

# PROVINCIAL LAW GAZETTE

## FOR VIENNA

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Year 2025

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33rd Act: Vienna Events Act 2020 (Wr. VG); Amendment

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

The Viennese State Parliament has decreed:

#### 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 Sec. 32 reads “Environmentally friendly events”.*
2. *Sec. 4, para. 2, clause 1, reads:*
  - “1. Theatre performances in interior spaces or tents if more than 50 visitors can attend at the same time;”
3. *Sec. 4, para. 2, clause 3, reads:*
  - “3. Film screenings and similar projections in the open air or in tents;”
4. *Sec. 5 clause 1 reads:*
  - “1. Music performances in the open air or in tents that do not require registration and for which the venue has not already been determined to be suitable (Sec. 23, para. 8);”
5. *In Sec. 6 para. 2, Sec. 7 para. 1, Sec. 10 para. 5, and Sec. 14 para. 2, the phrase “EEA Contracting State” the phrase “or Switzerland” is inserted.*
6. *In Sec. 6 para. 3 clause 3, the citation “BGBl. I No. 38/2019” is replaced by the citation “BGBl. I No. 77/2023”.*
7. *The following sentence is added to Sec. 6, para. 6:*

“The authority must take note of the change of organiser if the personal requirements are met.”
8. *The following paragraph is added to Sec. 6:*

“(7) In the event of reorganisations (mergers, transformations, contributions, consolidations, real divisions and demergers), the original authorisation as organiser shall pass to the legal successor. Paragraph 6 applies to the corresponding notification to the authority.”
9. *In Sec. 7, para. 2, and Sec. 16, para. 4, the phrase “BGBl. I No. 104/2018” is replaced by the phrase “BGBl. I No. 123/2021”.*
10. *In Sec. 7 para. 2, last sentence, the phrase “and para. 3, clauses 1 and 2” is replaced by the phrase “or para. 3, clause 1 or 2”.*
11. *In Sec. 8, para. 3, the word “Sec. 8” is deleted.*

12. In the first sentence of Sec. 12, after the word “competent” the phrase “and authorised to accept official documents” is inserted.

13. In Sec. 15, para. 1, after the word “slot machines”, the comma is replaced by a full-stop and the following subordinate clause is deleted.

14. The following sentences are added to Sec. 15, para. 2:

“The stake per spin may not exceed the amount of 1 euro and the sum of the promised financial benefits may not exceed 5 euro or a mere automatic spin extension of up to five free spins. Cash or vouchers as a financial contribution are not permitted. For amusement slot machines that do not offer any monetary reward, the maximum stake per spin may not exceed 2 euro.”

15. In Sec. 16, para. 3, clause 8, the word “waste concept” is replaced by the words “environmental and waste concept”.

16. Sec. 18, para. 4, reads:

“(4) Fire protection and building services systems which have already been officially approved in other federal or state legal procedures or in accordance with the Vienna Lifts Act 2006, LGBI. No. 68/2006, as amended, are deemed to be suitable under event law.”

17. In the first sentence of Sec. 18, para. 7, the phrase “upon a reasoned request” is deleted.

18. Sec. 18, para. 7, second sentence, reads: “Organisational measures are only permitted if the event is temporary and not regular and would otherwise involve disproportionate financial expenditure.”

19. The following paragraph is added to Sec. 20:

“(4) In the case of event venues that have been in existence for at least three decades and that have a capacity of more than 1,000 visitors, Sec. 18, para. 1, clause 3, shall not apply when taking noise protection into account compared with buildings constructed at a later date, provided that events are held within the previously approved or permissible scope and the organiser or owner of the event venue proves that the event venue is of great historical, cultural, economic or touristic importance for Vienna. In assessing the admissibility of the noise emission levels pursuant to Sec. 23, paras. 3 and 4, the nearest living spaces of residents shall be considered to be those that were used before the buildings constructed at a later date.”

