

DRAFT

Year 2025**Issued on xx. xxxxxx 2025**

xxth Act: Vienna Events Act 2020 (Wr. VMP Change)

Act amending the Vienna Events Act 2020 (Wr. VG).

The Viennese Parliament has decreed as follows:

Article I

The Vienna Events Act 2020 (Wr. VG), Provincial Law Gazette for Vienna No 53/2020, is hereby amended as follows:

1. *In the table of contents, the entry for § 32 reads ‘Environmentally friendly events’.*
2. *§ 4 Paragraph 2 point 1 reads as follows:*

‘1. Theatre performances in rooms or tents if more than 50 visitors can attend at the same time;’
3. *§ 4 Paragraph 2 point 3 reads as follows:*

‘3. Film screenings and similar projections outdoors or in tents;’
4. *§ 5 Point 1 reads:*

‘1. Music performances outdoors or in tents that are not subject to registration and for which the venue has not already been determined to be suitable (§ 23(8));’
5. *In §§ 6(2), 7(1), 10(5) and 14(2), the following is inserted after the words ‘EEA Contracting State’ or ‘EEA Contracting State’ the words ‘or Switzerland’.*
6. *In § 6(3) No 3, the citation ‘Federal Law Gazette I No 38/2019’ is replaced by the citation ‘Federal Law Gazette I No 77/2023’.*
7. *The following sentence is added to § 6(6):*

‘The authority must take note of the change of organiser if the personal requirements are met.’
8. *The following paragraph shall be added to § 6:*

‘(7) In the case of reorganisations (mergers, conversions, contributions, fusions, real divisions and demergers), the original entitlement as organiser is transferred to the legal successor. Paragraph 6 applies to the corresponding notification to the authority.’
9. *In § 7(2) and § 16(4), the words ‘Federal Law Gazette I No 104/2018’ are replaced by the words ‘Federal Law Gazette I No 123/2021’.*
10. *In § 7(2), last sentence, the words ‘and (3) No 1 and 2’ shall be replaced by the words ‘or (3) No 1 or 2’.*
11. *In § 8(3), the word ‘§ 8’ is deleted.*
12. *In § 12, first sentence, after the word ‘responsible’ the words ‘and authorised to accept official documents’ are inserted.*
13. *In § 15(1), after the word ‘Gaming machines’ the comma is replaced by a full stop and the following subordinate clause is omitted.*
14. *The following sentences are added to § 15(2):*

‘The stake per game may not exceed the amount of EUR 1 and the sum of the promised financial benefits may not exceed EUR 5 or a mere automatic game extension of up to five free games. Money or vouchers as a

pecuniary benefit are not permitted. In the case of amusement machines that do not offer the prospect of a pecuniary reward, the stake may not exceed EUR 2 per game.'

15. In § 16(3) No 8 the words 'waste concept' are replaced by the words 'Environmental and waste concept.'

16. § 18 (4) is worded as follows:

'(4) Fire protection and building services systems that have already been approved by the authorities in other federal or state law procedures or in accordance with the Vienna Lifts Act 2006, Provincial Law Gazette No 68/2006, as amended, shall be regarded as suitable under event law.'

17. In § 18(7) first sentence, the words 'upon reasoned request' are deleted.

18. § 18 (7) 2nd sentence reads: 'Organisational measures are only permitted if the event is temporary and not regular and would otherwise involve disproportionate financial expense.'

19. The following paragraph shall be added to § 20:

'(4) In the case of venues that have been in existence for at least three decades and have a capacity of more than 1,000 visitors, § 18(1) No 3 shall not apply when considering noise protection in relation to buildings constructed at a later date, provided that events are held to the extent previously approved or permitted, if the organiser or the owner of the venue can prove that the venue is of great historical, cultural, economic or touristic importance for Vienna. When assessing the permissibility of immission levels in accordance with § 23(3) and (4), the nearest neighbouring residents' lounges in this case are those that were used in front of the later constructed buildings.'

20. In § 23(3), the text before Table I reads:

'In the case of outdoor events or events in tents, the noise caused by the event directly outside the windows of the nearest neighbours' rooms must not exceed the immission limits specified in Table I. From April to October, the values apply on evenings before Saturdays, Sundays and public holidays from 7 a.m. to 11 p.m. and from 11 p.m. to 7 a.m. (except in categories 1 and 2).'

