 2020
1,466 tweets

Thank you to brand x for all your support!

번역결과

Jane Doe 🧘‍♀️  @janedoe  ·  3 August 2020
1,466 tweets

Thank you to brand x for all your support!

ALLOWED

- No Games or Team IP imagery or IP used
- No specific product or service promoted

NOT ALLOWED

- Use of Team GB and Tokyo 2020 IP and references
Where athletes have sponsorship deals with brands who are Team GB/Olympic sponsors, some of the restrictions mentioned in above do not apply. In such a case, those Olympic sponsors should contact the BOA to discuss their plans either via their usual client services representative or via rule40@teamgb.com.
Examples
Generic advertising

- Assuming that these ads have run continuously since prior to 14 April 2020, they can continue throughout the Games Period in the same form.
- The only reference to Olympic performance is factual and in the context of other achievements.
Generic advertising

- If the consent is being abused and/or is being used in a way which conflicts with the rationale for Rule 40 or these Guidelines, or forms part of an ambush marketing campaign, the BOA may revoke this consent and ask for the advertising to be withdrawn and/or take further action.

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- Team GB branded kit
- “Olympic diver” places undue emphasis on Olympic status to the exclusion of any other sporting achievements
- Impression is given that Breitling is a Team GB/ Olympic sponsor
Generic advertising

- Where an advertiser is featuring an athlete in an advert in the UK, but the athlete is not a member of Team GB, the approval of both the relevant NOC and the BOA will be required.

- These guidelines do not apply in relation to advertising outside the UK. If you are considering an advert for use outside the UK, please refer to the relevant NOC and/or the IOC.

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ALLOWED

- Consent would need to be sought from the BOA prior to 14 May 2020, and evidence of consent from the athlete’s NOC would be required.
- No references to the Olympic Games or any other Olympic words or marks.
- In order to appear during the Games Period, it will have needed to have run continuously since prior to 14 April 2020.
ATHLETE WEBSITES

What is acceptable?

References to/ images of athletes on their own personal website or fan-site which, during the Games Period:

• contain biographical details of the athlete’s achievements at the Games; and/or
• contain still photographs taken within Games venues (or moving images provided they are not of field of play); and/or
• contain Blogs in relation to the athlete’s personal experience at the Games,

provided always that such materials:

• appear on pages of an athlete’s website which do not contain overt third party or sponsor advertising; and
• do not contain video or audio of field of play content from any Games venues; and
• represent an account of the athlete’s personal experience and do not promote or in any way endorse a third party brand; and
• otherwise comply with the IOC’s social media, blogging and internet guidelines.

ALLOWED

- References to the Olympic Games are factual/biographical
- No overt sponsor/third party branding

Specific examples
What is acceptable?

References to athletes, including use of their image, on corporate websites and social media platforms which were published prior to the Games Period, and which:

• are in the context of factually describing the company’s support or sponsorship of the athlete (or sport) or are included within an archived news item or blog; and
• do not appear on the company’s home page or equivalent (including, e.g., a landing page or front page of Facebook); and
• do not refer expressly to the Games save to make a balanced, factual biographical reference to the fact that the athlete is an Olympian (alongside any other relevant achievements); and
• do not directly promote or endorse a product

ALLOWED

- No reference to Olympic Games
- Sponsorship is launched/published prior to the Games Period
CATALOGUES AND CORPORATE BROCHURES

References to athletes, including use of their image, in product catalogues (online and in-store) and corporate brochures provided that the catalogue or corporate brochure:

- is promoting sports clothing or sports equipment;
- was produced and has been available since before 14 April 2020; and
- the packaging does not refer expressly or implicitly to the Games*, or contain any Team GB/Games IP.
- is not distributed by email or post during the Games Period.

ALLOWED
- No reference to Olympic Games
- Catalogue is published prior to 14 April 2020, and is not distributed by mail or post during the Games Period

* where the materials contain biographical details of the athlete, proportionate, factual statements that the athlete is an Olympian may be made

IN-STORE ADVERTISING

Use of an athlete’s name or image on in-store displays and posters during the Games Period is permitted, provided the display or poster:

- is promoting sports clothing or sports equipment and is in a specialist sports retail shop;
- the packaging does not refer expressly or implicitly to the Games*, or contain any Team GB/Games IP.
- is not used in window displays unless they have been used in this way continuously since before 14 April 2020.

ALLOWED
- Assuming that this ad has run continuously since prior to 14 April 2020, it can continue throughout the Games Period in the same form
- No references to the Olympic Games or any other Olympic words or marks
Specific examples

**MERCHANDISE**

What is acceptable?

Merchandise relating either to the athlete alone or their club/team is permitted provided that the merchandise does not refer expressly or implicitly to the Games*, or contain any Team GB/Games IP.

- **ALLOWED**
  - No references to the Olympic Games or any other Olympic words or marks
  - Incidental reference to third party branding

**PRODUCT PACKAGING**

What is acceptable?

References to athletes (including use of their image) on product packaging is permitted provided that:

- the relevant goods were available for sale in the UK (continuously) since before 14 April 2020; and
- in the case of sports clothing or sports equipment, the athlete is only shown on the packaging modelling the item (and no other promotional messages are made); and
- the packaging does not refer expressly or implicitly to the Games*, or contain any Team GB/Games IP.

- **ALLOWED**
  - Assuming that this product has been available continuously since prior to 14 April 2020, it can continue throughout the Games Period in the same form
  - No references to the Olympic Games or any other Olympic words or marks

*where the materials contain biographical details of the athlete, proportionate, factual statements that the athlete is an Olympian may be made
Examples of what would **not** typically be granted a Rule 40 consent:

- PR or press releases undertaken/issued during the Games Period
- Direct mailings (online or otherwise) issued during the Games Period
Rule 40 Consent

Rule 40 Consent - timing and process

▪ All requests for Rule 40 Consents must be made by email to rule40@teamgb.com by 14 May 2020, unless otherwise agreed with the BOA.

▪ If you are a member of Team GB and are uncertain of your obligations under these guidelines, please contact the BOA.

▪ If you are an Olympic Partner and would like to understand how Rule 40 affects you, please contact your BOA Client Services representative.