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Commercial gaming law

Senatsverwaltung für Wirtschaft, Energie und Betriebe

Address

Martin-Luther-Str. 105
10825 Berlin

Contact

Telephone: (030) 9013-7411
Fax: (030) 9013-8113
Internet:
https://www.berlin.de/sen/wirtschaft/wirtschaft/wirtschaftsrecht/gewerberecht/gewerbliches-spielrecht/artikel.87927.php
E-mail: RWLG@senweb.berlin.de

Barrier-free access



Explanation of symbols (https://service.berlin.de/hinweise/artikel.2699.php)

Opening hours

Nahverkehr

S-Bahn
Insbrucker Platz: S42, S41, S46, about 10 minutes walk
U-Bahn
Rathaus Schöneberg: U4, about 3 minutes walk
Bus
Rathaus Schöneberg: 104, M46, about 3 minutes walk

Payment options

Payment is not provided

Gambling - Apply for a permission for bookmaker location (betting office)

As a matter of principle, you may only practise the bookmaking trade terrestrially on site,

- either directly on the facilities at horse racecourses or
- away from racecourses within specially permitted locations (betting offices).

Organising and brokering horse bets on the internet is generally prohibited. Exemptions from the ban on horse betting on the internet can be applied for until 30.06.2021 in a nationwide procedure at the Darmstadt Regional Council (see "Further information").

Procedure:

1. You apply for a permission for a terrestrial bookmaker location at the Senate Department responsible for economics.
2. Your application will be examined by the competent authority.
3. If there are no grounds for denial, you will receive a permit after the procedure has been completed.

The permission can be granted with a time limit or a reservation of revocation or can be linked to a condition or a reservation of subsequent inclusion, modification or amendment of a condition.

Notes:

- The commercial brokering of bets or the placing of bets on horses without permission is illegal gambling. This can be punished by imprisonment for up to two years or a monetary penalty.
- Please note that you are only allowed to offer cash games or sports betting in bookmaker locations with a separate licence (see "Further information"). **A triple offer of horse betting, gambling machines with the possibility of winning and sports betting in one location is not allowed.**

Prerequisites

- **Bookmaker's permission** (https://service.berlin.de/dienstleistung/329914/en/)
  The application for bookmaker location can only be made by a bookmaker.
- **Suitability of the rooms**
  The practice of the bookmaking trade is only possible within a bookmaker locality. This must be suitable for the purpose of use. The suitability must be proven by evidence from the building and town planning office.
- **Suitability of the location** (https://gesetze.berlin.de/jportal/?quelle=jlink&query=Gl%C3%BCStVtrAG+BE+%C2%A7+9a&psml=bsbeprod.psml&max=true)
  - a minimum distance of 500 metres from other permitted bookmaker locations (including their own), gambling halls, casinos and betting

centres for sports betting
    - no physical proximity to children and youth facilities

Documents required

- **Application - Bookmaker's trade**
  (see "Forms")
    - Submit the application in text form by post or electronically.
- **Bookmaker's permission**
  (https://service.berlin.de/dienstleistung/329914/en/)
  Copy of the permission document and the notice as bookmaker
- **Ground plan**
  Ground plan of the rooms intended for the bookmaking trade (preferably on a scale of 1:100).
- **Change of use of structural facilities/building permission**
  (https://service.berlin.de/dienstleistung/326710/)
  The bookmaker's location must be suitable for the use of the trade. For example, if you want to use a location permitted by the building authority as a restaurant as a bookmaker location, this change of use must be permitted in advance by the building authority. A copy of the relevant building permit must be enclosed.
- **Certificate of clearance from the town planning office**
  (https://service.berlin.de/dienstleistung/325835/)
  The town planning office certifies with a clearance certificate that there are no objections from a town planning point of view against a bookmaker location at the address you intend to use.
- **Purchase, rental or lease agreement or extract from the land register**
  Evidence is required that you have actual control over the facilities. In the application procedure, a pre-letting agreement for the business premises is sufficient; until permission is granted, you must submit a copy of the final lease agreement or, in the case of ownership, an extract from the land register.

Forms

- **Application - Bookmaker's trade**
  (https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/antrag_buchmacher_.pdf)
- **Attachment - indicate additional bookmaker location (Annex 1)**
  (https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/anlage_1_-buchmacheroertlichkeit.pdf)
- **List - Evidence for bookmaker's trade (Annex 3)**
  (https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/anlage_3_uebersicht-nachweise.pdf)

Fees

EUR 200 to EUR 500, depending on the administrative effort

Legal basis

- **Racing Betting and Lottery Act (RennwLottG) § 2 sec. 2 - permission for the location** (https://www.gesetze-im-internet.de/rennwlottg_2021/__2.html)
- **Implementing Ordinance to the Racing Betting and Lotteries Act (RennwLottDV) § 5** (https://www.gesetze-im-internet.de/rennwlottgabest/__5.html)
- **Implementing Act to the State Treaty on Gambling (GlüStVtrAG) § 9a** (https://gesetze.berlin.de/jportal/?quelle=jlink&query=Gl%C3%BCStVtrAG+BE+%C2%A7+9a&psml=bsbeprod.psml&max=true)
- **Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))** (https://gesetze.berlin.de/perma?a=VwGebO_BE)
- **Interstate Treaty on Gambling (GlüStV) § 27 section 2 sentence 2 - Horse betting on the internet** (https://gesetze.berlin.de/jportal/?quelle=jlink&query=Gl%C3%BCStVtr+BE+%C2%A7+27&psml=bsbeprod.psml&max=true)

More information

- **Informationen zum Gewerberecht (Senatsverwaltung für Wirtschaft)** (https://www.berlin.de/sen/wirtschaft/wirtschaftsrecht/gewerberecht/buchmacher-und-totalisatoren/)
- **Spielgeräte mit Gewinnmöglichkeit - Bestätigung Aufstellort (Dienstleistung)** (https://service.berlin.de/dienstleistung/327495/en/)
- **Glücksspiel - Wettvermittlungsstelle für Sportwetten beantragen (Dienstleistung)** (https://service.berlin.de/dienstleistung/158238/)
- **Glücksspiel - Erlaubnis als Buchmacher beantragen (Dienstleistung)** (https://service.berlin.de/dienstleistung/329914/en/)

Hinweise zur Zuständigkeit

The permission to operate a terrestrial bookmakers' location in the Federal State of Berlin must be applied for at the Senate Department responsible for economic affairs.