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Gaming halls - applying for a permit under the State Treaty on Gambling

Wenn Sie gewerbsmäßig eine Spielhalle oder ein Unternehmen betreiben wollen, das ausschließlich oder überwiegend der Aufstellung von Spielgeräten oder der Veranstaltung anderer Spiele dient, benötigen Sie **zwei Erlaubnisse**:

- Erlaubnis nach dem Spielhallengesetz Berlin, die unbefristet erteilt wird (siehe „Weiterführende Informationen“) und
- Erlaubnis nach dem Glücksspielstaatsvertrag

Prerequisites

- **Personal reliability**
  Reliability is verified based on various documents. The applicant must submit an excerpt from the Federal Central Criminal Register (certificate of good conduct) and an excerpt from the Commercial Central Register.
- **Social concept**
  Concept outlining measures to prevent the socially harmful effects of gambling.
  When developing the social concept, the licence holders must consider how they will encourage gamblers to gamble responsibly and what preventive or curbing measures they will take to counteract the socially harmful consequences of gambling. In this context, it must be ensured that the social concept to be presented corresponds to the individual requirements and circumstances of the respective offer or the respective gambling establishment, especially when the social concept is prepared by external institutions.
- **Connection to the cross-game blocking system**
  (https://rp-darmstadt.hessen.de/sicherheit-und-kommunales/gluecksspiel/spielersperrsystem-oasis)
  The State Treaty on Gaming 2021 provides for an obligation to connect to the "OASIS" cross-game blocking system for providers of games of chance nationwide. As of 1 July 2021, the Darmstadt Regional Council (Regierungspräsidium Darmstadt), as the nationwide barring authority, will provide an online form for registering to join the "OASIS" player barring system.

Documents required

- **Application for a permit according to the State Treaty on Gaming 2021**
- **Identity document**
  Identity card or other official identification document containing a photograph.
  Residence permit, if the applicant is not an EU national.
- **Certificate of good conduct for presentation to an authority**
  (https://service.berlin.de/dienstleistung/120926/)
  To verify personal reliability, information from the Federal Central Register (certificate of good conduct) is required for submission to an authority

(document type O).
The information must not be older than three months.

- **Excerpt from the central business register for presentation to an authority**
  (https://service.berlin.de/dienstleistung/327835/)
  To verify personal reliability, information from the central business register is required for submission to an authority (document type 9).
  The information must not be older than three months.
- **Up-to-date excerpt from the Trade Register**
  (https://www.handelsregister.de/rp_web/welcome.xhtml)
  Registered companies are required to submit an up to date excerpt from the Trade Register when applying. Legal entities that are in the process of being established (GmbH, AG) are required to submit their partnership agreement or statutes.
- **Social concept**
  (https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehendes-gewerbe/_assets/merkblatt_glucksspielstaatsvertrag.pdf)
  The applicant must prove that he/she has a social concept in which the measures to prevent the socially harmful effects of gambling are outlined. Further information on the minimum requirements for the social concept can be found in the information letter available here.
- **Gambling-relevant educational information**
  Prior to participation in gambling and without being asked to do so, gambling-relevant information shall be made available in the gambling establishment (e.g. by posters/notices).
  Information is provided on the addiction risks of the gambling offered, the prohibition of participation by minors and the possibilities of counselling and therapy.
  The social concept explains where the information is easily accessible (e.g. entrance area).
- **Proof of connection to the cross-game blocking system**
  (https://rp-darmstadt.hessen.de/sicherheit-und-kommunales/gluecksspiel/spielersperrsystem-oasis)
  Registration for connection to the player blocking system "OASIS" takes place via the online form of the Darmstadt Regional Council as the nationwide blocking authority.
- **Ground plan**
  Floor plan / other construction drawing of the business areas and ancillary rooms (ideally on a 1:100 scale).
- **Representation of the outside appearance of the gambling hall**
  Photographs of the gambling hall are attached.

Forms

- **Application for the granting of a permission according to § 24 sec. 1 of the State Treaty on Gambling 2021**
  (https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehendes-gewerbe/_assets/winr_213c-antrag_spielhallen_glustv_2021.pdf)

Fees

EUR 200 to EUR 2,000

Legal basis

- **State Treaty on the New Regulation of Gambling in Germany (State Treaty on Gambling 2021 or Glücksspielstaatsvertrag 2021 - GlüStV 2021) § 24** (https://gesetze.berlin.de/bsbe/document/jlr-Gl%C3%BCStVtrBE2021pP24)
- **Implementation Act on the Interstate Treaty on Gaming (Ausführungsgesetz zum Glücksspielstaatsvertrag or GlüStVtrAG BE 2012)** (https://gesetze.berlin.de/bsbe/document/jlr-Gl%C3%BCStVtrAGBE2012rahmen)

Average time to process request

approx. 1 month, provided that all documents are available in their entirety

More information

- **Information on data protection (Ordnungsämter des Landes Berlin)** (https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/winr_105_merkblatt_dsgvo.pdf)
- **Spielhallen - Erlaubnis nach Spielhallengesetz Berlin beantragen (Dienstleistung)** (https://service.berlin.de/dienstleistung/328740/)

Hinweise zur Zuständigkeit

The licence must be applied for with the competent Public Order Office for the place of business.