# State Treaty on the New Regulation of Gambling in Germany

The state of Baden-Württemberg, the Free State of Bavaria, the state of Berlin, the state of Brandenburg, the Free Hanseatic City of Bremen, the Free and Hanseatic City of Hamburg, the State of Hesse, the state of Mecklenburg-Western Pomerania, the state of Lower Saxony, the State of North Rhine-Westphalia, the State of Rhineland-Palatinate, the Saarland, the Free State of Saxony, the State of Saxony-Anhalt, the State of Schleswig-Holstein and the Free State of Thuringia (hereinafter referred to as: "the countries")

conclude the following treaty:

# State Treaty on the New Regulation of Gambling in Germany (State Treaty on Gambling

2021 - GlüStV 2021)1

From 29 October 2020

# Section One General Provisions

### § 1 Aims of the State Treaty

Goals of the state treaty are of equal importance

- 1. prevent the emergence of gambling and betting addiction and create the conditions for effective addiction control,
- to steer the natural gambling instinct of the population into orderly and supervised channels by offering a limited range of games of chance as a suitable alternative to unauthorized gambling, and to counteract the development and spread of unauthorized gambling in black markets,
- 3. to ensure the protection of minors and players,
- 4. to ensure that games of chance are conducted properly, that players are protected from fraudulent schemes, and that the consequential and accompanying crime associated with games of chance is averted; and
- 5. To prevent threats to the integrity of sports competition when organizing and brokering sports betting.

In order to achieve these goals, differentiated measures are envisaged for the individual forms of gambling in order to take account of their specific potential for addiction, fraud, manipulation and criminality.

# § 2 Scope of application

(1) With this state treaty, the federal states regulate the organization, conduct and brokerage of public games of chance.

<sup>&</sup>lt;sup>1</sup> Notified under Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services (OJ L 241, 17.9.2015, p. 1).

(2) Only sections 1 to 3, section 4 (1) to (4), sections 5, 6, 7 to 8d, 20 and 23 and the provisions of the Tenth Section shall apply to casinos.

(3) Only Sections 1 to 3, Section 4 (1), (3) and (4) sentence 2, Sections 5, 6, 7 to 8d and 23, as well as the provisions of the Seventh and Tenth Sections shall apply to gaming arcades, insofar as they provide amusement machines with the possibility of winning. Test devices shall also be deemed to be gambling devices for money or goods with the possibility of winning.

(4) Only Sections 1 to 3, Section 4 (3) and (4) sentence 2, Sections 5, 6, 7 to 8d and 23 as well as the provisions of Section 10 shall apply to restaurants (pubs, restaurants and lodging establishments) and bookmakers' betting offices, insofar as they provide money or goods gaming machines with the possibility of winning.

(5) Only §§ 1 to 3, 5 to 9a and 23 and the provisions of the Eighth and Tenth Sections shall apply to horse betting.

(6) Only §§ 1 to 9a, 21, 21a and 23 and the provisions of the Tenth Section shall apply to sports betting.

(7) Only §§ 1 to 9a, 22a and 23 and the provisions of the Tenth Section shall apply to virtual slot machine games.

(8) Only sections 1 to 9a, 22b and 23 and the provisions of the Tenth Section shall apply to online poker.

(9) Only sections 1 to 4, 5 to 9a, 22c and 23 and the provisions of the Tenth Section shall apply to online casino games.

(10) Only sections 1 to 4, 5 to 10, 12 to 18, 22 and 23 and the provisions of the Tenth Section shall apply to lotteries.

(11) Only Section 11 of the Interstate Media Treaty shall apply to sweepstakes in broadcasting (Section 2 (1) sentences 1 and 2 of the Interstate Media Treaty).

### § 3 Definitions

(1) A game of chance exists if, in the context of a game, a fee is charged for the acquisition of a chance to win and the decision on the win depends entirely or predominantly on chance. The decision on the win depends on chance in any case if the uncertain occurrence or outcome of future events is decisive for this. Betting against payment on the occurrence or outcome of a future event is gambling. Sports betting is betting at fixed odds on a future event during a sporting event, on the outcome of a sporting event or on the outcome of segments of sporting events. A sporting event is a sporting competition between people according to defined rules. Horse bets are bets from

Occasion of public horse races and other public performance tests for horses.

(1a) Virtual slot machine games are replicas of terrestrial slot machine games offered on the Internet. Online casino games are virtual replicas of banker games and live broadcasts of a terrestrial banker game with the option of participation via the Internet. Online poker is any variant of poker without a banker, in which various natural persons play against each other at a virtual table on the Internet.

(2) A public game of chance is deemed to exist if a larger, non-closed group of persons has the opportunity to participate or if it is a matter of habitually organized games of chance in clubs or other closed societies.

(3) A game of chance within the meaning of paragraph 1, sentence 1, in which a majority of persons are given the opportunity to win money according to a specific plan in return for a specific payment is a lottery. The provisions on lotteries shall also apply if, instead of money, items or other benefits of monetary value can be won (lottery).

(4) Gambling is organized and brokered where the player is given the opportunity to participate.

(5) Retail outlets and lottery collectors are intermediaries integrated into the sales organization of organizers pursuant to § 10 (2) and (3).

(6) Betting agencies are sales outlets integrated into the sales organization of sports betting organizers either by the betting organizer or by agents who broker betting contracts exclusively on behalf of a betting organizer.

(7) Bookmakers' localities are those as defined in Section 2 (2) of the Racing Betting and Lotteries Act. They may be sales offices of the betting organizer that are integrated into the sales organization of horse betting organizers. The regulations for bookmakers according to the Race Betting and Lottery Act remain unaffected.

(8) Commercial gambling brokerage is carried out by anyone who is not a retailer, lottery collector, betting agent or bookmaker,

- 1. brokers individual gaming contracts to an organizer of lotteries or
- 2. brings together interested parties to form lottery syndicates and arranges their participation in the game for the lottery organizer either itself or via third parties,

provided that this is done in each case with the intention of making a sustainable profit through this activity.

(9) For the purposes of this Interstate Treaty, an amusement arcade is an enterprise or part of an enterprise that is exclusively or predominantly devoted to the installation of amusement devices in the within the meaning of Section 33c (1) sentence 1 or the organization of other games within the meaning of Section 33d (1) sentence 1 of the Trade, Commerce and Industry Regulation Act (Gewerbeordnung) in the version promulgated on February 22, 1999 (BGBI. I p. 202), as last amended by Article 5 of the Act of June 19, 2020 (BGBI. I p. 1403).

### § 4 General provisions on the granting of permission

(1) Public games of chance may only be organized or brokered with the permission of the competent authority of the respective country. Organizing and brokering without such permission (unlicensed gambling) and involvement in payments in connection with unlicensed gambling are prohibited. If an organizer or broker of public games of chance offers other services in addition to unlicensed games of chance in a manner that does not allow those involved in payment transactions to process payment transactions in a completely distinguishable manner and separately from the services offered, involvement in payment transactions is also prohibited for the other services.

(2) The permit shall be refused if the organization or brokering of games of chance is contrary to the objectives of § 1. Permission may not be granted for the brokering of games of chance not permitted under this Interstate Treaty.

(3) Organizing and brokering public games of chance must not run counter to the requirements of the protection of minors. The participation of minors is not permitted. Organizers and intermediaries shall ensure that minors are excluded from participation. Sentences 2 and 3 shall not apply to the participation of minors in games of chance pursuant to Section 3 at public festivals, fairs, special markets and similar events if the prize consists exclusively of goods of low value.

(4) A permit for public games of chance on the Internet may only be granted for the selfdistribution and brokerage of lotteries, for the organization, brokerage and self-distribution of sports betting and horse betting, and for the organization and self-distribution of online casino games, virtual slot machine games and online poker. In addition, the organization and brokering of public games of chance on the Internet are prohibited.

(5) The granting of a permit pursuant to subsection 4 sentence 1 for public games of chance on the Internet shall require that no grounds for refusal pursuant to subsection 2 exist and that the following requirements are met:

- 1. The exclusion of underage or banned players is ensured by identification and authentication and, if there is an obligation pursuant to § 8, by comparison with the ban file.
- 2. Players are not allowed to play by the organizer, the agent, their employees or by

third parties commissioned by them; loans may not be advertised or otherwise referred to or linked to on the Internet domain of the organizer or intermediary (loan ban). In the case of lotteries in the form of prize savings pursuant to Section 12 (1) sentence 2, this shall only apply to loans granted for participation in games of chance.

- 3. Special addictive incentives due to rapid repetition are excluded.
- A social concept adapted to the special conditions of the Internet in accordance with §
   6 shall be developed and implemented; its effectiveness shall be evaluated scientifically.
- 5. Different forms of gambling may only be offered via the same Internet domain if an independent and graphically separate area is set up for each form of gambling; paragraph 1 remains unaffected. Notwithstanding the foregoing, sports betting and horse betting may be offered together in one area of the same Internet domain. In one area, gambling in the other areas may not be advertised or otherwise invited to gamble in the other areas. After participation in a game of chance in one area, participation in another area of the same licensee is permitted at the earliest after one minute has elapsed; during this time, participation in free or demo games is not possible and information on the dangers of and prevention of gambling addiction, as well as information on counseling services, which the player must confirm before participation in the other area, must be displayed in more detail in the social concept. The licensee must ensure that winnings from one area can only be used for gambling in other areas after a waiting period of one hour has elapsed. Sentence 4 shall apply mutatis mutandis to switching between different Internet domains of the same licensee.
- 6. The requirements arising from §§ 6a to 6j and the requirements arising from this Interstate Treaty and other statutory provisions shall be complied with.

(6) Organizers and brokers of lotteries on the Internet are required to report the number of players and the amount of stakes by game and country to the authority responsible for issuing licenses on a quarterly basis for the purpose of evaluation.

# § Section 4a Special Licensing Requirements for Sports Betting, Online Poker and Virtual Slot Games

(1) A permit for the organization of sports betting, online poker and virtual slot machine games may only be granted if

1. (extended reliability)

- a) the ownership and participation relationships with the applicant are fully disclosed; in the case of partnerships, the identity and addresses of all partners, shareholders or other capital providers and, in the case of legal entities under private law, of those holding more than five percent of the share capital or exercising more than five percent of the voting rights, as well as generally all fiduciary relationships,
- b) the applicant and the responsible persons appointed by the applicant have the necessary reliability and expertise for the organization of public games of chance and guarantee that the event is carried out properly and in a manner that is comprehensible to the participants and the licensing authority; in the case of legal entities and partnerships, all persons authorized to represent the entity must have the necessary reliability and expertise,
- c) the lawful origin of the funds required for the organization of public games of chance is demonstrated,
- d) neither the applicant itself nor an enterprise affiliated with it nor a person controlling the applicant nor a person controlled by the person controlling the applicant organizes or mediates unauthorized games of chance,
- 2. (performance)
  - a) the applicant has sufficient own funds for sustained business activity and at the same time offers guarantees of irreproachable business conduct,
  - b) the economic viability of the intended gambling offer is demonstrated, taking into account the levies,
  - c) the necessary security deposits have been prepared and the insurance policies required for the further protection of the players have been concluded,
- 3. (Transparency and security of gambling)
  - a) the transparency of operations is ensured and it is guaranteed that monitoring of the distribution network is possible at all times and cannot be thwarted by third parties or parties involved in operations,
  - b) the applicant has a registered office in a member state of the European Union or a state party to the Agreement on the European Economic Area,
  - c) if the applicant does not have a registered office in Germany, he/she must notify the competent authority of an authorized recipient and representative in Germany who is reliable as defined in No. 1 (b),

- d) the applicant sets up its own accounting system for all gaming and payment transactions in Germany and processes gaming-related payment transactions via an account in Germany or at a credit institution domiciled in a Member State of the European Union, and
- e) the applicant provides interfaces for checking all gaming operations in real time.
- (2) Other requirements for the granting of a permit remain unaffected.

### § Section 4b Permit Procedure for Sports Betting, Online Poker and Virtual Slot Games

(1) Permission to organize sports betting, online poker or virtual slot machines is granted upon application. The application must be made in writing. It must contain all details, information, evidence and documents in the German language which are necessary for the examination of the requirements pursuant to § 4a (1). This includes in particular:

- 1. a description of the direct and indirect shareholdings as well as the capital and voting rights of the applicant and the companies affiliated with it within the meaning of the German Stock Corporation Act (Aktiengesetz) as well as information on relatives within the meaning of Section 15 of the German Fiscal Code (Abgabenordnung) among the parties involved; the same shall apply to representatives of the person or per- sonal company or the member of a body of a legal entity. In addition, the applicant's articles of association and bylaws as well as agreements between the applicant and directly or indirectly involved parties relating to the organization of games of chance must be submitted,
- 2. a description of the measures taken to ensure public safety and order and other public interests, with particular regard to IT and data security (security concept),
- 3. a social concept including measures to ensure the exclusion of minors and suspended players,
- 4. a presentation of the economic efficiency taking into account the tax obligations (economic efficiency concept),
- 5. a declaration of acceptance of the costs for the review of the safety, social and economic concept and, if necessary, other documents by an expert or auditor consulted by the competent authority,
- 6. a declaration of commitment by the applicant not to organize or broker unauthorized gambling, either itself or through affiliated companies, and

7. a declaration by the applicant that the documents and information provided are complete.

Evidence and documents from another Member State of the European Union or another State party to the Agreement on the European Economic Area shall be deemed equivalent to domestic evidence and documents if they show that the requirements of the conditions specified in sentence 3 are met. The documents must be submitted at the expense of the applicant as a certified copy and a certified German translation.

(2) The competent authority may request the applicants to supplement and submit further information, evidence and documents in German in order to verify the prerequisites specified in paragraph 1 sentence 4. It is authorized to request information from the federal and state security authorities, in particular regarding the requirements set out in Section 4a (1) No. 1 (c). If the examination in the licensing procedure involves facts that relate to operations outside the scope of this Interstate Treaty, the applicant shall clarify these facts and obtain the necessary evidence. In doing so, he shall exhaust all legal and factual possibilities available to him. The applicant may not plead that he is unable to clarify the facts or obtain evidence if he could have obtained the opportunity to do so or had it obtained in the circumstances of the case.

(3) The parties required to provide information and to submit documents within the scope of the licensing procedure must notify the competent authority immediately of any change in the relevant circumstances after filing the application and must notify the competent authority in text form of any planned changes in shareholdings or other influences during the licensing procedure.

# § Section 4c Granting of Permission for Sports Betting, Online Poker and Virtual Slot Games

(1) The competent authority shall issue the permit for the organization of sports betting, online poker or virtual slot machine games in writing with effect for all countries; if issued to the applicant for the first time, it shall be issued for a period of five years, otherwise for a period of seven years. In justified cases, the competent authority may specify a shorter duration. The license may only be transferred or granted to a third party with the consent of the competent authority.

(2) The permit shall specify the content and ancillary provisions required to permanently ensure the conditions of the permit as well as compliance with and monitoring of the obligations existing under this Interstate Treaty and assumed in the offer.

(3) The granting of the license is subject to the applicant providing security in the form of an unlimited directly enforceable bank guarantee from a credit institution domiciled in the European Union or in a state party to the Agreement on the European Economic Area to secure the payout claims of players and state payment claims. The security deposit shall amount to five million euros. It may be increased by the authority granting the permit up to the amount of the expected average monthly turnover, up to a maximum of 50 million euros.

# § Section 4d Duties; Supervisory Measures for Sports Betting, Online Poker and Virtual Slot Games

(1) The holder of a license for the organization of sports betting, online poker or virtual slot machine games is obliged to notify the competent authority without delay of any change in the circumstances relevant to the granting of the license. § Section 4b shall apply accordingly. The cancellation of an agency relationship pursuant to § 4a para.

1(3)(c) shall not become effective vis-à-vis the competent authorities until a new receiving and representing agent has been appointed and notified in writing.

