

[DE] Ratification of 2021 German state gambling treaty continues

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The *Staatsvertrag zur Neuregulierung des Glücksspielwesens in Deutschland* (state treaty on a new system of regulation for gambling in Germany, Glücksspielstaatsvertrag 2021 – GlüStV 2021), which was signed by the heads of government of the German Länder on 29 October 2020, should enter into force on 1 July 2021. However, this is dependent on the treaty being ratified by at least 13 Länder by 30 April 2021 and by Saxony-Anhalt, where the new joint gambling authority of the Länder will be based, from 30 June 2021.

The new state gambling treaty contains fundamental changes to the rules on advertising for gambling services on television. Under Article 5 of the current version, television advertising for public gambling is prohibited. However, the treaty makes provision for certain exceptions in order to achieve its objectives better. Alongside the need to protect children and gamblers, and to prevent gambling addiction, these objectives include the creation of a clearly defined, suitable alternative to illegal gambling that can steer people's natural urge to gamble in an orderly and monitored direction, as well as curb the development and spread of unauthorised black-market gambling. The treaty therefore allows the Länder to permit televised advertising for lotteries and betting on sport and horse-racing. However, televised advertising for sports betting directly before or during a live broadcast of the event concerned is prohibited. Advertising for illegal gambling services is also forbidden.

Under Article 5 of the new treaty, holders of a gambling permit issued pursuant to Article 4 are, unless otherwise stipulated in law, permitted to advertise authorised gambling services and enter into sponsorship agreements. The permit described in Article 4 should set out content-related and ancillary provisions on the format of advertising for public gambling services, especially on television and the Internet, including television-like telemedia and video-sharing services, and on mandatory notices. Advertising should not be excessive or aimed at minors or other similarly vulnerable groups. Misleading advertising for public gambling services is prohibited, especially if it contains inaccurate messages about the chances of winning or the type or size of the prizes. Advertising must not suggest that gamblers can influence the outcome of games of chance or that gambling can solve financial problems. Advertising that resembles editorial content is prohibited, while Internet, radio or television advertising for virtual slot machines,

online casinos and online poker is only allowed between 9 p.m. and 6 a.m. Advertising for betting services on a sports event directly before or during a live broadcast of the event concerned is prohibited on the channel broadcasting the event. Advertising for sports betting featuring current athletes and officials is also forbidden, as are the advertisement and sponsorship of illegal gambling services.

It appears likely that, despite intense debate on the subject, the required number of ratifications for the GlüStV 2021 will be reached and that gambling regulations will therefore be relaxed.

Staatsvertrag zur Neuregulierung des Glücksspielwesens in Deutschland

[https://bravors.brandenburg.de/br2/sixcms/media.php/68/GVBl I 06 2021-Anlage.pdf](https://bravors.brandenburg.de/br2/sixcms/media.php/68/GVBl_I_06_2021-Anlage.pdf)

State treaty on a new system of regulation for gambling in Germany

Übersicht über den Stand der Ratifikation

<https://www.automatenwirtschaft.de/uebersicht-ratifizierung-gluecksspielstaatsvertrag-deutschland/>

Overview of the status of ratification

