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Gambling with winning opportunities - Permission

Anyone who wants to organise a (different) gambling activity with the possibility of winning on a commercial basis requires a permit from the responsible Public Order Office (Ordnungsamt).

Permission must be applied by the organiser of the game in question.

The permit is linked to a specific person, a specific game and a specific venue. A separate permit is required for each individual gambling activity, even if the same game is organised more than once. If the gambling is taken over by another trader, the latter requires a new permit.

The "other" gambling activities are exclusively games of skill, which are usually operated in the form of skill machines and in which the prize is money or goods. A game of skill is a game in which the person playing can determine the outcome of the game and thus win or lose with a high degree of probability according to the game equipment and the rules of the game through skill or his or her own knowledge. In contrast, in games of chance, the decision on winning and losing is predominantly determined by coincidence.

Any person who operates another gambling activity with the possibility of winning without a required permit is acting in breach of the regulations and may be punished with a fine of up to EUR 5,000.00.

Certain gambling with the possibility of winning may also be organised **without a permit**. In general, these are prize and winning games with goods **worth no more than EUR 60.00**. You can find further information under "Legal basis".

Prerequisites

- **Venue - for gambling with cash prizes**

(http://gesetze.berlin.de/jportal/portal/t/p6l/page/bsbeprod.psml/action/portlets.jw.MainAction?p1=6&eventSubmit_doNavigate=searchInSubtreeTOC&showdoccase=1&doc.hl=0&doc.id=jlr-SpielhGBEV1P4&doc.part=S&toc.poskey=#focuspoint)

The gambling may only be organised in an amusement arcade or similar establishment.

No more than one gambling activity of this kind is allowed to be organised.

- **Venue - for gambling with goods prizes**

(http://www.gesetze-im-internet.de/spielv/_5.html)

The gambling may only take place:

- at folk festivals, marksmen's festivals or similar events,
- at fairs or specialized markets, or
- in pubs/restaurants or accommodation establishments (except those mainly frequented by children and teenagers, and not in indoor drinking establishments, ice-cream parlours, dairy parlours and establishments in which the serving of food or drink is of minor importance).

- **Personal reliability**

Reliability is checked on the basis of various forms of evidence. For this purpose, the gambling operator must provide information from the Federal Central Register (certificate of good conduct) and information from the Central Trade Register for submission to an authority.

- **Clearance certificate of the Federal Criminal Police Office**

(<https://service.berlin.de/dienstleistung/329547/>)

Permission may only be granted if you are in possession of a clearance certificate (Unbedenklichkeitsbescheinigung) issued by the Federal Criminal Police Office (Bundeskriminalamt) or a copy of the clearance certificate for the gambling.

- **Visibly display the rules of the gambling activity and the prize schedule**

The operator of another gambling activity is obliged to display the rules of the game and the prize schedule clearly visible at the venue.

Documents required

- **Identity document**

Identity card or other official identification including a photograph

- **Certificate of good conduct for presentation to an authority**

(<https://service.berlin.de/dienstleistung/120926/>)

In order to verify personal reliability, a certificate of good conduct is required for submission to an authority. The official certificate of good conduct can be applied for in person at any of the Berlin Citizens' Registration Offices (Bürgerämter) if you are resident/registered in Berlin.

The Federal Ministry of Justice also offers an online application procedure. (see "Further information")

- **Excerpt from the central business register for presentation to an authority**

(<https://service.berlin.de/dienstleistung/327835/>)

In order to verify your personal reliability, an extract from the Central Trade Register is required for submission to a public authority. You can apply for this extract in person as a private person with residence/registration in Berlin at any of the Berlin Citizens' Registration Offices. Legal entities with their registered business address in Berlin can apply for an extract from the Central Trade Register at their local Public Order Office.

The Federal Ministry of Justice also offers an online application procedure. (see "Further information")

- **Proof of the venue**

Details of the exact venue where you would like to hold the game (e.g. amusement arcade, pub, public festival) and the duration of the event

- **Clearance certificate of the Federal Criminal Police Office**

(<https://service.berlin.de/dienstleistung/329547/>)

Valid clearance certificate from the Federal Criminal Police Office or a copy thereof for the game.

- **If necessary, current excerpt from the commercial register**

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

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.

Forms

- **Application for a permit for another gambling activity**
(https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehend-es-gewerbe/_assets/mdb-f123919-antrag_spielhallen_und_aehnliche_unternehmen.pdf)

Fees

EUR 43.97

Legal basis

- **Trade Regulation (Gewerbeordnung or GewO) - § 33d Sec. 1**
(https://www.gesetze-im-internet.de/gewo/_33d.html)
- **Gambling Regulation (Spielverordnung or SpielV) for games requiring a permit - §§ 4 und 5**
(<https://www.gesetze-im-internet.de/spielv/BJNR001530962.html#BJNR001530962BJNG000302377>)
- **Gambling Regulation (Spielverordnung or SpielV) for games without a permit - § 5a**
(https://www.gesetze-im-internet.de/spielv/_5a.html)
- **Gambling Regulation (Spielverordnung or SpielV) for games without a permit, Annex to § 5a**
(<https://www.gesetze-im-internet.de/spielv/anlage.html>)

Average time to process request

approx. 1 to 2 weeks

More information

- **Gambling with winning opportunities - issue of a clearance certificate**
(<https://service.berlin.de/dienstleistung/329547/>)
- **Gambling equipment with winning opportunities - permit**
(<https://service.berlin.de/dienstleistung/327493/en/>)
- **Gambling equipment with winning opportunities - confirmation installation location**
(<https://service.berlin.de/dienstleistung/327495/en/>)
- **Gambling equipment with winning opportunities - type approval**
(<https://service.berlin.de/dienstleistung/329637/>)
- **Apply for certificate of good conduct and central business register online - Bfj**
(https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/Buergerdienste_node.html)
- **Information about privacy**
(https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehend-es-gewerbe/_assets/merkbblatt-dsgv.pdf)

Responsible authority

Permission must be applied for at the Public Order Office responsible for the venue.

Information on this location

Ordnungsamt

Address

Tempelhofer Damm 165
12099 Berlin

Contact

Telephone: (030) 90277-3460

Fax: (030) 90277-3464

Internet:

<https://www.berlin.de/ba-tempelhof-schoeneberg/politik-und-verwaltung/aemter/ordnungsamt/>

E-mail: ordnungsamt@ba-ts.berlin.de

Barrier-free access

Barrierefreier Zugang über den hinteren Bereich des Rathauses oder über den Eingang des Bürgeramtes.



[Explanation of symbols](#)

Changes in opening hours

Öffnungszeiten der zentralen Anlauf- und Beratungsstelle:

Montag und Dienstag 10:00 Uhr bis 12:00 Uhr

Donnerstag 15:00 Uhr bis 17:30 Uhr

Öffnungszeiten des Fachbereichs Veterinär- und Lebensmittelaufsicht:

Amtstierärztliche Sprechzeiten nach telefonischer oder mailanfrage zu einer Terminvergabe

Öffnungszeiten des Gewerbebereichs:

Montag und Dienstag 09:00 Uhr bis 12:00 Uhr

Donnerstag 14:00 Uhr bis 18:00 Uhr

Letzte Wartenummernvergabe 15 Minuten vor Ende der Sprechzeit.

Payment options

At the location, payment can only be made with girocard (with PIN) (formerly EC card). (no cash payment)