

RULE 40 – Tokyo 2020

What is "RULE 40"?

What is called “**Rule 40**” refers to [Bye-law \(paragraph\) 3 to Rule 40 of the Olympic Charter](#) which states the conditions to be complied with when using participant image for advertising purposes during the Games period (the Tokyo 2020 Olympic Games **from 13 July 2021 until 10 August 2021**):

“Athletes, team officials and other team personnel who participate in the Olympic Games may allow their person, name, picture or sports performances to be used for advertising purposes during the Olympic Games in accordance with the principles determined by the IOC Executive Board.”

N.B.: The use of the Olympic Properties is at all times (also outside the Games period) subject to strict rules. For more information, please click on «[Olympic Properties](#)».

What are RULE 40 application rules for the 2020 Olympic Games?

The application rules to be complied with from 13 July 2021 until 10 August 2021 when using the person, the name, the image (for advertising purposes) of the participants representing Belgium at the Tokyo 2020 Olympic Games are set out below and in the IOC document «[Commercial Opportunities for Participants during the rescheduled Olympic Games Tokyo 2020 \(in 2021\)](#)»(Appendix A).

The IOC has also developed a document entitled «[Illustrative Guidance for Non-Olympic Partners](#)» (Appendix B) illustrating the main guidelines defined below and in Appendix A.

1. Advertising by Olympic Partners

Olympic Partners (being the partners of the IOC, the Organizing Committee of Tokyo 2020 (TOCOG) and the BOIC) are permitted to use participant images for advertising during the Games period, mainly subject to:

- the terms of the relevant Olympic Partner's contract with the IOC, the Tokyo 2020 Organizing Committee (OCOG) or the BOIC, and
- obtaining any necessary consents from the participants featured.

N.B.: BOIC structural partners who hold collective image rights (*Appendix C*) are authorised to use participant persons, names, images for advertising campaigns related to the Tokyo 2020 Olympic Games, through all communication channels: TV and radio broadcasters, applications, social media (Facebook, Twitter, Instagram, etc), websites, specific online platforms, direct mailing, movies, newspapers, magazines, brochures, leaflets, calendars, apps, point-of-sale posters, specific websites only if the image is the collective representation of at least 15 athletes from at least 4 different sports and without any particular focus on one individual.

2. Advertising by Non-Olympic Partners

Non-Olympic Partners are permitted to use participant persons, names, images for advertising during the Games period under the following main conditions:

- if that advertising constitutes generic advertising (as described in key principle 3 below)
- if that advertising does not use any Olympic Properties, and
- if the Non-Olympic Partner has notified the IOC, the TOCOG and the targeted National Olympic Committee (NOC) of their generic advertising plans, ***by no later than 15 May 2021***, through a designated online platform and if they respect any feedback given by the IOC or NOC.

1) The BOIC must be notified of advertising targeted at Belgium via mail

Advertising is regarded as targeted at Belgium if:

- it uses a participant who represents the BOIC at the Tokyo 2020 Olympic Games, and
- it is in French, Dutch or German, or
- in the case of paid media, it is published in media outlets targeted at Belgium.

⇒ ***If you are a Non-Olympic Partner and wish to use the image and/or the name of one or more Participants to advertise during the period of the Olympic Games in Tokyo 2020 for the specific territory of Belgium, please then send an email to rule40@olympic.be by no later than 15 May 2021 with the advertising plan and thus at least the following information :***

- ✓ ***Details of the advertising (including creative and social media templates),***
- ✓ ***Media plan listing the broadcasting channels and the social media platforms,***
- ✓ ***List of relevant territories targeted with the publishing languages,***
- ✓ ***List of athletes featured in the advertising,***
- ✓ ***Publishing dates and frequency.***

2) The IOC must be notified of advertising targeting a territory larger than Belgium via the notification platform.

⇒ *If you are a Non-Olympic Partner and wish to use the image and/or the name of one or more Participant(s) to advertise during the period of the Olympic Games in Tokyo 2020 for an area larger than Belgium, please submit the advertising plan to the IOC via the IOC Rule 40 platform: <https://rule40.olympic.org/>*

N.B.: For social media advertising, it is not necessary to provide advance notice of each individual post, but notice must be given setting out a description of the social media advertising plan, including the nature and planned content of the posts, by no later than 15 May 2021, to the IOC and the BOIC in accordance with the principles fixed in **1)** and **2)**.

3. Generic advertising

Generic advertising means any advertising of a company or a brand:

- where the only connection between, on one hand, the Games, the IOC, the TOCOG and/or the NOC and/or the national Olympic team of an NOC and, on the other hand, the relevant marketing activity, is the fact that the advertising uses a participant's image,
- which has been in market for at least ninety (90) days before the Games period, and
- which is run consistently and not materially escalated during the Games period.

4. Congratulatory advertising

Only Olympic Partners are permitted to undertake supporting and congratulatory messages during the Games period.

5. Online messages by participants

Participants may provide simple messages of thanks on their personal websites and/or personal social media accounts to Olympic Partners and/or their personal Non-Olympic Partners, including during the Games period, but their posts must among others:

- not include any statement or imply that a product or service enhanced the participant's performance,
- not include a personal endorsement of the relevant product or service (as distinct from thanking the sponsor for their support), and
- respect the policies of the IOC and of the BOIC in relating to activities incompatible with the values of the Olympic Movement or of the BOIC, and
- be limited to one thank you message per personal Non-Olympic Partner, and
- not suggest a commercial connection between the IOC, the Olympic Games, the BOIC or Team Belgium and a Non-Olympic Partner.

Appendixes

- A. [Commercial Opportunities for Participants during the rescheduled Olympic Games Tokyo 2020 \(in 2021\)](#) – IOC
- B. [Illustrative Guidance for Non-Olympic Partners](#) – IOC
- C. [BOIC structural partners who hold collective image rights](#) – BOIC