20. In Sec. 23 para. 3, the text before Table I reads:

“At events held in the open air or in tents, the noise caused by the event directly in front of the windows of the nearest living spaces of residents must not exceed the noise emission limit values set out in Table I. From April to October, the values apply on the 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 Sec. 23, para. 4, the phrase in brackets “from April to October until 11 p.m.” is supplemented by the phrase “and on the night from New Year’s Eve to New Year’s Day until 2 a.m.”.

22. Sec. 23, para. 6, reads:

“(6) At the request of the authority, acoustic evidence shall be submitted showing that the statutory or requested limit values are complied with to avoid unreasonable nuisance.”

23. Sec. 23, para. 8, reads:

“(8) In the case of events with musical performances in the open air or in tents pursuant to Sec. 5, clause 1, notification must be given to the authorities at least one week before the start of the event if the venue has not already been found to be suitable for that purpose. The notification must contain information about the time, place and size of the event as well as the type of performance. If the notification shows that the legal requirements for the notification are not met, the authority must determine this.”

24. In Sec. 24, para. 3, clause 2, the phrase “last amended by LGBI. for Vienna No. 13/2019” is replaced by the phrase “in the current version”.

25. In Sec. 24, para. 3, clause 4, the time indication “1 a.m.” is replaced by “2 a.m.”.

26. In Sec. 24, para. 4, after the phrase “paras. 1 to 3” the phrase “(with the exception of para. 2, clause 1, and para. 3, clause 1) and of cut-off times already stipulated by official notice” is inserted.

27. In Sec. 24, para. 5, the word “to be set” is replaced by the word “to be determined”.

28. The following paragraph is added to Sec. 26:

“(5) For events in which 300 or more visitors may attend at the same time, an awareness concept must be developed and awareness officers must be appointed to prevent nuisance caused by visitors if the following event elements are present cumulatively 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. Alcohol served and

4. End of the event after 9 p.m.

(6) The awareness concept shall specify at least one rescue chain and its activation. Visitors must be informed as to how the rescue chain is activated. If 300 or more visitors can attend the event at the same time, one awareness officer must be appointed; if 600 or more visitors can attend at the same time, two awareness officers must be appointed; if 1,000 or more visitors can attend at the same time, three awareness officers must be appointed; if 2,000 or more visitors can attend at the same time, four awareness officers must be appointed; if 3,000 or more visitors can attend at the same time, five awareness officers must be appointed; and if 4,000 or more visitors can attend at the same time, six awareness officers must be appointed. For events that can be attended by 5,000 or more visitors at the same time, a proportional number must be specified in the awareness concept. Awareness officers may also perform other functions, provided that this does not interfere with their work as awareness officers. At least every second person appointed must be female. Awareness officers must be equipped with communication devices that, in the event of an emergency, are ready to receive at all times.”

29. Sec. 27, para. 1, reads:

“(1) For events in which more than 1,000 visitors may attend at the same time, the organiser must draw up house rules or venue rules. For events that pose an increased risk to the interests protected under Sec. 18, para. 1, the authority may require the preparation of house or venue rules even if the number of people attending falls below this limit.”

30. Sec. 27, para. 2, reads:

“(2) If the house or site rules are not approved during the registration or suitability assessment procedure, they shall be reported to the authority. Changes to house or site rules must also be reported to the authorities. If the house or site rules comply with the legal requirements, the authority must take note of them; otherwise, the permit must be refused.”

31. In Sec. 27, para. 4, the full-stop at the end of para. 5 is replaced by a comma and the following para. 6 is added:

“6. In accordance with Sec. 26, paras. 5 and 6, the availability of an awareness officer and information for activating an awareness rescue chain.”

32. The following sentence is added to Sec. 27, para. 6:

“In the event of non-compliance with the removal order, the supervisory authorities are empowered to take action in accordance with Secs. 29 and 50 of the Security Police Act (SPG), BGBI. No. 566/1991, as amended by BGBI. I No. 122/2024, with direct coercive power.”

33. The following paragraph is added to Sec. 28:

“(7) WC facilities in open air areas that are not constantly attended must be adequately illuminated from all sides in the absence of daylight.”

