

99050028005000

Heruntergeladen am 06.07.2025

<https://fimportal.de/xzufi-services/24834/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050028005000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Gaming arcade; application for a permit to operate
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	28.03.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wirtschaft, Landesentwicklung und Energie (Bavarian State Ministry of Economic Affairs, Regional Development and Energy)
Handlungsgrundlage	http://bundesrecht.juris.de/gewo/__33i.html http://bundesrecht.juris.de/gewo/__33i.html https://www.gesetze-bayern.de/Content/Document/StV_GlueStV2021-24 https://www.gesetze-bayern.de/Content/Document/StV_GlueStV2021-24 https://www.gesetze-bayern.de/Content/Document/BayAGGlueStV-10 https://www.gesetze-bayern.de/Content/Document/BayAGGlueStV-10
Teaser	If you want to operate an amusement arcade or similar business on a commercial basis, you need a permit.
Volltext	<p>The commercial operation of a gaming arcade or a similar business that is exclusively or predominantly dedicated to the installation of gaming devices or the organization of other games within the meaning of Section 33c (1) sentence 1 GewO or Section 33d (1) sentence 1 GewO is subject to licensing. Gaming devices within the meaning of Section 33c (1) sentence 1 GewO are gaming devices that are equipped with a technical device that influences the outcome of the game and offer the possibility of winning (slot machines).§ Section 33d GewO relates to games of skill (not games of chance), i.e. games in which the decision to win or lose does not depend on chance, but on the physical and mental abilities of the player. The term "similar business" in Section 33i GewO primarily covers so-called casinos, in which other games with the possibility of winning within the meaning of Section 33d GewO are generally played. The gaming hall license is tied to a specific person and specific premises.</p> <p>In this respect, the applicant's reliability is a prerequisite for the granting of the permit, which is checked on the basis of a certificate of good conduct and an extract from the central trade register. The premises intended for the operation of the gaming arcade must be suitable in terms of their location and</p>

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condition, i.e. they must comply with police and building regulations. Furthermore, the operation of the arcade must not pose a risk to young people, excessive exploitation of the gambling instinct, harmful effects on the environment or otherwise cause unreasonable nuisance to the general public, neighbors or a facility in the public interest. Since 01.07.2012, in addition to the permit under commercial law, a permit under gambling law pursuant to Section 24 Para. 1 GlüStV and Art. 10 AGGlüStV is required, which is issued by the same authority. The granting of the permit requires that the establishment and operation of the gaming hall does not run counter to the objectives of Section 1 GlüStV (e.g. preventing the development of gambling addiction, ensuring the protection of minors and players, ensuring the proper conduct of gambling, etc.). In addition, compliance with the requirements for the protection of minors pursuant to Section 4 Para. 3 GlüStV, the internet ban pursuant to Section 4 Para. 4 GlüStV, the advertising restrictions pursuant to Section 5 GlüStV, the requirements for the social concept pursuant to Section 6 GlüStV and the requirements for information on the risks of addiction pursuant to Section 7 GlüStV must be ensured. Furthermore, the gaming hall may not be located in a structural network with other gaming halls, in particular not in a shared building or building complex with other gaming halls (prohibition of multiple licenses) and must maintain a minimum distance of 500 meters or 250 meters (for existing gaming halls or those for which the full application for a gaming license was submitted by 30.06.2017) from other gaming halls. Under certain conditions, exceptions to the minimum distance are possible and gaming arcades that already existed on 01.01.2020 can be exempted from the ban on multiple licenses and from the regulations on the minimum distance.

Erforderliche Unterlagen

- Extract from the Central Trade Register
- Building permit
- Floor plan of the total area
- Certificate of good conduct for authorities (to be applied for at the municipality of residence)
- Social concept
- Advertising concept

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	<ul style="list-style-type: none"> • Information concept (education about addiction risks) • Cease-and-desist declaration with regard to the Internet ban pursuant to Section 4 (4) GlüStV • Description/explanation of whether there are any other gaming arcades in the building or building complex and whether any other gaming arcade is less than 500m/250m away as the crow flies.
Voraussetzungen	<ul style="list-style-type: none"> • Reliability of the trader • Suitability of the premises • Safety of the operation • Compliance with the objectives of Section 1 GlüStV (e.g. prevention of the development of gambling addiction) • Ensuring the protection of minors and players • Ensuring the proper conduct of games of chance, etc.) • Compliance with youth protection requirements and advertising restrictions • Presentation of a social concept and an information concept (information on addiction risks) • Compliance with the ban on multiple gaming arcades • Compliance with the minimum distance to other gaming arcades
Kosten	<p>The fee range for a gaming arcade license is between 150 and 3,000 euros (tariff no. 5.III.5/10).</p> <p>Certificate of good conduct and extract from the central trade register each 13 euros in accordance with the Code of Judicial Administration Costs</p>
Verfahrensablauf	
Bearbeitungsdauer	approx. 3 - 5 weeks
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	

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Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal