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Gambling devices with the possibility of winning - applying for an installer's permit

If you want to set up commercial gambling devices with the possibility of winning, you need a permit from the competent authority.

A gambling device with the possibility of winning is any device that is equipped with a technical device which, as a "second force", has an independent (self-acting) and decisive influence on the outcome of the game. In this case, the player cannot directly determine the course of the game through his own actions. Rather, the success of the game is decisively influenced by a self-acting, specially constructed device. It is irrelevant here whether the prize is money or goods.

Prerequisites

- **Personal reliability**

Reliability is checked on the basis of various forms of evidence. The applicant must provide information from the Federal Central Register (certificate of good conduct) and information from the Central Trade Register.

- **Expert knowledge**

Proof of having been informed about the necessary knowledge of gambling and the protection of minors.

- **Social concept**

Concept from an officially recognised organisation that provides for measures to prevent socially damaging effects of gambling.

- **Type approval**

(<https://service.berlin.de/dienstleistung/329637/>)

Only gaming devices with the possibility of winning may be set up if their type of construction has been approved by the Physikalisch-Technische Bundesanstalt.

- **Suitable place of installation**

(<https://service.berlin.de/dienstleistung/327495/en/>)

Gambling equipment may only be installed in locations that have been confirmed in writing by the responsible authority of the place where the equipment is to be installed.

- Gambling devices may only be set up in licensed pubs and restaurants, amusement arcades or similar enterprises or betting offices of licensed bookmakers.
- Gambling devices may also be set up at public festivals, shooting festivals or similar events, fairs or special markets.

Documents required

- **Application for permission for setting up gambling equipment with winning opportunities**

Please apply in writing for permission.

- **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 be applied for at the municipality of residence (in Berlin at every citizens' office) for submission to an authority, i.e. it is sent directly to the public order office responsible for the place of business. The information must not be older than three months. The Federal Ministry of Justice also offers an online application procedure (see "More information").

- **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 for natural persons is required for submission to an authority (document type 9).

As a private individual, the information must be applied for at the municipality of residence (in Berlin at every citizens' office) for submission to an authority, i.e. it is sent directly to the public order office responsible for the place of business.

Legal entities with their place of business in Berlin apply for it at their competent public order office.

The information must not be older than three months. The Federal Ministry of Justice also offers an online application procedure (see "More information").

- **CCI proof of training**

(<https://service.berlin.de/dienstleistung/330168/>)

Every operator must prove by means of a certificate from a chamber of industry and commerce that he has been instructed in the knowledge of the protection of gamblers and minors necessary for the exercise of the trade. In addition, the operator may only employ persons for the installation of gambling devices who have attended a training course. This obligation does not apply, for example, to the staff of the operator who are only involved in office work.

- **Social concept**

- The applicant must prove that he/she has a social concept from a publicly recognised institution that sets out the measures that are to be taken to prevent the socially harmful effects of gambling.
- The social concept shall illustrate how the operator and its employees recognise problem gambling behaviour at an early stage.
- The concept is related to the entire enterprise of the operator, i.e. it includes the operator and its employees. Components of such a concept are, among others, regulations on the training of staff, references to counselling services as well as the creation of possibilities for players to assess their risk. By including the staff in the concept, it is to be ensured that not only the operator but also his employees working on the premises are trained in addiction issues and can, for example, recognise players at risk and react accordingly.
- The availability of appropriate information material with references to counselling services for gamblers at risk of addiction is also part of the concept.
- Publicly recognised institutions that develop such concepts are, in

particular, institutions for addiction issues, addiction support and addiction prevention.

- **Up-to-date excerpt from the Trade Register**

(https://www.handelsregister.de/rp_web/welcome.xhtml)

Registered companies please submit a current excerpt from the commercial register when applying. Legal entities in the process of formation (GmbH, AG) must submit the articles of association.

Forms

- **Application for permission for setting up gambling equipment with winning opportunities (§ 33c GewO)**

(https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/winr-204a-gewo-spielgeraete-mit-gewinnmoeglichkeit-antrag-barrierefrei-05_23.pdf)

Fees

700,00 Euro

Legal basis

- **Trade Regulations (Gewerbeordnung (GewO)) § 33c**

(https://www.gesetze-im-internet.de/gewo/_33c.html)

- **Ordinance on gaming devices and other games with the possibility of winning - Gaming Ordinance (Spielverordnung (SpielV))**

(<https://www.gesetze-im-internet.de/spielv/>)

- **Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))**

(https://gesetze.berlin.de/perma?a=VwGebO_BE)

Average time to process request

2 to 4 weeks

More information

- **Information on data protection (Ordnungsämter des Landes Berlin)**

(https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/winr_105_merkblatt_dsgvo.pdf)

- **Spielgeräte mit Gewinnmöglichkeiten - zum Unterrichtungsnachweis für Aufsteller anmelden (Dienstleistung)**

(<https://service.berlin.de/dienstleistung/330168/>)

- **Spielgeräte mit Gewinnmöglichkeit - Geeignetheit des Aufstellortes bestätigen lassen (Dienstleistung)**

(<https://service.berlin.de/dienstleistung/327495/en/>)

- **Spielgeräte mit Gewinnmöglichkeit - Bauartzulassung beantragen (Dienstleistung)**

(<https://service.berlin.de/dienstleistung/329637/>)

Hinweise zur Zuständigkeit

The permit must be applied for at the public order office responsible for the place of business. If a place of business is not yet known, the permit can also be applied for at the public order office responsible for the applicant's place of residence.