21. In § 23(4), the words in brackets 'from April to October until 11 p.m.' are supplemented by the words 'and on the night from New Year's Eve to New Year's Day until 2 a.m.'.

22. § 23 Section 6 reads as follows:

'(6) At the request of the authority, soundproofing evidence must be submitted showing that the statutory or requested limit values for the avoidance of unreasonable nuisance are complied with.'

23. § 23 Section 8 reads as follows:

'(8) For events with music performances in the open air or in tents pursuant to § 5 No 1, the authority must be notified at least one week before the start of the event if the venue has not already been determined to be suitable. The notification must contain details of the time, place and size of the event and the type of performance. If the notification shows that the legal requirements for notification are not met, the authority must determine this.'

24. In § 24(3) No 2, the words 'last amended by Provincial Law Gazette for Vienna No 13/2019' are replaced by the words 'in the applicable version'.

25. In § 24(3) No 4, the time '1 a.m.' is replaced by '2 a.m.'.

26. In § 24(4), after the words '(1) to (3)' the words '(with the exception of (2) No 1 and (3) No 1) and of blocking periods already stipulated by official notice' are inserted.

27. In § 24(5), the word 'to be determined' is replaced by the word 'to be established'.

28. The following paragraphs shall be added to § 26:

'(5) For events where 300 or more visitors can attend at the same time, an awareness concept must be drawn up and awareness officers must be appointed to prevent harassment of visitors if the following event elements are cumulative and predominate with regard to the event as a whole:

1. Musical performances,
2. Dance floor or standing area in front of the stage,
3. Serving alcohol and
4. End of the event after 9 p.m.

(6) The awareness concept must at least define a rescue chain and its triggering. Visitors must be made aware of how the rescue chain is triggered. If 300 or more visitors can attend the event at the same time, one awareness officer must be appointed, two if 600 or more are present at the same time, three if 1,000 or more are present at the same time, four if 2,000 or more are present at the same time, five if 3,000 or more are present at the same time and six if 4,000 or more are present at the same time. For events that can be attended by 5,000 or more visitors at the same time, a proportionate number must be specified in the awareness concept. Awareness officers may also fulfil other functions, provided that this does not hinder their work as awareness officers. At least every second authorised person must be female. Awareness officers must be equipped with emergency communication devices that are ready to receive at all times.'

29. § 27 (1) is worded as follows:

'(1) For events where more than 1,000 visitors can attend at the same time, the organiser must draw up house or site rules. In the case of events that present an increased risk potential for the protection interests specified in § 18(1), the authority may also require the creation of house or site rules if the number of persons is below this limit.'

30. § 27 (2) is worded as follows:

'(2) If the house or site rules are not approved in the course of the registration or suitability assessment procedure, they must be reported to the authority. The authority must also be notified of any changes to the house or site regulations. If the house or site rules comply with the statutory provisions, the authority must take note of them; otherwise, the licence must be refused.'

31. In § 27(4), the full stop at the end of No 5 shall be replaced by a comma and the following No 6 shall be added:

'6. In accordance with § 26(5) and (6), the availability of an awareness officer and information on triggering an awareness rescue chain.'

32. The following sentence is added to § 27(6):

'In the event of non-compliance with the removal order, the monitoring bodies are authorised to enforce it by direct coercive force pursuant to §§ 29 and 50 of the Security Police Act (SPG), Federal Law Gazette No 566/1991, as amended by Federal Law Gazette I No 122/2024.'

33. The following paragraph shall be added to § 28:

'(7) WC facilities in outdoor areas that are not permanently attended must be adequately illuminated from all sides in the absence of daylight.'

34. In § 30(5), the words 'Federal Law Gazette I No 23/2020' are replaced by the words 'Federal Law Gazette I No 21/2024'.

35. In § 31(2) in Clause 9 after the comma, the word 'and' is omitted and in Clause 10 the full stop is replaced by a comma.

36. The following Clauses 11 and 12 shall be added to § 31(2):

'11. Awareness concept for the prevention of nuisance to visitors in accordance with § 26(5) and (6), and
'12. Measures to adequately illuminate or make inaccessible outdoor areas that are difficult to see in the absence of daylight.'

37. The heading for § 32 shall read:

'Environmentally friendly events'

38. In § 32,(3) to (5) are renumbered as '(5)' to '(7)'; (1) and (2) are replaced by the following paragraphs (1) to (4):

'(1) When organising events, care must be taken to protect the environment as far as possible. At events, care must be taken to use energy-efficient and environmentally friendly event technology and lighting. The use of gas-generating appliances (e.g. gensets, heat guns) is only permitted if the connection to an electricity grid would lead to disproportionate technical effort in relation to the environmental benefit or is not economically reasonable.'

(2) In the case of events that may be attended by more than 2,000 visitors in total, the organiser must draw up an environmental and waste concept and keep it available for inspection by the authorities and the Vienna Provincial Police Directorate at all times.

(3) In any case, the concept must include the following environmentally relevant aspects:

1. Measures to incentivise the use of public transport or bicycles to travel to and from the event venue,
2. Measures to reduce energy consumption,
3. Measures for the careful use of water,
4. Measures for the use of ecological materials,
5. If necessary, use environmentally friendly giveaways,
6. Protection of the soil and vegetation at outdoor events,
7. Measures to save resources when serving food and drinks (e.g. no serving of portion packs or capsule systems, offering tap water).

(4) In any case, the concept must include the following waste-relevant aspects:

1. A description of the type of event and a description of the waste-relevant processes, the number of people who can attend the event or, in the case of outdoor events, an indication of the area that is publicly accessible to visitors;
2. details of the type, quantity and time to disposal of the waste expected to be produced at the event;
3. measures for waste prevention (e.g. use of large containers), reuse (e.g. reusable packaging), separate collection and treatment;
4. Organisational precautions for compliance with waste management legislation.'

39. § 36 (3) is worded as follows:

'(3) The provisions of § 15(4) and (5) do not apply to the operation of amusement machines in places of public entertainment.'

40. In § 38(2) No 1, after the bracketed expression '(§ 13)' the following words shall be inserted before the comma:

'and in the event of a change of organiser (§ 6(6))'

41. In § 38(2) No 12 and § 43(10), the wording 'Federal Law Gazette I No 58/2018' is replaced by the wording 'Federal Law Gazette I No 34/2024'.

42. In § 39(1) No 2, the words 'last amended by Provincial Law Gazette for Vienna No 57/2019' are replaced by the words 'in the applicable version'.

43. In § 41(6), the words 'Federal Law Gazette. II No 140/2019' are replaced by the words 'Federal Law Gazette. I No 205/2022'.

44. In § 41(8), the words 'by the organiser' shall be deleted.

45. In § 42 No 1, the words 'last amended by Provincial Law Gazette for Vienna No 11/2019' are replaced by the words 'in the applicable version'.

46. § 43 Paragraph 1 point 6 reads as follows:

'6. does not comply with the provisions of § 32, with the exception of (1) first and second sentence, on environmentally friendly events or the officially authorised waste concept or environmental and waste concept;'

47. § 43 Paragraph 2 point 9 reads as follows:

'9. as an organiser, fails to comply with requirements, orders or conditions in notices that were prescribed pursuant to §§ 9, 14(4), (16), (17), (18), (19), (20), (22), (33) or continue to apply pursuant to § 47(1);'

48. § 43 Paragraph 3 point 4 reads as follows:

'4. contravenes the provisions of § 15 on the operation of amusement gaming machines;'

49. In § 45 No 2, the words 'Federal Law Gazette I No 104/2018' is replaced by the words 'Federal Law Gazette I No 160/2023'.

50. § 45 Point 4 is deleted.

51. The following paragraph shall be added to § 47:

‘(10) If there is already an approved waste concept for an event location that is suitable for the respective event, this must be supplemented within one year with the contents of § 32(3) and notified to the authority. If the environmental and waste concept complies with the statutory provisions, the authority must take note of it, otherwise the licence must be refused.’

Article II

Entry into force

Art. I No 1, 15, 28, 31, 33, 35, 36, 37, 38, 46 and 51 shall enter into force one year after the date of promulgation. Art. I No 12 and 18 shall enter into force three months after the date of promulgation. The remaining clauses of Art. I shall enter into force on the day following their announcement.

Article III

This law has been notified in accordance with the provisions of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services <notification number>.

Governor:

Director of the Provincial Administrative Offices: