



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0593/DE (Germany)

Act amending the North Rhine-Westphalia Online Casino Game Act

Date received : 30/10/2024

End of Standstill : 31/01/2025 (03/03/2025)

Message

Message 001

Communication from the Commission - TRIS/(2024) 2914

Directive (EU) 2015/1535

Notification: 2024/0593/DE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20242914.EN

1. MSG 001 IND 2024 0593 DE EN 30-10-2024 DE NOTIF

2. Germany

3A. Bundesministerium für Wirtschaft und Klimaschutz, Nationale Kontaktstelle im Ref. EB3

3B. Ministerium des Innern des Landes Nordrhein-Westfalen, Referat 13

4. 2024/0593/DE - H10 - Games of chance

5. Act amending the North Rhine-Westphalia Online Casino Game Act

6. Gambling – Information Society services

7.

8. The aim of the notified draft Act is to further regulate the offering of online casino games, as defined in § 3(1a) of the 2021 State Treaty on Gambling (GlüStV 2021), in North Rhine-Westphalia (NRW). Notification is being made because it



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cannot be ruled out that the provisions of the draft contain rules requiring notification with respect to services under Directive (EU) 2015/1535.

The Amending Act is based on the provisions of the 2021 State Treaty on Gambling (notification number 2020/0304/D), which entered into force on 1 July 2021. § 4(4) in conjunction with § 22c of the State Treaty allows the Federal States, within the regulatory framework laid down by the State Treaty, to organise online casino games in their territory or to grant concessions for the organisation of online casino games.

According to § 3(1a) GlüStV 2021, online casino games are virtual replicas of banking games and live broadcasts of a terrestrially conducted banking game with the possibility of participating over the Internet.

The draft makes additions to the previous wording of the Act (notification number 2021/0527/D49) and regulates, in particular, the activities of service providers that enable the live broadcasting of online casino games from other premises within the meaning of § 14 of the NRW Online Casino Game Act.

9. After careful consideration of all the legal interests concerned, the regulations on service providers are being amended. A review of the (European) market has shown that live broadcasting from other premises is associated with enormous costs. Not only must suitable premises be available, but extensive technology must also be installed and a correspondingly large number of staff must be employed. The use of such premises by only one concession holder would normally not be economically viable. In the market there are efficient service providers specialising in providing such premises. The amendment therefore primarily serves the purpose of channelling, because without the use of a service provider there is a risk that the concession holders would not make use of the offering of live broadcasting from other premises due to the lack of economic viability.

10. Reference to the basic texts: The basic texts were submitted as part of an earlier notification:
2020/0304/D
2021/0527/D

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

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