(2) In the case of partnerships, any planned change in shareholdings or other influences, and in the case of legal entities only those affecting more than five percent of the share capital or voting rights, must be notified to the competent authority in writing. The licensee and the parties directly or indirectly involved in the company are obliged to notify the competent authority. The changes may only be confirmed as unobjectionable by the competent authority if a permit could be issued under the changed conditions. If a planned change is implemented that cannot be confirmed as unobjectionable in accordance with sentence 3, the permit shall be revoked; the details of the revocation shall be governed by the applicable national law. Notwithstanding the notification obligations pursuant to sentence 1, the licensee and the parties directly or indirectly involved in the licensee shall be obligated, after the end of each calendar year, to immediately submit a declaration to the competent authority as to whether and to what extent a change has occurred in the participation and attribution facts within the past calendar year.

(3) Notwithstanding § 6 (2) sentence 3 number 10, the licensee shall report annually. The accuracy of the collection and transmission of the data may be verified at regular intervals by an independent body. The report shall also be accompanied by the audit report of a suitable external and independent body on compliance with the technical standards and the effectiveness of the security measures provided for in the security concept and prescribed in the permit. Upon request of the

The licensee must also provide the competent authority with account data if the transactions are not processed via a domestic account.

(4) If a licensee violates an existing notification obligation pursuant to Paragraph 1, Paragraph 2 Sentence 5 and Paragraph 3 or the content and ancillary provisions of the license specified pursuant to Section 4c Paragraph 2, the competent authority may require him to comply with the obligations, setting a reasonable deadline. If, after expiry of the deadline, the obligations are not complied with or not complied with in full, the competent authority may take the following measures in particular, taking into account the seriousness of the infringement:

- 1. public warning with renewed deadline,
- 2. Suspension of the permit for three months,
- 3. Reducing the duration of the permit by one-fourth of the total term, or
- 4. Revocation of Permit.

The same shall apply in the event that the licensee itself or a company associated with it organizes or brokers unauthorized games of chance within the scope of this Interstate Treaty. The provisions of the administrative procedure laws of the Länder corresponding to Section 49 of the Administrative Procedure Act shall remain applicable. § Section 9 (4) sentence 3 shall apply.

#### § 5 Advertising

(1) Holders of a permit pursuant to § 4 may, subject to other statutory provisions, advertise and sponsor the permitted games of chance. They may commission third parties to carry out the advertising. The permit pursuant to Section 4 shall specify content and ancillary provisions regarding the design of advertising for public games of chance, in particular on television and the Internet, including television-like telemedia and video-sharing services, as well as mandatory notices. Advertising via telecommunications equipment shall be prohibited. Not included in the prohibition pursuant to sentence 4 are calls made by the player or prospective player to the organizer or agent; such calls may, with the consent of the player or prospective player, also involve advertising for permitted games of chance in view of Section 7 (2) no. 2 of the Act Against Unfair Competition. Furthermore, telecommunications within an existing contractual relationship are not covered by the prohibition under sentence 4.

(2) The nature and extent of advertising for public gambling may not run counter to the objectives of § 1. The advertising may not be excessive. Advertising for individual games of chance may highlight special features of the respective game of chance. Advertising may not be directed at minors or comparably vulnerable target groups. As far as possible, minors

shall be excluded as recipients of advertising.

Misleading advertising for public games of chance, especially those containing inaccurate statements about the chances of winning or the type and amount of winnings, is prohibited. Advertising must not portray the results of games of chance as being influenceable by the player and games of chance as a solution to financial problems. Advertising that gives the impression of being editorial content is prohibited.

(3) Between 6 a.m. and 9 p.m. daily, no advertising may be made on the radio or Internet for virtual slot machine games, online poker and online casino games; Paragraph 4 remains unaffected. Immediately before or during the live broadcast of sporting events, advertising for sports betting on that sporting event shall not be permitted on the broadcasting channel. Advertising for sports betting with active athletes and officials is not permitted.

(4) In sports facilities, advertising for games of chance is only permitted in the form of umbrella brand advertising on jerseys and boards and similar advertising media.

(5) Advertising addressed to individuals for games of chance in which blocked players are not permitted to participate pursuant to Section 8 (2) may only be carried out if the prior consent of the intended recipient to the receipt of advertising and to the querying of the blocking file by the advertiser has been obtained. Personally addressed advertising for these games of chance to blocked players is not permitted. Before sending such advertising, in particular by mail or e-mail, advertisers are obliged to ensure that the recipient is not a blocked player by checking the blocking file. If the comparison shows that a player is banned, any consent previously given to the organizer or agent within the meaning of sentence 1 shall be deemed to have been revoked.

(6) No variable remuneration, in particular remuneration dependent on turnover, deposits or stakes, may be agreed or paid for advertising on the Internet for games of chance in which banned players are not permitted to participate pursuant to Section 8 (2), in particular in the form of affiliate links. Live scores of sports events may not be linked to advertising for sports betting on this sports event; this shall not affect the display of live scores on betting offers on a betting provider's own website.

(7) Advertising and sponsorship for unauthorized gambling are prohibited.

# § 6 Social concept

(1) Organizers and brokers of public games of chance are obliged to ensure the protection of minors and players, to encourage players to gamble responsibly and to prevent the development of gambling addiction.

(2) For these purposes, the organizers and brokers of public games of chance shall develop and implement social concepts. In the social concepts, it must be set out, with which measures are to be taken to prevent the socially harmful effects of gambling and how these are to be remedied. The social concepts must be tailored to the different forms of gambling and must contain at least the following information:

- Appointment of representatives for the social concept at the licensee's premises pursuant to § 4 and, in the case of terrestrial gambling services, the additional appointment of a responsible person on site;
- 2. Consideration of the concerns referred to in paragraph 1 in internal corporate communications, advertising and sponsorship;
- 3. Regular staff training for the supervisory staff in the gambling facilities, for the permit holders according to § 4 and for the representatives according to number 1, involving third parties qualified in addiction and pedagogy with the following minimum contents:
  - a) Legal bases for the protection of minors and gamblers, taking into account the various forms of gambling,
  - b) Knowledge to Gambling addiction including provider-independent help offers and
  - c) Teaching of action skills, especially in the early detection of conspicuous gambling behavior and communication with players;
- 4. Implementation of the protection of minors and identity checks, including comparison with the barring file;
- 5. Education under Section 7, including reference to telephone counseling with a uniform telephone number nationwide and the provision of information with the following minimum content:
  - a) Risk of addiction and possible negative consequences of the various games of chance,
  - b) Prohibition of participation by minors,
  - c) Tips on responsible gaming behavior,
  - d) Possibility of assessing one's own gambling behavior and personal risk,
  - e) References to provider-independent offers of help, whereby in the case of gambling on the Internet, direct access to the Internet domains of independent counselling institutions is to be made possible and special reference is to be made to the independence of the corresponding offers of help, and
  - f) Blocking procedure;
- 6. Early detection incorporating addiction science findings;
- 7. Early intervention and information about regional addiction counseling centers as well as other provider-independent help offers;
- 8. Implementation of blocking procedures with self-blocking and third-party blocking;
- 9. Continuous documentation of the measures carried out for the purpose of

conclusions on the effects of the respective games of chance offered on gambling behavior and on the development of gambling addiction, and to assess the success of the measures implemented to protect minors and players;

10. Reporting on the basis of the documentation pursuant to number 9 every two years to the gambling supervisory authorities or other competent licensing authorities.

(3) The managing personnel of organizers of public games of chance may not be remunerated depending on the turnover. The personnel employed in gambling establishments as well as the personnel working in connection with gambling on the Internet shall be excluded from the gambling offered there.

(4) Organizers and brokers of public games of chance shall be entitled and, at the request of the competent authority, obliged to make data collected in connection with the social concept available to the Länder in anonymized form for the purposes of gambling addiction research pursuant to Section 11.

# § 6a Gambling account with the provider for gambling on the Internet

(1) Organizers and brokers of public games of chance on the Internet must set up a providerrelated gaming account for each player. Allowing players to participate in the game without a gaming account is not permitted. Each player may only have one gaming account with the same organizer or intermediary. Sentences 1 to 3 shall apply mutatis mutandis to the proprietary distribution of public games of chance.

(2) In order to set up the gaming account, a player shall register with the organizer or intermediary with details of first name, last name, maiden name, date of birth, place of birth and place of residence. Organizers and intermediaries with whom the registration is made must verify the accuracy of the information. The verification shall be carried out by suitable and reliable procedures. Individual suitable and reliable procedures may be determined in the permit.

(3) If the accuracy of the information provided by the player can be verified during the verification under paragraph

2 sentence 2 cannot be determined, the organizer or agent shall request the player to correct the information or to provide proof of the accuracy of the information. The correctness of corrected information shall be verified by the organizer or agent; paragraph 2 sentences 2 and 3 shall apply accordingly.

(4) Prior to confirmation of the accuracy of the information pursuant to paragraph 2, the enabling of game participation and payouts to the player are not permitted. In deviation from sentence 1, operators or intermediaries may enable participation in the game via a gaming account up to a deposit limit of EUR 100 for a period of 72 hours from registration pursuant to paragraph 2 sentence 1. In this case, before enabling the player to participate in the game,

the player shall be

to point out that payouts are not permitted until confirmation of the accuracy of his information; the player shall confirm that he has taken note of the notice.

(5) The organizer and the intermediary shall regularly request the player to confirm the information deposited in the gaming account in accordance with paragraph 2, sentence 1. The possibility of notifying changes shall be provided for. The organizer and intermediary shall immediately recheck the accuracy of the confirmed or changed information. The facilitation of further participation in the game shall be inadmissible if the accuracy of the confirmed or amended information cannot be determined; paragraph 3 shall apply mutatis mutandis. Enabling further participation in the game shall be inadmissible even after the expiry of one year from the date of the last confirmation of correctness as a result of a check by the organizer. In the cases of sentences 4 and 5, payouts shall remain permissible. Sentences 3 to

6 shall not apply to gaming accounts that exclusively allow participation in games of chance in which banned players are permitted to participate pursuant to Section 8 (2).

(6) In the event of a change in the player's payment, bank and account details, the organizer and agent shall again check the accuracy of the deposited details in accordance with paragraph 2 sentence 1. Paragraph 5 sentences 4 and 7 shall apply accordingly. Prior to confirmation of the correctness of the information, payouts are only permitted using the payment, bank and account details of the player deposited prior to the change.

(7) The organizer and the intermediary shall give the player the possibility to close the gaming account at any time. He shall be given the opportunity to enter a payment, bank and account details for payment of the remaining balance. With the exception of sentence 2, closing the gaming account may not involve more effort for the player than setting it up.

(8) Organizers and intermediaries shall block a gaming account if there is a suspicion that winnings have been acquired unlawfully, legal provisions, in particular in the area of money laundering, the present State Treaty or conditions for the gaming account are violated. Players must be informed immediately of the reasons for the blocking, unless legal or official requirements dictate otherwise. The organizer and agent must make a decision on the matter within a reasonable period of time. The player cannot close the gaming account for the duration of the block.

#### § Section 6b Funds in the gaming account; deposits and withdrawals

(1) The game account shall record the amounts available for game participation. The amounts are to be shown in euros and cents.

(2) Deposits made by the player must be credited to the gaming account immediately after the payment is received by the organizer or intermediary. Winnings shall be credited to the gaming account immediately. Withdrawals shall be made with the request of the Withdrawal by the player without undue delay.

(3) Organizers and intermediaries must provide a function to specify that winnings above a certain amount are paid out automatically.

(4) Payments to or from a gaming account may only be made from a payment account pursuant to Section 1 (17) of the Payment Services Supervision Act that has been established in the name of the player with an obligated party pursuant to Section 2 (1) number 1 or 3 of the Money Laundering Act. Deposits or withdrawals via anonymous means of payment shall not be permitted in distance selling.

(5) Transfers of money, game points or similar between game accounts are not permitted. The credit prohibition pursuant to § 4 (5) number 2 shall apply.

(6) The funds available to players in the gaming account are entrusted funds, which must be available in a clearing-free account at a credit institution, which must be separate from the organizer's or intermediary's own funds and which may only be disposed of by the organizer or intermediary. Disbursements from the settlement-free account may only be made to players or to the organizer's or intermediary's own funds accounts in settlement of a claim of the organizer or intermediary against players; funds in the settlement-free account may not be used to cover claims of third parties against the organizer or intermediary. The funds must be secured for cases of insolvency or insolvency of the organizer or intermediary shall have this confirmed by agents qualified to independently exercise a legal or tax advisory profession for submission to the total amount in the players' gaming accounts.

(7) Organizer and intermediary shall transfer the balance on the gaming account to the player's account immediately in case of closing of a gaming account, but no later than within five business days. No fees may be charged for the closure and withdrawal.

### § 6c Self-limitation; limit file for gambling on the Internet

(1) Upon registration, players shall be requested to set an individual monthly cross-provider deposit limit or to indicate that an already set individual monthly cross-provider deposit limit is to be kept unchanged. In principle, the cross-provider deposit limit may not exceed EUR 1,000 per month. In order to achieve the objectives of § 1, the permit may specify that and under what conditions the permit holder may set a different amount in individual cases with cross-provider effect.

Sentence 3 shall apply mutatis mutandis to the organization of online casino games pursuant to § 22c (1) sentence 1 no. 1 and the granting of licenses pursuant to § 22c (1) sentence 1 no.

(2) Binding framework regulations shall be established by the establishment pursuant to § 27a regarding the conditions under which a provider of online casino games may be permitted to set a different amount pursuant to sentence 4. If no cross-provider deposit limit is set for a player, the player shall not be permitted to participate in the game. The cross-provider deposit limit shall be deemed to have been exhausted if the sum of a player's deposits in a calendar month to all organizers and agents of public games of chance on the Internet that are subject to the cross-provider deposit limit pursuant to paragraph 9 reaches the deposit limit individually set pursuant to sentence 1. If the monthly cross-provider deposit limit set pursuant to sentence 1 has been exhausted, the player may not make any further deposits; the licensee shall ensure this by taking appropriate measures. If players attempt to set a monthly deposit limit that exceeds the amount pursuant to sentence 2 and sentence 3, they shall be requested to correct their entry. Players may only be shown the amounts pursuant to sentence 2 and sentence 3 as part of the request for correction.

(2) Furthermore, players shall at all times be given the option of setting additional providerrelated daily, weekly or monthly stake, deposit and loss limits. If a stake or loss limit is exhausted, further participation in gaming may not be made possible; paragraph 1, sentence 8 shall apply mutatis mutandis to a deposit limit.

(3) Players shall be given the opportunity at any time to reset a limit in accordance with paragraphs 1 and 2. If a player wishes to increase the limit, the increase shall only take effect after a protective period of seven days. If limits are reduced, the new limits take effect immediately.

(4) The competent authority shall maintain a central limit monitoring file (limit file) for the purpose of monitoring the inter-provider deposit limit pursuant to paragraph 1. The limit file shall process the personal data required to monitor the limit. The following personal data may be processed:

- 1. Surnames, first names, maiden names,
- 2. Date of birth,
- 3. Birthplace,
- 4. Address,
- 5. Amount of the cross-provider deposit limit set by the player,
- 6. Date when the limit was set,
- 7. Amount and date of deposits made and

#### 8. Total amount of deposits made.

The total amount of deposits made pursuant to No. 8 shall be composed of the deposits made within the meaning of paragraph 6 sentence 4 in the current calendar month. The authority responsible for maintaining the limit file may determine that the personal data specified in sentence 3 numbers 1 to 4 may be replaced by a pseudonym, provided that this does not impair the proper functioning of the limit file. In addition, a provider-related identifier of the player may be processed, but may not be stored in connection with the personal data specified in sentence 3 numbers 1 to 4.

(5) Whenever the cross-provider deposit limit is set or changed, the organizer and the intermediary shall transmit to the limit file the personal data of the player specified in paragraph 4, sentence 3, numbers 1 to 4, as well as the amount of the new deposit limit. If a deposit limit was already stored in the limit file, it shall be replaced by the newly transmitted limit; paragraph 3, sentences 2 and 3 shall remain unaffected. For the information of the player, the transmitting organizer or agent shall be notified of the amount of the limit entered as well as of any lower limit that may still have to be observed temporarily due to the protection period pursuant to paragraph 3 sentence 2. If a player indicates upon registration that an already set individual monthly cross-provider deposit limit is to be retained unchanged, the organizer and intermediary shall transmit this information to the limit file together with the player's personal data specified in paragraph 4, sentence 3, numbers 1 to 4. If, in the case of sentence 4, no cross-provider deposit limit is stored in the limit file for this player, this shall be communicated back to the transmitting organizer or intermediary. The latter shall request the player to set an individual monthly cross-provider deposit limit; paragraph 1 sentence 6 shall remain unaffected. It may be stipulated in the permit or by general order of the authority responsible for maintaining the limit file that, in the cases of sentences 1 and 4, instead of the personal data specified in paragraph 4, sentence 3, numbers 1 to 4, other data specified by the authority shall be transmitted which are suitable and necessary for the unique identification of the player.

(6) Prior to the completion of each deposit transaction, the organizer and the intermediary shall transmit to the limit file the data required for the clear identification of the player as well as the amount of the deposit intended by the player. The transmission is only permitted if the player has finally requested the intended deposit. The organizer or intermediary shall be informed whether the inter-provider deposit limit has already been exhausted and whether it would be exceeded by the intended deposit. If the inter-provider deposit limit is not exhausted and would not be e x c e e d e d b y t h e i n t e n d e d e p o s i t, the intended deposit shall be deemed to have been made.

deposit is stored in the limit file. If the cross-provider deposit limit is not yet exhausted before the intended deposit and if it would be exceeded by the intended deposit, the limit file shall additionally transmit the amount of the cross-provider deposit limit not yet exhausted. If the cross-provider deposit limit is already exhausted, the intended deposit shall be rejected by the organizer or the intermediary. The same shall apply if the intended deposit would exceed the inter-provider deposit limit; in this case, the player may be informed of the amount of the inter-provider deposit limit that has not yet been exhausted and a new deposit process may be started to which sentences 1 to 6 shall apply again. The data required for the unique identification of the player shall be specified in the permit or by general order of the authority responsible for maintaining the limit file.

(7) The personal data referred to in paragraph 4, sentence 3, numbers 7 and 8 shall be deleted immediately after the end of the month in which they were stored.

(8) The personal data specified in paragraph 4, sentence 3, numbers 1 to 6 shall be deleted after one year has elapsed since the last activity in the limit file. Activity within the meaning of sentence 1 is any transmission within the meaning of paragraph 5 sentence 1 and paragraph 6 sentence 1. If the personal data referred to in paragraph 4 sentence 3 numbers 1 to 6 have already been deleted and a transmission is made in accordance with paragraph 6 sentence 1, the transmitting organizer or intermediary shall be notified of the deletion of the data. In this case, the deposit transaction shall be cancelled and the player shall be requested to set the limits again.

(9) The cross-provider deposit limit shall apply to all public games of chance on the Internet with the exception of deposits that can be used exclusively for lotteries organized no more frequently than twice a week and for lotteries in the form of prize savings. Instant lotteries on the Internet are not considered lotteries within the meaning of sentence 1.

(10) The connection to the limit file and the use of the limit file are subject to a fee for the permit holder. The Permit Holder may not charge the Player any costs or fees for setting or changing a limit.

# § Section 6d Information Obligations of the Provider for Games of Chance on the Internet

(1) Players must at all times be able to view the balance on the gaming account, the gaming history as a whole and for each form of gaming, deposits and withdrawals, limits and changes to limits, as well as other transactions of the last twelve months. The gaming history pursuant to sentence 1 shall include the individual stakes, winnings and losses of the player, stating the respective time.

(2) Organizers and intermediaries have to inform players about the sum of stakes, winnings and

losses during the previous 30 days. This information must be provided after each identification and authentication and before the start of a game if more than 24 hours have passed since the last information. Participation in a game may only take place after the player has expressly acknowledged the information.

(3) Upon request, organizers and intermediaries must promptly provide players free of charge with an orderly listing of all transactions on the gaming account over the past twelve months.

### § 6e Further Provisions on the Protection of Minors and Players in Internet Gaming

(1) The exclusion of minors and blocked players must be ensured at all times by means of suitable technical procedures for identification and authentication. The permit may specify requirements for the implementation of identification and authentication; in particular, it may specify that, at regular intervals to be determined in the permit, an additional authentication method must be used in deviation from the authentication method usually used.

(2) Random number generators used in games of chance on the Internet must be checked for proper functioning by an independent expert body to be appointed by the competent licensing authority at the expense of the licensee before they are used for the first time and at least once a year thereafter. The competent licensing authority must be informed of the results without delay.

(3) The offer of public games of chance on the Internet must be offered under an Internet domain whose country-specific top-level domain is ".de". On the home page of the licensee's Internet pages that can be called up under the domain name, it must be stated in a clearly visible place that participation in games of chance is not permitted for persons under 18 years of age and that the licensee has a permit from the competent gambling supervisory authority and is under its supervision. Direct access to the Internet domain of the competent gambling supervisory authority must be provided.

(4) All information that the licensee must make available to players must be accessible in German on the licensee's Internet domain containing the gambling offer and must be callable from all pages of the domain.

(5) Players are to be informed directly about the risks and possible negative social consequences of gambling when they participate in the game. Information on gambling addiction shall be made available. Direct access to the Internet domains of independent counseling institutions must be made possible.

# § 6f IT security concept

(1) Permit holders must describe and implement suitable security measures in the IT security concept. The security concept must be reviewed regularly and revised if there is cause to do so.

(2) At a minimum, security measures shall include the following:

- 1. the protection of players' personal data against unlawful processing at all times,
- ensuring the permanent availability, integrity and confidentiality of data at all times, for example through encryption mechanisms, access controls and virus protection programs,
- 3. the regular backup of all relevant data,
- 4. The establishment and regular testing of processes that enable the rapid recovery of backed-up data,
- 5. the protection of the systems used against manipulation from inside and outside and
- 6. the complete traceability of the integrity of the systems.

(3) The effectiveness of the safety concept must be checked at least once a year by the licensee at his own expense by an independent expert body. The test report must be submitted to the responsible licensing authority.

# § 6g Data protection, storage, retention and deletion

(1) Permit holders must keep the personal data of players for five years from the date of closure of the gaming account. After the expiry of the period, the personal data must be deleted.

(2) Existing personal data must be effectively protected from unauthorized access at all times.

(3) The data subjects shall be informed about the nature and extent of the storage, retention and deletion of their personal data.

# § 6h Prevention of parallel play with multiple providers on the Internet; waiting time before switching providers on the Internet

(1) Parallel play of public games of chance by a player is illegal.

(2) To prevent cross-provider parallel play on the Internet, the

competent authority a file in which the following personal data of a player are processed:

- 1. Surnames, first names, maiden names,
- 2. Date of birth,
- 3. Birthplace,
- 4. Address and

5. the information whether this player is switched active in the sense of paragraphs 3 and 4.

 $\$  Section 6c (4) sentences 5 and 6 shall apply mutatis mutandis.

(3) The licensee may only allow a player to participate in public games of chance on the Internet if the licensee has previously transmitted the data pursuant to paragraph 2, sentence 1, numbers 1 to 4 and the information that the player is to be activated in the file, and the licensee has not immediately been informed that the player is already activated in the file. The permit holder shall be informed that the player has been activated if he/she has transmitted the message in accordance with sentence 1 and the information that the player has been activated is noted in the file. If the player is not actively connected at the time of transmission by the licensee pursuant to sentence 1, it shall be noted in the file pursuant to paragraph 2, sentence 1, number 5 that the player is now actively connected. The transmission by the licensee pursuant to sentence 1 may only take place immediately before the start of the player's first match. Sentences 1 to 4 shall not apply to games of chance in which barred players are permitted to participate pursuant to § 8 (2). It may be stipulated in the license or by general order of the authority responsible for maintaining the limit file that, in the cases referred to in sentence 1, instead of the personal data specified in subsection (2) sentence 1 numbers 1 to 4, other data specified by the authority shall be transmitted which are suitable and necessary for the unique identification of the player.

(4) The information pursuant to paragraph 2, sentence 1, number 5 that the player is active shall be removed five minutes (waiting period) after the licensee has reported to the file that the player is no longer to be made active. The notification under sentence 1 may only be made at the instigation of the player and in the cases specified in sentence 5. The permit holder must give the player the opportunity to initiate the notification pursuant to sentence 1; it must be easy for the player to do so. The report according to sentence 1 must be made immediately after the player has initiated it. The permit holder shall also make the report pursuant to sentence 1 without delay if more than 30 minutes have elapsed since the player's last entry. After the player has initiated a report pursuant to sentence 5, the licensee may allow the player to continue participating in public games of chance on the Internet only under the conditions set forth in paragraph 3.

(5) The data pursuant to paragraph 2 sentence 1 shall be deleted after expiry of the waiting period pursuant to paragraph 4 sentence 1. The evaluation and use of the data for purposes other than those described in the preceding paragraphs is not permitted.

(6) The file pursuant to paragraph 2 may be maintained jointly with the limit file pursuant to § 6c. If the file is maintained jointly, paragraph 5 shall apply subject to the proviso that only the data pursuant to paragraph 2, sentence 1, number 5 shall be deleted without delay; otherwise, § 6c, paragraph 8 shall apply.

(7) The permit holder must inform the player of the time that has elapsed since the last transmission in accordance with paragraph 3, sentence 1. After 60 minutes have elapsed since the last transmission in accordance with Paragraph 3 Sentence 1, further participation in the game may only be made possible if the player is informed of the elapsed time and the player has expressly confirmed that he has taken note of the information. Sentence 2 shall apply mutatis mutandis to the expiry of a further 60 minutes in each case since the last confirmation pursuant to sentence 2.

(8) The connection to and use of the file pursuant to paragraph 2 shall be subject to a charge for the holder of the permit. The initiation according to paragraph 4 by the player is free of charge.

# § Section 6i Early detection of gambling addiction; safe server; short-term ban

(1) Organizers of online casino games, online poker and virtual slot machine games on the Internet, as well as organizers and brokers of sports betting on the Internet, must implement, at their own expense, an automated system based on scientific findings and using algorithms for the early detection of players at risk of gambling addiction and of gambling addiction; details are to be specified in the permit. The system for the early detection of gambling addiction shall in any case evaluate the data to be recorded on the gambling account and shall be updated on a regular basis. It shall be taken into account in the social concept pursuant to § 6. The social concept shall specify measures to be taken if the system for the early detection of gambling addiction identifies a player who may be at risk of gambling addiction. The measures shall be implemented.

(2) Organizers of sports betting, online casino games, online poker and virtual car games on the Internet must set up and operate, at their own expense, a technical system which accurately records all data required for the performance of gambling supervision, stores it digitally in a non-modifiable form and enables electronic monitoring at any time, including immediate access by the competent supervisory authority. The personal data must be pseudonymized, whereby it must remain recognizable to the competent supervisory authority which stored processes relate to the same player. Further details are to be determined by the licensing authority in the permit or by general decree. In particular, it must be determined whether the pseudonymization is to be carried out by the operator or by the competent supervisory authority.

is carried out. In the event of pseudonymization by the supervisory authority, only checks regarding compliance with the prohibition of participation by minors and the geographical scope of the permit are permitted prior to pseudonymization. In the case of pseudonymization by the organizer, the data required for checking compliance with the prohibition of participation by minors and the spatial scope of the permit must remain recognizable.

(3) In sports betting, online casino games, online poker and virtual slot machine games on the Internet, a clearly recognizable and unambiguously labeled button shall be displayed, the activation of which triggers an immediate short-term blocking of the player. The button shall be permanently displayed wherever participation in the game is possible. § Section 8 (1) and (2), Section 8a (4) and Section 23 shall apply mutatis mutandis, provided that the reason for the suspension pursuant to Section 23 (1) sentence 2 number 7 shall be the actuation of the button pursuant to sentence 1 and Section 23 (1) sentence 2 number 8 shall not apply. In the case of the entry pursuant to Section 8a (4), the time at which the button was pressed shall also be transmitted to the revocation file; this time shall be stored in the revocation file. The blocking shall end without request after 24 hours from the time the button is pressed. Notwithstanding Section 23 (5), the personal data entered shall be deleted within two weeks of the end of the blocking period. After pressing the button, it is not permitted to ask the player for confirmation.

#### § 6j Free offers

(1) Organizers and brokers of public games of chance on the Internet may only offer free entertainment services, which, with the exception of the non-payment of a fee and the absence of a cash prize, correspond to a public game of chance organized or brokered by them or are modeled on such games of chance, to players for whom they have set up a gaming account as defined in Section 6a. The licensee may not enable the use of such entertainment services without a gaming account. Sentence 2 shall apply mutatis mutandis to the enabling of minors and blocked players to participate.

(2) If organizers and intermediaries offer free entertainment services within the meaning of paragraph 1 sentence 1 which correspond to a specific public game of chance on the Internet or which, in particular by their name or external design, give the impression of corresponding to a specific virtual slot machine game or an online casino game, the free entertainment service must correspond to the public game of chance as a whole, in particular with regard to the probability of winning and the payout ratio, with the exception of the fee which is not payable and the lack of cash winnings. Insofar as fees or similar charges must be paid by the player for the benefit of the licensee or third parties in the case of public games of chance, these shall be simulated in the case of free entertainment offers within the meaning of paragraph 1 sentence 1 and

Specify.

# § 7 Clarification

(1) Organizers and brokers of public games of chance must provide gamblers with gamblingrelated information before they participate in the game, as well as informing them about the addictive nature of the games of chance they offer, the prohibition of minors from participating, and the possibilities of counseling and therapy. Information relevant to gambling may include, in particular:

- 1. all costs incurred in connection with the participation,
- 2. the amount of all profits,
- 3. when and where all profits will be published,
- 4. the percentage of payouts for winnings from the stake (payout percentage),
- 5. Information on the probabilities of profit and loss,
- 6. the closing date of participation,
- 7. the method by which the winner is determined, in particular the information about the random mechanism underlying the generation of the random game results,
- 8. how the winnings are divided between the winners,
- 9. the cut-off date by which winners must claim their winnings,
- 10. the name of the permit holder and his/her contact details (address, e-mail, telephone),
- 11. the commercial register number (if available),
- 12. how the player can make complaints and
- 13. the date of the issued permit.

Information about maximum winnings must be combined with information about the probability of winning and losing. Players and authorities must have easy access to this information.

(2) Tickets, gaming slips, gaming receipts and comparable certificates must contain information on the risk of addiction posed by the respective game of chance and on the possibilities of assistance; in the case of games of chance offered via the Internet, a link to corresponding offers pursuant to Section 6 (2) sentence 3 number 5 shall be provided.

# § 8 Player blocking system; comparison with the blocking system

(1) To protect players and combat gambling addiction, a central,

maintain a blocking system (§ 23) covering all forms of play.

(2) Banned players are not allowed to participate in public games of chance. Exempted from the ban is participation in lotteries organized no more frequently than twice a week, lotteries in the form of prize savings and horse betting offered by clubs operating the business of a totalisator pursuant to Section 1 of the Racing Betting and Lotteries Act or at a domestic horse racing track on a stationary basis. Instant lotteries on the Internet are not considered lotteries within the meaning of sentence 2.

(3) Organizers and brokers of games of chance in which barred players are not permitted to participate are obliged to identify persons willing to play by checking an official ID or a comparable identity check and to carry out a comparison with the barring file pursuant to Section 23. In the case of games of chance on the Internet, identification shall take place prior to the comparison with the aid of suitable technical procedures. Organizers and brokers of games of chance shall ensure that blocked players do not participate in games of chance. In the case of games of chance on the Internet, the matching shall take place at the time at which the provider's transmission is to be made pursuant to Section 6h (3) sentence 1. In the terrestrial sector, the comparison must be carried out in betting agencies, amusement arcades and casinos each time a player enters the premises, and otherwise before the first game during a stay in the respective gaming establishment.

(4) Organizers and intermediaries of games of chance in which blocked players are not allowed to participate may not influence them to apply for unblocking. No benefits such as bonuses or discounts may be granted to players whose player block has been lifted.

# § 8a Entry and duration of the blocking

(1) Organizers and brokers of games of chance in which blocked players are not allowed to participate shall block persons who request this (self-blocking) or of whom they know from the perception of their staff or from reports by third parties or must assume on the basis of other factual indications that they are at risk of gambling addiction or are overindebted, do not meet their financial obligations or risk gambling stakes that are disproportionate to their income or assets (third-party blocking).

(2) An application for a self-blocking or third-party blocking can also be submitted to the office responsible for maintaining the blocking file.

(3) Before an external suspension is entered, the player shall be given the opportunity to comment. The opportunity as well as any statement shall be documented.

(4) The organizers, the intermediaries and, in the case of paragraph 2, the persons responsible for keeping the

Blocking File shall enter the data specified in Section 23 (1) in a blocking file. An entry shall also be made if not all data can be collected.

(5) The person entering the block shall immediately notify the data subject in text form that a block has been entered for his or her person and inform him or her of the procedure for ending the block.

(6) The blocking period is at least one year, unless the person requesting a self-blocking period requests a different period, which, however, may not be less than three months. If a shorter period than three months is specified, this shall be deemed to be a specification of three months.

(7) The obligors under paragraph 1 shall keep the freezing applications in the case of selffreezing and the documents arising in the case of third-party freezing. In the event of closure of the business, mergers, insolvency or the existence of other reasons which make it impossible for the obligated party within the meaning of paragraph 1 to continue to retain these documents, the obligated party shall hand over all documents relating to the blocking to the authority responsible for maintaining the blocking file. If there is a legal successor, the authority responsible for maintaining the revocation file may assign the revocations to this successor and hand over the associated documents to it for responsible storage.

# § 8b Termination of the lock

(1) The block can only be lifted upon written request of the blocked person. This also applies if a specific period was specified for the duration of the block when the request was made. The application may be submitted at the earliest after expiry of the minimum duration of the suspension pursuant to Section 8a (6). If no application is submitted in accordance with sentence 1, the freeze shall not end.

(2) The application for lifting the block must be submitted to the authority responsible for maintaining the blocking file. It is sufficient to forward the application by an organizer or intermediary.

(3) In the event of an application for the lifting of a self-lock or third-party lock, the authority responsible for maintaining the lock file shall arrange for the lock to be lifted by making a corresponding entry in the lock file. The unblocking shall take effect after entry, but not before one week has elapsed in the case of a self-lock and not before one month has elapsed in the case of a third-party lock, after receipt of the application by the authority. The applicant must be notified of the unblocking.

(4) In the event of a request for the lifting of a third-party blocking, the authority responsible for maintaining the blocking file shall, without undue delay after receipt of the request, notify the organizer or

The intermediary who entered the third-party block must be informed of the receipt of the request. If the third-party block is based on a notification from a third party, the third party must also be informed about the request and the possibility of submitting a new blocking request.

# § 8c Costs for the use of the blocking system

Connection to and use of the barring system shall be subject to a charge for those obligated under § 8 (3). The issuance of a blocking request and an application for termination of the blocking are free of charge.

# § Section 8d Transfer of data from other blocking files to the nationwide blocking system covering all forms of gambling.

(1) The data from the comprehensive barring system created by the First Interstate Treaty Amending the Interstate Treaty on Gaming and the Hessian barring file for gaming arcades will be transferred to the nationwide barring system for all types of games. Other state-law barring files for gaming arcades can also be transferred.

(2) The data subjects shall be notified of this by means of a public announcement by the body previously responsible for the transferred file.

(3) If unblocking regulations deviating from § 8b apply to the transferred blocking systems, these shall become obsolete upon completion of the transfer. Unblocking shall be governed exclusively by Section 8b.

# Section Two Tasks of the State

# § 9 Gambling supervision

(1) The gambling supervisory authority shall be responsible for monitoring the fulfillment of the public-law obligations existing under this Interstate Treaty or established on the basis of this Interstate Treaty and for working to ensure that unauthorized gambling and advertising for it do not occur. The authority responsible for all Länder or in the respective Land may issue the necessary orders in individual cases. It may, without prejudice to other measures provided for in this Interstate Treaty and other statutory provisions, in particular

 demand at any time information and presentation of all documents, data and evidence required for the examination within the scope of sentence 1, as well as for the purpose of this Examination during normal business and working hours enter the business premises and properties where public gambling is organized or brokered,

- 2. Set requirements for the organization, conduct and mediation of public games of chance and the advertising thereof, as well as for the development and implementation of the social concept,
- 3. prohibit the organization, conduct and brokering of unauthorized games of chance and the advertising thereof,
- 4. prohibit those involved in payment transactions, in particular credit and financial service institutions, from participating in payments for unauthorized gambling and in payouts from unauthorized gambling after prior notification of unauthorized gambling offers, without requiring prior recourse to the organizer or intermediary of public gambling by the gambling supervisory authority; this shall also apply in the cases of Section 4 (1) sentence 3; and
- 5. after prior notification of unauthorized gambling offers, take measures to block these offers against service providers responsible within the meaning of Sections 8 to 10 of the Telemedia Act, in particular access brokers and registrars, insofar as measures against an organizer or broker of this gambling prove to be impracticable or not promising; these measures may also be taken if the unauthorized gambling offer is inseparably linked to further content.

The fundamental right of secrecy of telecommunications (Article 10 (1) of the German Basic Law) is restricted by the provision under sentence 3 no. 5. This affects telecommunications processes within the meaning of Section 88 (3) sentence 3 of the Telecommunications Act.

(1a) If unauthorized gambling is organized or brokered in more than one country or if it is advertised in more than one country or if obligations under public law as defined in sentence 1 are violated in any other way, each country concerned may authorize the competent authority of another country to issue and enforce the necessary orders in individual cases, also with effect for the country concerned. Enforcement shall be governed by the law of the authorized country.

(2) Objection and action against orders under paragraphs 1 and 1a shall not have suspensive effect. In the case of enforcement of orders under paragraphs 1 and 1a by means of a periodic penalty payment, the latter shall achieve the economic interest of the obligor in performing or failing to perform the act. If the statutory maximum is not sufficient for this purpose, it may be exceeded. The economic interest of the obligor shall be estimated in accordance with due discretion.

(2a) In order to carry out their duties, the gambling supervisory authorities may make test purchases or

conduct test games which are not recognizable as measures of the gambling supervision. For this purpose, the employees of the gambling supervisory authority may participate in legal transactions under a permanently changed identity (legend). For this purpose, suitable documents may be produced, procured and used, and necessary entries may be made in registers, books or files. Test purchases or test games involving minors may be carried out by the gambling supervisory authorities in the performance of their supervisory duties. For the person conducting the test purchase or test game, the gambling shall not be considered unauthorized gambling.

(3) The federal states shall cooperate in the supervision of gaming; they may also cooperate with the competent supervisory authorities of the member states of the European Union and the states party to the Agreement on the European Economic Area and exchange data for this purpose to the extent necessary for the performance of their duties. Unless otherwise provided under this Interstate Treaty, the Länder shall coordinate the permits for the operators referred to in Section 10 (2) in consultation with each other.

(3a) The competent gambling supervisory authorities shall, within the scope of fulfilling their duties, cooperate in particular with the law enforcement authorities, the state media authorities, the Federal Network Agency, the Federal Financial Supervisory Authority and the Federal Cartel Office and may, to the extent necessary, exchange data for this purpose. This shall apply accordingly to the state media authorities with regard to cooperation with the gambling supervisory authorities.

(4) Unless otherwise specified in this Interstate Treaty, the permit shall be issued by the competent authority for the territory of the respective Land or a part thereof. It shall be revocable and limited in time. It may, also subsequently, be subject to ancillary provisions. The permit is neither transferable nor can it be handed over to another person to exercise.

(5) Permission to introduce new gambling services by the operators referred to in Section 10(2) and (3) shall require that

- the advisory board (Section 10 (1) sentence 2) has previously examined and evaluated the effects of the new service on the population, taking into account the objectives of Section 1, and
- 2. the organizer reports to the licensing authority on the social impact of the new offer following the introduction of this game of chance.

New gambling offers are equivalent to the introduction of new or the significant expansion of existing distribution channels by organizers or intermediaries.

(6) Information on the personal and factual circumstances of a natural or legal person or a partnership, as well as business or trade secrets, which the competent authorities, their bodies, their employees or third parties commissioned by them

The data may not be disclosed to third parties without authorization if it has been entrusted to them or otherwise become known to them in the course of the performance of their duties. Insofar as personal data are processed, the data protection provisions applicable in the respective country shall apply.

(7) Gambling supervision may not be exercised by an authority that is responsible for the finances of the Land or for the administration of the shareholdings of the organizers referred to in Section 10 (2) and (3).

(8) The competent authority shall publish on the Internet a common official list of organizers and brokers of games of chance who have a permit or concession under this Interstate Treaty. The following shall not be listed

- 1. Operators of gaming arcades and operators of slot machines with the possibility of winning in accordance with the Gaming Ordinance as amended,
- 2. the acceptance points of the organizers according to § 10 paragraph 2,
- 3. commercial gaming brokers operating in one country only,
- 4. local sales outlets of the lottery collectors of the Joint Class Lottery of the Federal States,
- 5. Providers of small lotteries pursuant to § 18,
- 6. Operators of local betting agencies,
- 7. Totalizers and bookmakers as defined by the Racing and Lotteries Act.

The list is updated on an ad hoc basis, but at least once a month. The competent authority shall provide information on the current status of the list upon request. The supreme gaming supervisory authorities of the federal states shall notify the competent authority without delay of any changes to the list that affect their area of responsibility.

# § 9a Uniform country procedures

(1) The respective competent authority issues with effect for all countries

- 1. the permits for the establishment under Section 10(3) and for its lottery entrants,
- 2. permits for a jointly managed institution pursuant to the first sentence of Section 10(2),
- permits for the brokerage of sports betting on the Internet, for the organization of sports betting, online poker and virtual slot machine games, as well as the permit pursuant to § Section 27(2), including the respective related permits; and
- 4. the permits according to § 12 paragraph 3.

(2) In the cases referred to in subsection 1, the authority responsible for granting the license shall also perform the duties of gaming supervision pursuant to § 9 (1) with respect to the licensees with effect for all states as of the date on which the license is granted.

The competent authorities may issue the necessary orders in individual cases and enforce them in accordance with the national law applicable to them, as well as carry out official acts in other countries for this purpose. The authority responsible under sentence 1 shall, in particular, monitor compliance with the content and ancillary provisions of the permit and decide on measures under sections 4a to 4d. § Section 9 (2) and (2a) shall apply mutatis mutandis.

(3) Uniform responsibility of an authority for all countries also exists for measures

- 1. pursuant to § 9 (1) sentence 3 number 4 and number 5 in the case of unauthorized games of chance offered in more than one country, and
- 2. the gambling supervisory authority for unauthorized public gambling and advertising thereof, which is offered on the Internet in more than one country.

Sentence 1 No. 2 shall not apply to unauthorized online casino games that are organized or brokered by an organizer who has been granted an effective permit for the organization of online casino games within the scope of the permit.

(4) The competent authorities pursuant to subsections 1 and 2 shall charge costs (fees and expenses) for official acts in fulfillment of the duties pursuant to subsections 1 to 3. For the granting of a permit for the organization of a game of chance, the following fees shall be charged in the case of approved or anticipated gaming or betting stakes

- 1. up to EUR 40 million, a fee of 0.2 percent of the gaming or betting stakes, with a minimum of EUR 100,
- 2. over 40 million euros up to 65 million euros a fee of 80,000 euros plus 0.16 percent of the gaming or betting stakes exceeding 40 million euros,
- 3. over 65 million euros up to 130 million euros a fee of 120,000 euros plus 0.1 percent of the gaming or betting stakes exceeding 65 million euros,
- 4. over 130 million euros, a fee of 185,000 euros plus 0.06 percent of the stakes or wagers exceeding 130 million euros

The fee shall be based on the sum of the approved or anticipated gaming or wagering stakes in all participating countries. For permits pursuant to paragraph 1, numbers 1, 2 and 4, the fee pursuant to sentence 2 shall be reduced by half. If the permit is granted for several consecutive years or events, the calculation shall be made separately for each year and each event, whereby the fee pursuant to sentences 2 and 3 shall be reduced by 10 percent for the subsequent years or subsequent events. A fee in the amount of 50 percent of the fee pursuant to sentences 2 and 3 shall be charged for the issuance of a permit for brokering a game of chance; sentence 4 shall apply accordingly. A fee of EUR 500 to EUR 500,000 shall be charged for orders to eliminate or terminate unlawful conditions and for other orders issued by the gambling supervisory authorities; the administrative expenses of all authorities involved in connection with the official act shall be taken into account.

and agencies must be taken into account. In all other respects, the cost regulations of the respective country of domicile of the acting authority shall apply.

# § 10 Ensuring an adequate supply of gambling services

(1) In order to achieve the objectives of Section 1, the Länder have the regulatory task of ensuring an adequate supply of games of chance. They shall be advised by an advisory board of experts. This advisory board shall be composed of persons who have special scientific or practical experience with regard to the objectives of Section 1.

(2) On a statutory basis, the Länder may perform this public task themselves, through a public institution jointly managed by all the contracting Länder, through legal entities under public law or through private-law companies in which legal entities under public law directly or indirectly hold a significant interest. On the basis of an administrative agreement, joint performance of the task or performance of the task by the enterprise of another Land which meets the requirements of sentence 1 shall also be possible.

(3) Class lotteries may only be organized by a public law institution jointly supported by all contracting countries.

(4) The Länder shall limit the number of receiving offices in order to achieve the objectives of § 1.

(5) It shall be ensured that a substantial part of the income from games of chance of the persons mentioned in paragraphs 2 and 3 is used for the promotion of public or charitable, ecclesiastical or benevolent purposes.

(6) Persons other than those specified in paragraphs 2 and 3 may only be permitted to organize lotteries and lotteries in accordance with the provisions of Section 3.

# § 11 Addiction prevention, addiction counseling and addiction research

The federal states ensure addiction prevention measures, appropriate counseling services and scientific research to prevent and ward off the dangers of addiction caused by gambling.

# Third section Lotteries with lower risk potential

# § 12 Permission

(1) Permission to organize a lottery or draw pursuant to § 4 (1) may be granted to persons other than those mentioned in § 10 (2) and (3) only if

- 1. the event is not precluded by any grounds for refusal pursuant to § 13,
- 2. the requirements specified in §§ 14, 15 (1) and (2) and § 16 (3) are met,
- 3. no economic purposes are pursued with the event that go beyond the advertising effect associated with the reference to the provision of prizes, and
- 4. it is not to be expected that public safety or order will be endangered by the event itself or by the realization of the purpose of the event or the use of the net proceeds, or that the relations of the Federal Republic of Germany with other states will be impaired.

Sentence 1 No. 3 shall not apply to lotteries in the form of profit savings if a partial amount of no more than 25 percent of a participation amount is used as a ticket share for the profit savings lottery.

(2) The permit shall also determine the extent to which the requirements of §§ 6 to 7 are to be met.

(3) If a lottery with a uniform cross-border game plan is to be organized in all countries, the permission to conduct it shall be granted on a country-by-country basis. If a lottery with a uniform cross-border schedule is to be organized only in some countries, the country in which the organizer has its registered office may also grant permission with effect for the countries that have authorized it to do so.

## § 13 Reasons for refusal

(1) Permission may not be granted if the event contradicts Section 4 (2) to (5). This is particularly the case if it cannot be ruled out that the organization of the lottery promotes the gambling instinct in a special way due to the overall gambling offer already existing, in particular with regard to the number of games of chance already organized or their type or implementation.

(2) In particular, a permit may not be issued if

- 1. the game plan provides that
  - a) the announcement of the drawing results is made more often than twice a week,
  - b) the maximum prize exceeds a value of three million euros or
  - c) parts of the fee payable by the player are accumulated for the purpose of creating winnings for future draws (scheduled jackpot),

or

2. interactive participation in broadcasting and telemedia with prompt announcement of prizes.

## § 14 Organizer

(1) Permission may be granted only if the organizer

- 1. meets the requirements of Section 5 (1) No. 9 of the Corporation Tax Act, and
- 2. is reliable, and in particular guarantees that the event is conducted properly and in a manner that is comprehensible to the players and the licensing authority, and that the net proceeds are used for the intended purpose.

Sentence 1 No. 1 shall not apply to lotteries organized by the organizers specified in Section 10 (2) and (3) and by the public corporation "Bayerisches Rotes Kreuz" and to events in the form of profit savings (Section 12 (1) Sentence 2).

(2) If the event is to be carried out entirely or predominantly by a third party, permission may only be granted if there is no risk that the transparency and controllability of the event will be impaired as a result of the event being carried out and the third party

- 1. meets the requirements of paragraph 1 number 2 and
- 2. is subject to the instructions of the organizer with regard to the implementation of the event and has no significant legal or factual influence on the organizer.

## § 15 Game plan, calculation and realization of the event

(1) According to the game plan, the net profit, the profit total and the costs must be in reasonable proportion to each other; the costs of the event must be kept low. Net income is the amount resulting from the sum of fees after deduction of costs, profit total and taxes. At least 30 percent of the fees should be earmarked for the net income and the profit total in the game plan, and there must be no reason to assume that these proportions will not be achieved. A calculation showing the probable costs of the event, the profit total, the taxes and the net income shall be submitted with the application. If it becomes apparent after the permit has been issued that the calculated costs are likely to be exceeded, this must be notified to the permit authority without delay and a new calculation submitted.

(2) The costs of the lottery may include costs of third parties within the meaning of § 14 (2) in terms of type and scope only to the extent that they comply with the principles of economic management. The remuneration of the third party shall not depend on the turnover

can be calculated.

(3) The organizer shall submit to the competent authority all documents and provide all information required to verify the proper conduct of the lottery. In particular, he shall submit a statement of account showing the actual amount of revenue, net profit, distribution of winnings and costs of the event.

(4) The competent authority may, at the expense of the organizer, commission a stateapproved auditor or require the organizer to commission such an auditor, so that an expert opinion on the proper planning or implementation of the lottery, in particular on the appropriateness of the costs of the lottery, is prepared and submitted to the authority. The costs of the expert opinion are costs of the lottery.

## § 16 Appropriation of net income

(1) The net proceeds of the event must be used promptly for the purpose specified in the permit.

(2) If the organizer intends to use the net proceeds for a purpose other than the charitable, ecclesiastical or benevolent purpose specified in the permit, or if the purpose cannot be realized or cannot be realized in a timely manner, the organizer must notify the competent authority immediately. After hearing the organizer, the authority may redefine the purpose of use.

(3) An appropriate share of the net proceeds shall be used in the country in which the lottery is organized.

#### § 17 Form and content of the permit

The permit shall be issued in writing. It shall specify in particular

- 1. the organizer and, in the case of § 14 paragraph 2, the third party,
- 2. The type, location or area, and start and duration of the event,
- 3. the purpose for which the net income is to be used, the manner in which the use is to be proven, and the time at which the proof is to be provided,
- 4. the game plan and
- 5. the form of distribution.

## § 18 Small lotteries

The states may deviate from the provisions of the Interstate Treaty for lotteries in which

- 1. the sum of the fees to be paid does not exceed the amount of 40,000 euros,
- 2. the net proceeds are used exclusively and directly for charitable, ecclesiastical or benevolent purposes, and
- 3. the net income and the total profit each account for at least 25 percent of the fees.

## Section Four Commercial Gambling Brokerage

#### § 19 Commercial gambling brokerage

(1) In addition to §§ 4 to 8d and without prejudice to other statutory provisions, the following requirements shall apply to the activities of commercial gaming brokers:

- 1. The commercial gaming broker must forward at least two-thirds of the amounts collected from players for participation in the game to the organizer. He must have this confirmed by an agent qualified to independently exercise a legal or tax consulting profession for submission to the licensing authority. Prior to the conclusion of the contract, he shall inform the players clearly and comprehensibly in text form of the amount to be forwarded to the organizer for participation in the game and shall inform them of the organizer immediately after the brokerage of the gaming order.
- Commercial gaming brokers and third parties commissioned by them or the prospective players within the meaning of § 3 paragraph 8 are obliged to disclose the brokerage to the organizer each time they participate in a game.
- 3. Commercial gaming brokers are obliged to ensure that, upon conclusion of the contract, a trustee qualified to independently exercise a legal or tax consulting profession is commissioned with the safekeeping of the gaming receipts and the assertion of the winnings claim against the organizer. Upon conclusion of the contract, the player shall be granted the right to inspect the game receipts that have been brokered on his behalf. If a claim to winnings is not asserted by the player to the trustee within a period of three months, the amount of the winnings shall be transferred to the organizer.

(2) If commercial gaming brokers operate in all or several countries, the permits pursuant to § 4 (1) sentence 1 and (4) sentence 1 shall be bundled by the central

competent authority. § Section 9a (2) and (4) shall apply mutatis mutandis.

(3) § Section 4 (6) shall apply mutatis mutandis.

# Section Five: Special Provisions

## § 20 Casinos

In order to achieve the objectives of § 1, the number of casinos in the Länder shall be limited.

## § 21 Sports betting

(1) Sports betting may be allowed as combination bets or single bets on the outcome of sports events or sections of sports events (outcome bets) as well as on individual events during the sports event or on a combination of such events (event bets).

(1a) The design of sports betting may not run counter to the objectives of § 1. Sports betting on sports events in which minors are exclusively or predominantly involved shall be prohibited, unless such events are major national or international sports events. The same applies to sports events in which exclusively or predominantly amateurs participate. Sports betting that is susceptible to manipulation to a considerable extent or that jeopardizes the integrity of the sporting competition is not permitted; this applies in particular to events that a participant in a sporting event can bring about arbitrarily. Sports betting on the occurrence of conduct in violation of the rules or the sanctioning of conduct in violation or alleged violation of the rules is inadmissible.

(2) Sports betting may not be brokered in a building or complex of buildings in which an arcade or casino is located.

(3) The organization, brokering and proprietary distribution of sports betting must be organizationally, legally, economically and in terms of personnel separate from the organization of sports events and the operation of facilities in which sports events take place. Participants who have a direct or indirect influence on the outcome of a betting event, as well as third parties commissioned by these persons, may neither place sports bets on the outcome or course of the sports event nor promote sports betting by others. The organizers of sports betting are obliged to participate in an independent early warning system, which serves to avert manipulation of the sporting competition and is suitable for identifying such manipulation at an early stage. The organizers shall inform the authorities immediately of any anomalies, cooperate in the clarification and provide available information. The authorities responsible for issuing the

Permission Competent authority may require further appropriate measures to prevent betting manipulation.

(4) The linking of the broadcasting of sports events in radio and telemedia with the organization or brokering of sports betting is not permitted. During the ongoing sporting event, only bets may be placed that are

- 1. Betting on the final result or
- 2. Betting on the next goal, set, or similar component of a final score in sports where only a small total number of these events regularly occur in the course of the sporting event, especially in soccer, field hockey, ice hockey, or volleyball,

#### are.

(5) Sports bets may only be offered if they have previously been permitted by the competent authority in terms of type and design. Permission to offer a bet is granted upon application. In the permit, the competent authority may refer to a list of permitted bets published on the authority's website. Permission to offer further bets shall be deemed to have been granted for bets that are already included in the list pursuant to sentence 3, if the organizer has notified the competent authority of the intention to offer these bets and the authority has not objected within two weeks. The permission to offer a bet may be revoked unless it would have to be granted again at the time of revocation. The permission pursuant to sentence 4 shall lapse if the bet concerned is removed from the list pursuant to sentence 3 on a regular basis, at least once a month.

(6) Organizers of sports betting and organizers of sports events may process names and dates of birth of the participants in the competition within the meaning of Article 3(6) of the Council of Europe Convention against Manipulation of Sports Competitions of 18 September 2014 for the purpose of monitoring the prohibition in paragraph 3 sentence 2 and, in doing so, may also transmit them to each other and to the competent gambling supervisory authority. The personal data shall be processed separately from other data and deleted immediately insofar as they are no longer required for the control of the betting prohibition.

(7) A license for the brokerage of sports betting on the Internet may only be granted subject to the requirements of Section 4a (1) (1) (a), (b) and (d), (2) (a) and (c) and (3) (b) to (e). Sections 4b, 4c (1) and (2) as well as § 4d are applicable accordingly.

## § 21a Betting agencies

(1) The states limit the number of betting agencies to achieve the goals of the

§ 1. the brokerage of sports betting in these places shall require a permit pursuant to § 4 (1) sentence 1; § 29 (2) sentence 2 shall apply mutatis mutandis.

(2) The stationary distribution and brokerage of sports betting outside betting shops is prohibited.

(3) Only bets of one organizer may be distributed or brokered in a betting agency.

(4) If the organizer whose sports bets are distributed or brokered in the betting exchange or the intermediary also offers sports bets on the Internet and if a gaming account pursuant to Section 6a has been set up for a player with this organizer or intermediary, the player's bets placed in betting exchanges shall be recorded in his gaming account. Payments made for bets placed in the betting intermediary shall not be recorded under the inter- provider deposit limit pursuant to Section 6c (1) unless the deposits or winnings from sports bets placed in the sports betting intermediary are credited to the gaming account pursuant to Section 6a and can be used as wagers for games of chance on the Internet. Organizers and intermediaries shall ensure this by means of suitable technical measures.

(5) The details of betting agencies are governed by the implementing regulations of the federal states.

## § 22 Lotteries with scheduled jackpot; instant lotteries

(1) The amount of scheduled jackpots shall be limited in the permit in order to achieve the objectives of § 1. Lotteries with scheduled jackpots may not be organized more frequently than twice a week. The organization of lotteries with scheduled jackpots is also permitted in cooperation with other lottery organizers on a cross-border basis. The effects on the population are to be evaluated by means of an accompanying scientific study.

(2) In order to achieve the objectives of § 1, the permit shall contain limiting provisions on the type and structure of lotteries, for example on maximum prize amounts and prize schedules, on sales opportunities and on advertising opportunities.

## § 22a Virtual slot machine games

(1) The design of virtual slot machines may not run counter to the objectives of § 1. Holders of a permit for the operation of virtual slot machine games may not

offer a virtual slot machine game only if this has previously been permitted by the competent authority upon their application. A version of the game shall be made available to the authority for the purpose of reviewing the granting of permission. Significant changes to the virtual slot machine game after the granting of a permit pursuant to sentence 2 require the permission of the competent authority. The permit pursuant to sentence 2 may be revoked at any time, unless it would have to be granted again at the time of revocation. Virtual slot machine games that are not permitted pursuant to sentence 2 are unauthorized games of chance.

(2) Virtual machine games that correspond to conventional table games with bankers organized in casinos, in particular roulette, blackjack or baccarat, are not permitted.

(3) The winning prospects must be random and equal chances must be opened for each player. The rules of the game and the prize schedule must be easily accessible and described in a way that is easy for the player to understand. The probability of winning the maximum prize as well as the average payout per euro wagered must be displayed to the player in a recognizable manner. The display must take place where the wager can be made.

(4) A virtual slot machine game may only begin as a result of a corresponding declaration by the player, which may only be made after the previous game has ended. In particular, program sequences that automatically start another game after the previous game has ended and declarations by a player to participate in several games in succession are not permitted.

(5) Bets and winnings may only be made in euros and cents. The conversion of monetary amounts into other currencies, points or other units before, during or after the game or as a result of the game is not permitted.

(6) A game must last at least five seconds on average. A game begins with the declaration within the meaning of paragraph 4, sentence 1 and ends with the display of the result.

(7) The stake may not exceed one euro per game. In order to achieve the objectives of § 1, the authority responsible for granting the license may adjust the maximum stake per game pursuant to sentence 1 to changing circumstances.

(8) A win must consist of a multiple of the stake determined before the game begins. Stakes, winnings or parts of stakes or winnings may not be accumulated for the purpose of creating winnings for future games (jackpot prohibition).

(9) § Section 6h (7) sentences 2 and 3 shall apply subject to the proviso that the player may not be allowed to continue participating in virtual slot machine games until five minutes after confirmation that he/she has become aware of the notice.

(10) Playing more than one virtual machine game at the same time is prohibited. This also applies to playing the same game. Permit holders must ensure this by means of suitable technical measures. Players may only be shown one game at a time.

(11) The use of the terms "casino" or "casino games" is not permitted in connection with the organization and distribution of virtual slot games or advertising for such games.

(12) The organization of virtual slot machine games is only permitted via the Internet. The stationary distribution of virtual slot games is prohibited.

## § 22b Online poker

(1) Holders of a permit for the organization of online poker may only offer individual variants of online poker play if the variant offered in each case has previously been permitted by the competent authority upon their application. They shall notify the competent authority of the intended rules of play. Significant changes to the rules of play after the granting of a permit pursuant to sentence 1 shall require the permission of the competent authority. The permit pursuant to sentence 1 may be revoked at any time, unless it would have to be granted again at the time of revocation. Permission pursuant to sentence 1 may only be granted if the variant does not run counter to the objectives of § 1. Variations of online poker that are not permitted pursuant to sentence 1 are unauthorized games of chance.

(2) The permit pursuant to subsection (1) sentence 1 shall provide for content and ancillary provisions for the operation of the variant of online poker gaming. In particular, the following shall be specified:

- 1. Maximum limits for the minimum bets per hand,
- 2. Maximum limits on the amount of money a player may have available at a virtual table, and
- 3. Maximum limits on the amount payable for participation or continued participation in an online poker tournament.

Insofar as this serves to better achieve the objectives of § 1, further content and ancillary provisions for the organization of variants of online poker games may be provided for in the permit pursuant to paragraph 1 sentence 1, including subsequently.

(3) Only natural persons may play against each other. Providers must take appropriate measures to ensure this. If natural persons use programs that play automatically in their name, this constitutes illegal gambling for these persons.

(4) The assignment of a player to one of several virtual tables with the same game offer shall be random. A selection of the table by the player is not permitted.

(5) Playing several games of online poker at the same time is prohibited. Organizers shall ensure this by means of suitable technical measures. The authority responsible for issuing the permit may allow simultaneous play at up to four virtual tables in order to better achieve the objectives of § 1.

## § 22c Online casino games

(1) Countries can regulate online casino games for their territory on a statutory basis

- 1. itself, by a legal entity under public law or by a company under private law in which legal entities under public law directly or indirectly hold a significant interest, or
- grant one, but not more than as many licenses for casinos within the meaning of Section
   as could be granted under the respective casino law of the Land as of January 17,
   2020.

Concessions pursuant to sentence 1 no. 2 shall be limited in time.

(2) On the basis of an administrative agreement, a joint event or the event by an organizer pursuant to paragraph 1 sentence 1 number 1 of another country is possible. On a statutory basis, countries may grant joint concessions for their territories pursuant to paragraph 1, sentence 1, number 2; in this case, the number of concessions shall be limited to the total number of concessions permitted in the cooperating countries.

(3) Concessions shall be revoked if the concessionaire fails to comply with the limitation to the territory of the grantors under paragraph 1 or 2.

(4) The audiovisual or purely visual transmission of slot machine games from a casino or from gaming arcades or other locations in which gaming devices within the meaning of Section 33c (1) sentence 1 of the Industrial Code are set up or other games within the meaning of Section 33d (1) sentence 1 of the Industrial Code are organized, and participation therein via the Internet are prohibited.

(5) The Länder shall regulate the details in provisions under Land law.

## § Section 23 Blocking file, data processing

(1) The blocking file, which is maintained centrally by the competent authority, is used to process the data required for blocking. The following data may be processed:

1. Surnames, first names, maiden names,

- 2. Aliases, false names used,
- 3. Date of birth,
- 4. Birthplace,
- 5. Address,
- 6. Photographs,
- 7. Reason for the lock,
- 8. Duration of the lock and
- 9. Reporting entity.

In addition, the documents that led to the blocking may be processed.

(2) The stored data shall be transmitted to the extent required to the bodies responsible for monitoring gambling bans. The data may also be transmitted by automated retrieval procedures.

(3) The transmission of statistical query and access data for the purpose of usage monitoring by the competent authority is permitted.

(4) Information provided and accesses in the electronic system must be logged.

(5) The data must be deleted six years after the lock expires.

(6) The controller within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data, on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, L 314, 22.11.2016, p. 72) of the personal data of blocked players is the person who entered the data. In the case of Section 8a (7) sentence 2, this shall be the authority responsible for maintaining the banned player file. If the authority responsible for maintaining the blacklist file transfers the allocation of blacklists to the legal successor pursuant to Section 8a (7) sentence 2, the legal successor shall also be the responsible party within the meaning of Regulation (EU) 2016/679.

(7) The possibility of requesting information from the authority responsible for maintaining the blocking file

shall remain unaffected, without prejudice to the data subject's right of access pursuant to Article 15 of Regulation (EU) 2016/679.

# Section Seven Gambling Halls

## § 24 Permits

(1) Notwithstanding any other licensing requirements, the establishment and operation of an amusement arcade shall require a permit pursuant to this state compact.

(2) The permit shall be refused if the establishment and operation of an amusement arcade contravene the objectives of § 1. It shall be granted in writing and shall be limited in time. The permit may, also subsequently, be subject to ancillary provisions.

(3) Further details are governed by the implementing regulations of the federal states.

## § Section 25 Restrictions on amusement arcades; prohibition on multiple licenses.

(1) A minimum distance must be maintained between gambling halls. Further details are regulated by the implementing regulations of the federal states.

(2) The issuance of a permit for a gaming hall that is structurally connected to other gaming halls, in particular in a joint building or building complex, is excluded.

(3) The states may limit the number of permits to be issued in a municipality.

## § Section 26 Requirements for the Design and Operation of Gaming Halls

(1) The external design of the gaming hall must not be used to advertise gaming operations or the games offered in the gaming hall, or to create an additional incentive for gaming operations by means of a particularly conspicuous design.

(2) In order to ensure that the objectives of Section 1 are met, the Länder shall stipulate closed hours for gaming arcades which shall not be less than three hours.

# Eighth section horse betting

## § 27 Horse betting

(1) The stationary organization and brokerage of horse betting may only take place with a permit in accordance with the Racing Betting and Lotteries Act. § Section 4 (2) sentence 1 and (3) are applicable.

(2) The organizing and brokering of horserace betting on the Internet permitted under paragraph 1 in accordance with § 4 paragraph 4 and 5 may be permitted in the uniform procedure of the Länder. §§ Sections 4b (1) sentences 1 to 3 and sentence 4 numbers 2, 3, 5, 6 and 7, (2) and (3) and Sections 4c and 4d shall apply mutatis mutandis. Notwithstanding § 4c (3), sentences 2 and 3, the security fee shall be set by the authority responsible for granting the license at the amount of the average monthly turnover to be expected, up to a maximum of 50 million euros. Evidence and documents from another Member State of the European Union or another State party to the Agreement on the European Economic Area shall be deemed equivalent to domestic evidence and documents if they show that the requirements of sentences 1 and 2 and paragraph 4 are met. The documents shall be submitted at the expense of the applicant as a certified copy and a certified German translation.

(3) In the licensing procedure pursuant to paragraph 2, the types of horserace betting to be offered shall be specified. The license may stipulate that significant changes to the offer must be approved by the licensing authority. Furthermore, it may be stipulated that new types of horserace betting may be offered for the first time after expiry of a waiting period to be specified in the license after receipt of a notification by the licensing authority.

(4) Permission according to paragraph 2 may only be granted if

- the applicant and the responsible persons appointed by the applicant possess the reliability and expertise required for the organization of public games of chance and guarantee that the event is carried out properly and in a manner that is comprehensible to the players and the licensing authority; in the case of legal entities and partnerships, all persons authorized to represent the entity must possess the requirements of reliability and expertise,
- neither the applicant itself nor an enterprise affiliated with it nor a person controlling the applicant nor a person controlled by the person controlling the applicant organizes or brokers unauthorized games of chance,
- 3. the transparency of the operation is ensured,
- 4. the applicant has a registered office in a member state of the European Union or a state party to the Agreement on the European Economic Area,
- 5. the applicant, if he/she does not have a registered office in Germany, notifies the competent authority of an authorized recipient and representative in Germany who is reliable as defined in point 1,

- 6. an Internet domain ".de" is established at the top level for offers on the Internet,
- 7. the applicant sets up its own accounting system for all gaming and payment transactions in Germany and processes gaming-related payment transactions via an account in Germany or at a credit institution domiciled in a Member State of the European Union, and
- 8. the applicant provides interfaces for checking all game operations in real time.

# Ninth Section Joint Gaming Authority of the Federal States

## § 27a Establishment, legal form, name, registered office, applicable law, official seal

(1) The federal states shall establish a public law institution with legal capacity (Anstalt) with its registered office in Saxony-Anhalt (the "Home State") to perform the tasks of gaming supervision, in particular in the area of the Internet, with effect from July 1, 2021. The establishment shall be deemed to be an institution of the state in which its registered office is located.

(2) The institution bears the name "Joint Gaming Authority of the Federal States".

(3) The establishment and operation of the Establishment shall be governed by the law of the State in which the Establishment has its registered office, unless otherwise provided for in this Interstate Treaty.

(4) Unless otherwise provided for in this Interstate Treaty, the law of the Land in which the registered office is situated shall apply to the conduct of administrative proceedings and to administrative enforcement. For the application of the law of the Land in which its seat is located, the Establishment shall at the same time be deemed to be its institution.

(5) The establishment has a official seal.

## § 27b Articles of Association

The Establishment shall adopt Articles of Association in accordance with the provisions of this Interstate Treaty. The statutes and any amendments thereto shall be published in the official gazette of the state in which the establishment is located.

## § Section 27c Sponsorship and Financing of the Establishment

(1) The institution's sponsors are the Länder (sponsoring Länder). They are also users of the Establishment.

(2) The sponsoring states undertake to ensure adequate financing of the institution.

(3) Each year, the sponsoring states shall provide the financial resources provided for in the confirmed business plan on a pro rata basis in accordance with the Königstein Key as modified for the Establishment (financing contributions). The modified Königstein Key for the Establishment is the Königstein Key published in the Federal Gazette, converted to the sponsoring states and rounded to five decimal places. The percentage share shown in the Federal Gazette for each sponsoring state is divided by the sum of the percentage shares of all sponsoring states and then multiplied by 100 percent. The current Königsteiner Key, as modified for the institution, applies to all payments.

(4) For the fiscal year 2021, the Establishment shall receive EUR 3 million, which shall be borne by the sponsoring states in accordance with the Königstein Key modified for the Establishment pursuant to paragraph 3, sentences 2 to 4, and shall be made available to the Establishment by September 30, 2021.

(5) The Establishment is managed in accordance with commercial principles and economic aspects, taking into account the special features resulting from the tasks of the Establishment. The accounting system of the Establishment is based on the principles of double-entry bookkeeping (state double-entry accounting). The financial year is the calendar year. Further details of budgetary and economic management are set out in the Articles of Association.

(6) The details of the financing will be regulated in an administrative agreement.

#### § 27d Liability

The sponsoring states shall be jointly and severally liable for the liabilities of the Establishment without limitation if and to the extent that the liabilities cannot be met from the assets of the Establishment. Internally, the sponsoring states shall be liable in proportion to their shares in accordance with the modified Königstein Key for the Establishment pursuant to Section 27c (3) sentences 2 to 4.

#### § Section 27e Tasks of the Establishment

(1) The Establishment shall act as a licensing and supervisory authority for cross-border gambling services, in particular on the Internet, within the scope of its responsibilities under this Interstate Treaty.

(2) The establishment monitors the developments of the gambling market and the researches related to gambling.

(3) The Establishment shall promote scientific research in connection with gambling. For this purpose, the Establishment may commission studies and expert opinions.

(4) The establishment supports the states in the cooperation of their gambling supervisory authorities and in the cooperation of the gambling supervisory authorities of the states with those of other states.

## § Section 27f Responsibilities of the Establishment

(1) The Establishment shall be responsible for the permits to be issued with effect for all Länder pursuant to Section 9a (1).

- (2) The Establishment shall be the uniformly competent authority in the cases referred to in Section 9a (3).
- (3) It shall be the competent authority pursuant to Section 9(8).
- (4) The establishment is also the competent authority for
  - 1. the maintenance of the player blocking file pursuant to sections 8a to 8d and 23,
  - 2. the maintenance of the limit file pursuant to Section 6c (4) (including the authorization to set a different maximum amount for the deposit limit in the gambling license pursuant to Section 6c (1) sentence 3 and the setting of binding framework regulations on the conditions for the authorization to set a different maximum amount for the deposit limit pursuant to Section 6c (1) sentence 5),
  - 3. the maintenance of the file to prevent parallel play on the Internet by multiple providers pursuant to § 6h (2), and
  - 4. the adjustment of the maximum stake per game pursuant to § 22a (7) sentence 2.
- (5) The Establishment shall be the central competent authority pursuant to Section 19(2).

## § 27g Organs

The organs of the Establishment are the Board of Directors and the Executive Board.

## § 27h Board of Directors

(1) Each sponsoring country sends one representative to the Administrative Board. Representatives may be heads of office or state secretaries of the ministry responsible for gaming supervision in the sponsoring country. They may only be represented by other heads of office or state secretaries of the same sponsoring state. The delegation pursuant to sentence 1 may be revoked at any time. It shall also terminate without revocation if the requirement of sentence 2 ceases to apply. In the cases referred to in sentences 4 and 5, a new representative shall be appointed without delay.

(2) The chairmanship of the Administrative Board rotates annually in alphabetical order of the sponsoring countries, starting with the country in which the Establishment has its registered office. The chairperson prepares the meetings of the Board of Directors.

(3) The Board of Directors shall adopt its own rules of procedure. It decides on the fundamental matters of the institution, in particular on

- 1. the statutes of the establishment,
- 2. by October 31 on the business plan for the following year,
- the appointment to and dismissal from the Executive Board as well as the hiring and dismissal of Executive Board members,
- 4. the discharge of the members of the Board of Management,
- 5. the hiring, promotion and dismissal of employees from a management level to be specified in the Articles of Association,
- the appointment of the auditor and of auditors for extraordinary audits, the adoption of the annual financial statements and the approval of the management report as well as the appropriation of the annual result,
- general agreements and measures to regulate the employment, service, remuneration and pension relationships of employees within the framework of statutory and collective bargaining requirements,
- 8. the taking out of loans,
- 9. the conduct of legal disputes the amount in dispute of which exceeds a limit to be determined in the Articles of Association,
- 10. the initiation of the award of contracts the amount of which in individual cases exceeds a limit to be specified in the Articles of Association, and
- 11. the conclusion of contracts with a term of more than two years, insofar as the obligation of the institution in an individual case exceeds a limit to be specified in the Articles of Association, and the conclusion of contracts with a term of more than five years.

(4) The Board of Directors adopts decision-making guidelines that are binding on the Executive Board in key matters. It may adopt further decision-making guidelines and directives in individual cases. The representative of each sponsoring country may apply for the resolution. The Board of Management is obliged to decide on the request within a reasonable period of time. Decisions in accordance with sentences 1 and 2 must be justified. The main factual and legal reasons shall be stated in the statement of reasons.

(5) The Board of Directors supervises the Executive Board. The Executive Board is obliged to provide information to the Board of Directors, also at the request of a representative of a sponsoring country. Details are to be specified in the Articles of Association.

(6) The Board of Directors shall pass resolutions pursuant to paragraph 3 sentence 2 numbers 1 and 2 unanimously. The other resolutions shall require a majority of two thirds of the members of the Administrative Board. Each representative of a sponsoring country shall have one vote.

(7) The Administrative Board is the supreme service authority for the civil servants working at the Establishment. It appoints the members of the Management Board and exercises the rights and duties of the Establishment as employer vis-à-vis the members of the Management Board in the employment relationship. The Administrative Board may transfer its responsibilities as the supreme service authority in whole or in part to the Executive Board.

(8) Further details on the Board of Directors are set out in the Articles of Association.

## § Section 27i Executive Board

(1) The Management Board consists of at least two members. It manages the institution and represents it in and out of court. The Management Board is the supervisor and superior of the civil servants working at the Establishment. It shall perform the duties of the body responsible for appointments and the rights and duties of the Establishment as an employer vis-à-vis the employees of the Establishment, insofar as they are not assigned to the Administrative Board by this Interstate Treaty.

(2) The Executive Board is bound by the resolutions of the Board of Directors. The Executive Board shall report to the Board of Directors on current matters and procedures. It may propose that the Board of Directors adopt a decision-making guideline.

(3) The Executive Board is appointed by the Board of Directors for a maximum term of five years. Reappointments are possible. Premature dismissal is permissible.

(4) The Executive Board is entitled to attend the meetings of the Board of Directors in an advisory capacity unless the Board of Directors decides otherwise. It is obliged to attend meetings of the Board of Directors if the Board of Directors so determines in advance.

(5) Further details on the Executive Board are governed by the Articles of Association.

## § Section 27j Employability, Recruitment of Personnel

(1) The Establishment may employ staff and have civil servants. The sponsoring Länder may second employees to the Establishment and second or transfer civil servants. The

Establishment shall be the employer within the meaning of the state law of the state in which it is located. The

The legal relationships of the civil servants of the Establishment shall be governed by the Civil Servant Status Act and the civil servant law provisions of the state in which the Establishment has its registered office, unless otherwise provided for in the provisions of this Interstate Treaty. The employees and trainees of the Establishment shall be subject to the collective bargaining agreement for the public service of the Länder or the collective bargaining agreement for trainees of the Länder in training occupations under the Vocational Training Act, including the collective bargaining agreements supplementing, amending and replacing these collective bargaining agreements, in the version applicable in the State in which the Establishment has its registered office. A special personal allowance may be granted to cover staffing requirements and to retain gualified specialists in areas which are of particular importance for the fulfillment of the institution's purpose and in which there is a particular shortage of specialists. The allowance may be limited in time. It may also be revoked as a temporary allowance. If the collective agreement for the public service of the federal states is not applicable in the country in which the Establishment has its registered office, the relevant provisions of the collective agreement applicable to the employees of the federal state in guestion shall apply accordingly.

(2) The sponsoring Länder shall be obliged to second competent staff of their own to the establishment if the latter has demonstrably been unable to recruit sufficient staff of its own. Any such use by the sponsoring Länder shall require a resolution of the Board of Administration, which shall assess the burden on the sponsoring Länder, taking particular account of previous staff contributions and the Königstein Key modified in accordance with section 27c(3) sentences 2 to 4.

(3) The sharing of pension costs between the sponsoring states and the Establishment is governed by the State Treaty on the Sharing of Pension Costs of September 5, 2010 (BGBI. I p. 1290, 1404), as amended. In the case of secondments pursuant to Section 14 of the Civil Servant Status Act, the levying of a pension supplement amounting to 30 percent of the respective pensionable remuneration in accordance with the law of the seconding employer shall also be agreed as part of the reimbursement of personnel costs for civil servants. This shall not apply in the case of secondments which are made with the aim of transfer or which result in a transfer if the pension burden is shared in accordance with the Pension Burden State Treaty.

(4) Immediately after its establishment, the Establishment shall create the conditions for the conclusion of a participation agreement with the Versorgungsanstalt des Bundes und der Länder. If the participation agreement is not concluded, the Establishment shall ensure the employees' legal entitlement to a company pension in accordance with Section 25 of the collective bargaining agreement for the public service of the Länder and Section 17 of the collective bargaining agreement for trainees of the Länder in training occupations under the Vocational Training Act.

## § 27k Participations

(1) With the consent of the Board of Administration, the Establishment may, in the performance of its administrative tasks, including the associated automated processing of personal data and the decision on legal remedies, avail itself in whole or in part of the cooperation of authorities or institutions of the host state or of another sponsoring state by way of administrative agreements against reimbursement of the administrative costs. In this case, the consent of the Administrative Board shall require the consent of the representative of the host state or of the other sponsoring state on the Administrative Board.

(2) Paragraph 1 applies in particular to the following administrative tasks:

- the tasks in the field of remuneration and other cash benefits in accordance with the law on remuneration of the country of domicile, including allowances in cases of illness, nursing care and birth, as well as pensions in accordance with the law on pensions for civil servants of the country of domicile,
- 2. the powers of the establishment as an employer with regard to the remuneration of employees and persons employed for training (trainees),
- 3. the calculation and arrangement of the travel allowance, separation allowance and relocation allowance,
- 4. the implementation of procurements and award procedures,
- 5. the implementation of training events as well as
- 6. the maintenance of the files referred to in Section 27f(4).

(3) Each Land may, with the unanimous consent of the Administrative Board, make use of the Establishment for the performance of administrative tasks in connection with this Interstate Treaty against reimbursement of administrative costs. This shall apply in particular to the monitoring and evaluation of the data collected by the technical system pursuant to Section 6i (2).

## § 27I Legal and technical supervision

(1) The supreme state authority responsible for gaming supervision in the state in which the establishment has its registered office shall exercise legal supervision over the establishment in consultation with the supreme state authorities responsible for gaming supervision in the other sponsoring states, unless urgency requires immediate intervention. In this case, the supreme state authorities of the other sponsoring states responsible for the supervision of gaming shall be informed without delay.

(2) In the performance of its duties pursuant to § 27e, the Establishment shall be subject to the supervision of the supreme state authority responsible for the supervision of gaming in the state in which its registered office is located, unless the Administrative Board exercises its powers pursuant to § 27h (4).

(3) Any supreme gaming supervisory authority of a Land may request the supreme gaming supervisory authority of the Land in which its seat is located to review the supervisory measures pursuant to paragraph 2; the result of the review shall be communicated in text form within four weeks.

## § 27m Financial control

The budgetary and economic management of the Establishment is subject to audit by the audit offices of the sponsoring states.

## § 27n Applicable data protection law

The processing of personal data by the Establishment shall be governed by the data protection regulations applicable in the country in which the Establishment has its registered office.

## § 270 Information security

(1) The data processing must be organized in such a way that the separation of the data according to the respective purposes pursued and according to the different persons concerned is possible during the processing, the knowledge in the context of the task fulfillment and the inspection.

(2) The institution shall appoint an official IT security officer.

## § 27p Transitional provisions

(1) In derogation of § 27f (1) and (5), the following shall apply

- until December 31, 2022, the competent authority for the granting of licenses pursuant to § 9a (1) No. 1 shall be the competent gambling supervisory authority of the state in whose territory the establishment pursuant to § 10 (3) has its registered office (Free and Hanseatic City of Hamburg),
- until December 31, 2022, the competent authority for the granting of licenses pursuant to Section 9a (1) no. 2 shall be the competent gaming supervisory authority of the State of Baden- Württemberg,
- 3. Until December 31, 2022, the competent authority for the granting of licenses pursuant to Section 9a (1) No. 3, insofar as this relates to licenses for the brokerage of sports betting on the Internet, the organization of sports betting and the license pursuant to Section 27 (2), shall be the competent gambling supervisory authority of the State of Hesse and otherwise the competent gambling supervisory authority of the State of

Saxony-Anhalt,

- until December 31, 2022, the competent authority for the granting of licenses pursuant to Section 9a (1) no. 4 shall be the competent gambling supervisory authority of the State of Rhineland-Palatinate, and
- until December 31, 2022, the competent authority for the granting of licenses pursuant to Section 19 (2) shall be the competent gaming supervisory authority of the State of Lower Saxony.

(2) By way of derogation from Section 27f (2), until June 30, 2022, the competent gaming supervisory authority of the State of Lower Saxony shall be the uniform competent authority in cases under Section 9a (3) no. 1 in conjunction with Section 9 (1) sentence 3 no. 4, and the competent gaming supervisory authorities of the State of Saxony-Anhalt shall be the uniform competent authority for the other cases under Section 9a (3).

- (3) By way of derogation from Section 27f (3), until December 31, 2022, the competent authority under
- § Section 9 (8) the competent gaming supervisory authority of the State of Saxony-Anhalt.
- (4) By way of derogation from Section 27f (4), until December 31, 2022, the competent authority for
  - 1. the maintenance of the player blocking file pursuant to §§ 8a to 8d, 23 the competent gambling supervisory authority of the State of Hesse,
  - 2. the competent gaming supervisory authority of the State of Saxony-Anhalt shall be responsible for maintaining the limit file pursuant to Section 6c (4) and
  - 3. the competent gaming supervisory authority of the State of Saxony-Anhalt shall be responsible for maintaining the file to prevent parallel gaming on the Internet in the case of several providers pursuant to Section 6h (2).

(5) The authorities responsible under paragraphs 1 to 4 shall provide the Establishment with all documents and information necessary for the performance of the tasks of the Establishment in due time before the transfer of responsibility to the Establishment.

(6) For the purpose of fulfilling the duties performed on a uniform basis by the Länder pursuant to subsections 1 to 4, the Gaming College of the Länder shall exist until December 31, 2022. In this context, the Gaming Supervisory Board serves to implement the joint supervision of the respective supreme gaming supervisory authorities by the federal states.

(7) The gambling supervisory board of the federal states consists of 16 members. Each state appoints one member through its supreme gaming supervisory authority, as well as his or her deputy in the event that he or she is prevented from attending. The Gaming Supervisory Board shall adopt its own rules of procedure by mutual agreement. § Section 9 (6) shall apply mutatis mutandis.

(8) The federal states shall set up an office in the State of Hesse for the Gaming Board. The

financing of the Glücksspielkollegium and the office as well as the distribution of income from administrative fees pursuant to Section 9a (4) shall be governed by an administrative agreement between the states.

(9) The Gaming Board shall adopt its resolutions by a majority of at least two-thirds of the votes of its members. Reasons shall be given for the resolutions. The main factual and legal reasons shall be stated in the statement of reasons. The resolutions shall be binding on the authorities responsible under paragraphs 1 to 3 and on the administrative office; they shall implement the resolutions within the time limit set by the Gaming Board. A resolution of the Gaming Board shall be adopted within three months of receipt of the matter by the Administrative Office.

(10) § Section 6c (1) sentence 3 (Permission to set a different maximum amount for the deposit limit in the gambling license) and Section 22a (7) sentence 2 (Adjustment of the maximum stake per game) shall not apply until December 31, 2022; paragraph 11 shall apply mutatis mutandis. During this period, Section 6c (1) sentence 4 (Permission to set a different maximum amount for the deposit limit for providers of online casino games) shall apply subject to the proviso that, notwithstanding Section 6c (1) sentence 5 and Section 27f (4) number 2, the competent authority pursuant to (4) number 2 shall be responsible for setting binding framework regulations in agreement with the competent gaming supervisory authorities of the other contracting states. During this period, the competent authority pursuant to subsection 1(3) may also allow organizers of sports betting and horserace betting on the Internet to make exceptions in individual cases from the legal consequence of Section 6c(1)(8) in order to better achieve the objectives of Section 1; a limit shall be provided for.

(11) If this Interstate Treaty does not enter into force on July 1, 2021 in one of the states specified in paragraphs 1 to 4, the competent gaming supervisory authority of the state in which the Interstate Treaty is effective shall replace the competent gaming supervisory authority of the state in which the Interstate Treaty is not applicable.

(12) The Establishment may, by unanimous resolution of the Board of Directors, transfer tasks under paragraphs 1 to 3 to the competent gambling supervisory authority of the country referred to in paragraphs 1 to 3 for a period of up to two years after the dates referred to in paragraphs 1 to 3, to be specified in the resolution, if the Board of Directors has determined by unanimous resolution that the Establishment is not yet in a position to properly perform the task on the dates referred to in paragraphs 1 to 3.

#### **Tenth section**

#### Transitional and final provisions; entry into force and termination

#### § 28 Regulations of the countries

(1) The Länder shall enact the provisions necessary for the implementation of this Interstate Treaty. They may impose further requirements, in particular with regard to the

determine the conditions for organizing and brokering games of chance. In their implementing laws, they may also provide that violations of the provisions of this Interstate Treaty shall be punishable by fines or penalties.

(2) By way of derogation from the provisions of this Interstate Treaty, the Länder may, in their implementing provisions, permit traditional forms of gambling tournaments outside casinos which are not organized on a commercial basis with the intention of making a profit and only occasionally and in which the stakes per player do not exceed 20 euros and the sum of the cash or non-cash prizes offered does not exceed 500 euros. This does not apply to forms of gambling offered in casinos.

## § 28a Administrative Offences

(1) It is a misdemeanor to intentionally or negligently

- organizes or brokers a game of chance without a permit in contravention of Section 4

   (1) sentence 1,
- 2. contrary to § 4 (1) sentence 2 or 3, participates in payments in connection with unauthorized gambling,
- allows a minor to participate in gambling in contravention of § 4 Paragraph 3 Sentence 2 or 3,
- 4. organizes, brokers or distributes public games of chance on the Internet without authorization in contravention of Section 4 (4) sentence 1 or sentence 2,
- 5. violates the credit prohibition in § 4 (5) No. 2,
- 6. contrary to Section 4d (1), fails to notify immediately of a change in a circumstance relevant to the granting of the permit,
- 7. advertises via telecommunications equipment in contravention of Section 5 (1) sentence 4,
- 8. directs advertising to minors in contravention of Section 5 (2) Sentence 4,
- 9. advertises virtual slot machine games, online poker and online casino games on the radio and Internet in contravention of Section 5 (3) sentence 1,
- 10. contrary to § 5 Paragraph 3 Sentence 2, advertises sports betting on this sporting event directly before or during a live broadcast,
- 11. advertises in sports facilities contrary to § 5 paragraph 4,
- 12. contrary to § 5 paragraph 5 sentence 2, personally addresses advertising to banned players,
- 13. contrary to Section 5 (6) sentence 1, agrees on remuneration for advertising games of chance on the Internet which is dependent on turnover, deposits or stakes,
- 14. contrary to § 5 Paragraph 6 Sentence 2, combines advertising for sports betting for a sports event with live interim results of this sports event,
- 15. advertises or sponsors unauthorized gambling in contravention of Section 5 (7),

- 16. contrary to § 6 (2) sentence 3 number 3, 7 and 10 does not implement the social concept,
- 17. contrary to § 6 paragraph 3, remunerates the executive personnel depending on the turnover

or personnel from participating in gambling offered terrestrially or on the Internet,

- 18. contrary to § 6a (1) sentence 2, allows participation in gaming without setting up a provider-related gaming account,
- 19. contrary to § 6c (1) sentence 6, allows a player to participate in a game without setting a deposit limit that applies to all providers,
- 20. contrary to § 6c (1) sentence 8, allows a deposit to be made when the provider-wide deposit limit has been exhausted,
- 21. allows further participation in the game in contravention of § 6c (2) sentence 2,
- 22. fails to transmit the required data to the limit file, or fails to transmit such data in full or in good time, in contravention of § 6c (5) and (6),
- 23. contrary to § 6e (5), fails to comply with the duty to provide information,
- 24. allows parallel play in contravention of § 6h (1) and (3) sentence 1,
- 25. fails to comply with the duty to provide information in contravention of Section 6h (7),
- 26. contrary to Section 6i (1), fails to operate a system for the early detection of gamblers at risk of gambling addiction or fails to update such a system as required,
- 27. contrary to § 6j paragraph 1, offers free entertainment without a gambling account according to

§ 6a Paragraph 1 Sentence 1 offers or allows minors or banned players to participate,

- 28. contrary to § 7 (2), fails to affix a required notice on tickets, game tickets or game receipts or fails to link to offers of assistance,
- 29. contrary to Section 8 (3) sentence 1, as an organizer or agent of games of chance in which barred players are not permitted to participate, fails to identify persons willing to play by checking an official identification document or a comparable identity check,
- 30. contrary to the first sentence of Section 8 (3), as an organizer or agent of games of chance in which barred players are not permitted to participate, fails to check persons willing to play against the barring file,
- 31. contrary to Section 8 (3) sentence 3, as an organizer or agent of games of chance, fails to ensure that barred players do not participate in games of chance,
- 32. contrary to the first sentence of Section 8 (4), as an organizer or agent of games of chance in which banned players are not permitted to participate, acts on a banned player to submit an application for unblocking,
- 33. contrary to Section 8 (4) sentence 2, as an organizer or agent of games of chance in which banned players are not permitted to participate, grants benefits such as bonuses or discounts to players whose player ban has been lifted,
- 34. contrary to Section 8a (1), as an organizer or agent of games of chance in which banned players are not permitted to participate, fails to ban persons who request it or from whom it has been informed on the basis of the perception of their personnel or on the basis of

know, or have reason to believe on the basis of other factual indications, that they are at risk of gambling addiction or overindebted, that they are not meeting their financial obligations, or that they are risking gambling stakes that are disproportionate to their income or assets,

- 35. contrary to Section 8a (4), as organizer or agent, fails to enter the personal data specified in Section 23 (1) in a blocking file,
- 36. contrary to Section 8a (7) sentence 2, as an obligated party pursuant to Section 8a (1), fails to hand over all documents relating to the freeze to the agency responsible for maintaining the freeze file in the event of the closure of a business, merger, insolvency or the existence of other reasons which make the further storage of documents within the meaning of Section 8a (7) sentence 1 impossible,
- 37. contrary to § 19 (1) number 1 sentence 1, as a commercial gaming broker, does not pass on at least two thirds of the amounts collected from the players to the organizer,
- 38. contrary to Section 21 (3) sentence 2, as a party directly or indirectly influencing the outcome of a betting event, or as a third party commissioned by such persons, places sports bets on the outcome or course of the sports event or promotes sports betting by others,
- 39. contrary to Section 21 (3) sentence 3, as an organizer of sports betting, does not participate in an independent early warning system which serves to prevent manipulation of sports competition and is suitable for identifying such manipulation at an early stage,
- 40. contrary to Section 21 (3) sentence 4, as an organizer, fails to inform the authorities immediately of any anomalies, to cooperate in clarifying the matter or to provide available information,
- 41. contrary to Section 21 (4) sentence 1, links the broadcasting of sports events in broadcasting and telemedia with the organization or brokerage of sports betting,
- 42. contrary to Section 21a (4) sentence 1, as an intermediary or organizer of sports betting, fails to ensure that a player's bets placed in the intermediary's betting office are recorded in his or her gaming account in accordance with Section 6a,
- 43. contrary to Section 21a (4) sentence 2, as an intermediary or organizer of sports betting, fails to ensure that payments made for bets in the betting intermediary's office are covered by the cross-provider deposit limit pursuant to Section 6c,
- 44. contrary to § 22a (3) sentence 2, does not provide the rules of the game and the prize schedule in a manner that is easy to access and does not describe them in a manner that is easy for the player to understand,
- 45. contrary to § 22a (4) sentence 1, does not allow a virtual slot machine game to begin solely as a result of a corresponding declaration by the player,
- 46. contrary to § 22a (4), first sentence, allows the declaration to be made before the previous match is completed,

47. contrary to § 22a (4) sentence 2, program sequences that were started after the expiry of the

previous game independently start another game and allow declarations of a player to participate in several games in a row,

- 48. contrary to § 22a (5) sentence 1, does not permit wagers and winnings in euros and cents only,
- 49. contrary to § 22a (6) sentence 1, offers, organizes or brokers a game that does not last an average of at least five seconds,
- 50. contrary to § 22a (7) sentence 1, offers, organizes or brokers a game in which the stake exceeds one euro per game,
- 51. contrary to Section 22a (9), does not allow the player to continue participating in virtual slot machine games until five minutes after the notice has been confirmed,
- 52. contrary to § 22a (10) sentence 1, allows the simultaneous play of several virtual slot machine games,
- 53. contrary to Section 22a (11), in connection with the organization and distribution of virtual slot machine games or advertising therefor, uses the terms "casino" or "casino games" used,
- 54. distributes virtual slot machine games on a stationary basis in contravention of § 22a (12) sentence 2,
- 55. contrary to § 22b (1) sentence 3, offers, organizes or brokers significant changes to the rules of the game after a permit has been granted pursuant to § 22b (1) sentence 1 without the permission of the competent authority,
- 56. contrary to § 22b (3) sentences 1 and 2, fails to ensure that only natural persons play against each other,
- 57. contrary to § 22b (4) sentence 1, fails to ensure that the assignment of a player to one of several virtual tables with the same game offer is random, or
- 58. contrary to Section 22c (4), transmits slot machine games audiovisually or purely visually.
- (2) The administrative offense can be punished with a fine of up to 500,000 euros.
- (3) If a misdemeanor has been committed under paragraph 1, the objects,
  - 1. to which the administrative offense relates or
  - which have been produced by them or have been used or intended for their commission or preparation,

be confiscated under the conditions of § 22 paragraph 2, § 23 of the Administrative Offences Act. § Section 17 (4) of the Administrative Offences Act shall remain unaffected.

(4) The competent administrative authority within the meaning of Section 36(1)(1) of the Administrative Offences Act shall be the authority responsible under Section 9.

#### § 29 Transitional arrangements

(1) Permits granted to broadcasters within the meaning of Section 10(2) and (3) by June 30, 2021, and the powers equivalent thereto under state law shall continue to be valid as permits until June 30, 2022, even if a shorter period is specified in the notice, subject to the proviso that the provisions of this Interstate Treaty, with the exception of the permit requirement under

§ 4 (1) sentence 1, shall apply. The regulations issued in a permit pursuant to Section 5 (3) sentence 2 of the Interstate Treaty on Games of Chance of December 15, 2011 shall apply during this period as content and ancillary provisions within the meaning of Section 5 (1) sentence 3. The operators pursuant to Section 10 (2) and (3) shall obtain a new permit pursuant to Section 4 (1) by July 1, 2022 at the latest.

(2) Paragraph 1 shall apply mutatis mutandis to organizers of lotteries pursuant to the Third Section and intermediaries of permitted public games of chance (including lottery collectors of class lotteries and commercial gaming intermediaries). Insofar as intermediaries are integrated into the sales organization of an organizer, the organizer shall submit the application for the granting of the permit pursuant to Section 4 (1) for the intermediaries acting on its behalf.

(3) Licenses for the organization of sports betting issued before the entry into force of this Interstate Treaty and effective on June 30, 2021 shall continue to be valid as licenses until December 31, 2022, even if a shorter period is specified in the notice, subject to the proviso that the provisions of this Interstate Treaty shall apply apart from the license requirement under § 4, paragraph 1, sentence 1. Paragraph 1 sentence 2 shall apply mutatis mutandis. A new permit shall be obtained no later than January 1, 2023.

(4) In their implementing provisions, the Länder may provide that, for gaming arcades existing on 1 January 2020. The federal states may provide in their implementing provisions that, for gaming arcades existing on January 1, 2020, which are located in a structural network with other gaming arcades, a temporary permit may be granted for up to three gaming arcades per building or building complex upon joint application of the operators, in derogation of Section 25 (2), if at least all gaming arcades have been certified by an accredited testing organization and the certification is repeated at regular intervals, at least every two years, the operators have a certificate of competence acquired on the basis of instruction with testing and the staff of the gaming arcades are specially trained. The transitional period is to be determined by state law. Further details are governed by the implementing regulations of the federal states.

(5) Paragraph 3 shall apply mutatis mutandis to permits for organizing horse betting on the Internet.

(6) By way of derogation from section 21a(2), the federal states may permit bets on results to

be brokered until 30 June 2024 also in points of acceptance that are integrated into the sales organization of organizers pursuant to section 10(2); bets during the ongoing

sporting event are inadmissible.

(7) The licenses granted by the Ministry of the Interior of the State of Schleswig-Holstein until the entry into force of this Interstate Treaty and effective on June 30, 2021 for the organization and distribution of online casino games pursuant to § 4 in conjunction with §§ 19 and 20 of the German Gaming Act (Glücksspielgesetz) of §§ Sections 19 and 20 of the Act on the Reorganization of Gambling (Gambling Act) of October 20, 2011, GVOBI.

p. 280, in conjunction with. § Section 1 of the Act on the Transitional Regulation of Online Casino Games of June 11, 2019, GVOBI. p. 145, shall continue to apply as a permit for a transitional period until a permit is granted under this Interstate Treaty, but no later than December 31, 2024, subject to the proviso that the regulations contained in the permit and in the supplementary ancillary provisions shall apply. They shall apply only to the territory of Schleswig-Holstein. The broadcaster may not invoke this transitional arrangement if it does not submit an application for a permit under this Interstate Treaty by July 1, 2022 at the latest.

(8) Section 9a (4) shall apply mutatis mutandis to the continued validity of licenses issued in the uniform state procedure and in the bundled procedure in accordance with (1) to (3).

(9) Notwithstanding Section 4 (4), licenses for public games of chance on the Internet for the organization, brokerage and proprietary distribution of sports betting as well as the organization and proprietary distribution of online casino games, virtual slot machine games and online poker may only be granted if the player blocking file pursuant to Section 23 or the limit file pursuant to Section 6c (4) are not yet available at the time of the decision

- 1. subject to a time limit until December 31, 2022 at the latest,
- 2. in the absence of a player blocking file, with the condition that the provider shall carry out self-blocking and third-party blocking under the conditions of §§ 8a, 8b for all games of chance offered by itself or by affiliated companies and shall apply the provisions of this Interstate Treaty for players blocked in the player blocking file pursuant to § 23 accordingly to the players blocked by itself, and
- 3. in the absence of the limit file, with the requirement that the provider request players upon registration to set a monthly deposit limit in accordance with § 6c with effect for all games of chance offered by the provider itself or affiliated companies, and apply the provisions of this Interstate Treaty for the inter-provider deposit limit maintained in the limit file accordingly to the deposit limit maintained with itself.

#### § 30 Further regulations

(1) The competent authority may approve a lottery which, at the time of the entry into force of this Treaty, is conducted by several organizers in all countries and in which the net proceeds are used exclusively for the fulfillment of the purposes specified in § 10, paragraph 5,

notwithstanding § 12 paragraph 1 sentence 1 number 3, § 13 paragraph 2, § 14 paragraph 1 number 1

and § 15 (1) sentence 3.

(2) The net income from events in the form of profit savings must amount to at least 25 percent of the fees. The net proceeds must be used for charitable, ecclesiastical or benevolent purposes. Permits may be granted in general.

## § Section 31 Relationship to other interstate treaty provisions governing class lotteries

Insofar as the provisions of the State Treaty between the states of Baden-Württemberg, Bavaria, Hesse, Rhineland-Palatinate, Saxony and Thuringia on a state class lottery of May 26, 1992 (SKL State Treaty) or the provisions of the State Treaty between the states of North Rhine-Westphalia, Lower Saxony, Schleswig-Holstein, the Free and Hanseatic City of Hamburg, the Free Hanseatic City of Bremen, Saarland, Berlin, Brandenburg, Mecklenburg-Western Pomerania and Saxony-Anhalt on a state class lottery of June 30/September 1, 2008 (NKL State Treaty) and the provisions of the State Treaty of the federal states on the Joint Class Lottery of December 15, 2011 (GKL State Treaty) are inconsistent with the provisions of this State Treaty, the provisions of the NKL State Treaty shall apply.June/1 September 2008 (NKL State Treaty) and the provisions of the State Treaty of the Federal States on the Joint Class Lottery of December 15, 2011 (GKL State Treaty of the Federal States on the Joint Class Lottery of December 15, 2011 (GKL State Treaty of the Federal States on the Joint Class Lottery of December 15, 2011 (GKL State Treaty of the Federal States on the Joint Class Lottery of December 15, 2011 (GKL State Treaty) conflict with provisions of this State Treaty, the provisions of this State Treaty shall take precedence.

## § 32 Evaluation

The effects of this Interstate Treaty, in particular of § 4 (4) and (5), §§ 4a to 4d, 6a to 6j, 9, 9a, 21, 22a, 22b and 22c on the development and spread of unlicensed gambling in black markets, shall be evaluated by the gambling supervisory authorities of the Länder with the cooperation of the Joint Gambling Authority of the Länder and the Expert Advisory Council. An interim report is to be submitted by December 31, 2023. A summary report is to be submitted by December 31, 2026, and every five years thereafter.

## § 33 Appeal to the Federal Administrative Court

In judicial proceedings, an appeal to the Federal Administrative Court may also be based on the fact that the contested judgment is based on a violation of the provisions of this treaty.

## § 34 Linguistic equality

Insofar as personal and functional designations in this Interstate Treaty are designated in the masculine form, this form refers to all genders.

#### § Section 35 Entry into force, termination, new announcement

(1) This Interstate Treaty shall enter into force on July 1, 2021. If at least 13 instruments of ratification have not been deposited with the State Chancellery of the Chairperson of the Conference of Ministers-Presidents by April 30, 2021, the Interstate Treaty shall cease to be valid. The Interstate Treaty shall also become obsolete if the ratification instrument of the State of Saxony-Anhalt has not been deposited with the State Chancellery of the Chairperson of the Conference of Ministers-Presidents by June 30, 2021.

(2) The State Chancellery of the President of the Minister Presidents' Conference shall notify the Länder of the deposit of the instruments of ratification.

(3) Accession to this Interstate Treaty shall be effected by written declaration of accession to the State Chancellery of the respective chairperson of the Conference of Minister-Presidents and, insofar as the consent of the legislative body of the acceding Land is required, with its consent. The State Chancellery of the respective chairperson of the Conference of Minister-Presidents shall inform the other contracting Länder of the receipt of the declaration of accession. The provisions of this Interstate Treaty shall enter into force for the acceding Land on the day following receipt of the declaration of accession by the State Chancellery of the respective chairperson of the Conference of Minister-Presidents. Insofar as the consent of the legislative body of the acceding Land is required, the provisions shall enter into force for the Acceding Land on the day following receipt of notification of such consent by the State Chancellery of the respective chairperson of the Conference of Minister-Presidents. Insofar as the consent of the acceding Land on the day following receipt of notification of such consent by the State Chancellery of the respective chairperson of the Conference of Minister-Presidents. The acceeding Land on the day following receipt of notification of such consent by the State Chancellery of the respective chairperson of the Conference of Minister-Presidents. The

(4) This Interstate Treaty is concluded for an indefinite period. It may be terminated by any of the Länder with one year's notice to the end of a calendar year, but for the first time as of December 31, 2028. Notice of termination shall be given in writing to the Chairperson of the Minister Presidents' Conference. He or she shall immediately notify the other contracting states of the declaration of termination. If the termination is effected by the Contracting Country which provides the Chairperson of the Conference of Prime Ministers or if this country is not a Contracting State, the termination shall be declared in writing to all other Contracting Countries; the period of notice shall be deemed to have been observed if the declaration of termination has been made before the expiry of the period of notice and has been received by at least one Contracting Country.

(5) In the event of termination, this Interstate Treaty shall continue to exist between the other Contracting Countries, subject to paragraph 8, but each of the other Contracting Countries may terminate the contractual relationship within a period of three months after receipt of the notification pursuant to paragraph 4, sentence 4, or after receipt of the notice of termination pursuant to paragraph 4, sentence 5, at the same time.

(6) In the event of termination, the Joint Gaming Authority of the Federal States shall exist pursuant to

§ Section 27a shall continue under the auspices of the remaining contracting states. In the event of termination by the home state of the Joint State Gaming Authority, Section 27I shall apply from the time the termination takes effect, provided that the supreme state authority responsible for gaming supervision in the home state shall be replaced by the supreme state authority responsible for gaming supervision in the state which at that time provides the chairperson of the Conference of Minister Presidents or, if this state is not a party to the Agreement, by the state which from that time provides the chairperson of the Administrative Board of the Joint State Gaming Authority. As of the effective date of a termination of the seat state, publications pursuant to Section 27b sentence 2 shall be announced in all states. In all other respects, the law of the country in which the seat of the authority is located shall continue to apply until other provisions of the interstate treaty are adopted.

(7) In the event of termination, the federal states undertake to conclude a settlement agreement on the withdrawal from the Joint Gambling Authority of the federal states by September 30 of the year at the end of which the termination is to take effect.

(8) If fewer than 13 states were to remain after termination, this Interstate Treaty shall cease to have effect upon such termination taking effect. Upon the expiry of this Interstate Treaty, the Joint Gaming Authority of the Länder shall be wound up with the aim of dissolution. Paragraph 7 shall apply accordingly. The dissolution agreement shall include, in particular, provisions on the distribution of the assets of the Establishment, the assumption of costs until dissolution and existing liabilities, as well as the handling of the staff.

(9) Paragraph 8 shall apply mutatis mutandis in the event that the Joint Gaming Authority of the Federal States is otherwise dissolved.

For the state of Baden-Württemberg

Stuttgart	, the 28.10.2020	Winfried <u>Kretschma</u> <u>nn</u>	
For the state of Bavaria			
Munich	, the 27.10.2020	Markus Söder	
For the state of Berlin			
Berlin	, the 27.10.2020	Michael miller	
For the state of Brandenbu	g		
Potsdam	28.10.2020	Dietmar Woidke	
For the Free Hanseatic City	v of Bremen		
Bremen	29.10.2020	Andreas Bovenschulte_	
For the Free and Hanseation	city of Hamburg		
Hamburg	the 27.10.2020	Peter Tschentscher	
For the State of Hesse			
Wiesbaden	the 23.10.2020	Volker Bouffier	
For the State of Mecklenburg-Western Pomerania			
Schwerin	23.10.2020	Manuela Schwesig	

Hanover	_, 26.10.2020	Stephan Weil	
For the State of North Rhine-Westphalia			
Düsseldorf	_, 23.10.2020	Armin Laschet	
For the state of Rhineland Palatinate	-		
Mainz		Malu Dreyer	
	_, 110		
For the Saarland			
Saarbrücken	, the 29.10.2020	Tobias Hans	
For the Free State of Saxony			
Dresden	_, the 27.10.2020	Michael Kretschmer	
For the State of Saxony-Anhalt			
Magdeburg	_, 29.10.2020	Reiner Haseloff	
For the State of Schleswig-Holstein			
Kiel	, the 28.10.2020	Daniel Günther	
For the State of Thuringia			
Erfurt	, the 28.10.2020	Bodo Ramelow	

For the State of Lower Saxony