34. In Sec. 30, para. 5, the phrase “BGBI. I No. 23/2020” is replaced by the phrase “BGBI. I No. 21/2024”.

35. In Sec. 31, para. 2, in clause 9, the word “and” after the comma is deleted and in clause 10, the full-stop is replaced by a comma.

36. In Sec. 31, para. 2, the following clauses 11 and 12 are added:

“11. Awareness concept to avoid nuisance for visitors in accordance with Sec. 26, paras. 5 and 6, and

12. Measures to adequately illuminate or make inaccessible open air areas that are difficult to see in the absence of daylight.”

37. *The heading of Sec. 32 reads:*

**“Environmentally friendly events”**

38. *In Sec. 32, paras 3 to 5, are renumbered “(5)” to “(7)”;* *paras. 1 and 2 are replaced by the following paras. 1 to 4:*

“(1) When holding events, care shall be taken to protect the environment as much as possible. At events, care must be taken to use energy-efficient and environmentally friendly event technology and lighting. The use of exhaust gas-generating devices (e.g. generators, heating cannons) is only permitted if connection to a power grid would result in disproportionate technical effort compared to the environmental benefit or is not economically feasible.

(2) For events that are expected to attract a total of more than 2,000 visitors, the organiser must draw up an environmental and waste management plan and make it available for inspection at any time by the authorities and the Vienna State Police Directorate.

(3) The concept must in any event contain the following environmentally relevant aspects:

1. Measures to create incentives for the use of public transport or a bicycle for travel to and from the event venue,
2. Measures to reduce energy consumption,
3. Measures to conserve water,
4. Measures to use environmentally friendly materials,
5. Use of environmentally friendly giveaways where appropriate,
6. Protection of soil and vegetation at open air events,
7. Measures to ensure resource-saving distribution of food and beverages (e.g. no distribution of portion packs or capsule systems, provision of tap water).

(4) The concept must in any case contain the following waste-related aspects:

1. A description of the type of event and a description of the waste-related processes, the number of people who can attend the event or, in the case of open air events, an indication of the area that is publicly accessible to visitors;
2. Information on the type, quantity and destination of the waste expected during the event;
3. Measures to avoid waste (e.g. use of large containers), reuse (e.g. reusable packaging, stage structures), separate collection and treatment;
4. Organisational measures to ensure compliance with waste management legislation.”

39. *Sec. 36, para. 3, reads:*

‘(3) The provisions of Sec. 15, paras. 4 and 5, shall not apply to the operation of amusement slot machines in places of public entertainment.’

40. *In Sec. 38, para. 2, clause 1, the following phrase is inserted after the bracketed expression “(Sec. 13)” before the comma:*

“and in the event of a change of organiser (Sec. 6, para. 6)”

41. *In Sec. 38, para. 2, clause 12, and in Sec. 43, para. 10, the phrase “BGBI. I No. 58/2018” is replaced by the phrase “BGBI. I No. 34/2024”.*

42. *In Sec. 39, para. 1, clause 2, the phrase “last amended by LGBl. for Vienna No. 57/2019” is replaced by the phrase “in the current version”.*

43. *In Sec. 41, para. 6, the phrase “BGBI. II No. 140/2019” is replaced by the phrase “BGBI. I No. 205/2022”.*

44. *In Sec. 41, para. 8, the phrase “by the organiser” is deleted.*

45. *In Sec. 42, clause 1, the phrase “last amended by LGBl. for Vienna No. 11/2019” is replaced by the phrase “in the current version”.*

46. *Sec. 43, para. 1, clause 6, reads:*

“6. does not comply with the provisions of Sec. 32, with the exception of the first and second sentences of para. 1, on environmentally friendly events or the officially approved waste management plan or environmental and waste management plan;”

47. *Sec. 43, para. 2, clause 9, reads:*

“9. as an organiser, fails to comply with requirements, orders or conditions in notices prescribed pursuant to Secs. 9, 14 para. 4, 16, 17, 18, 19, 20, 22, 33, or continue to apply pursuant to Sec. 47, para. 1;”

48. *Sec. 43, para. 3, clause 4, reads:*

“4. violates the provisions of Sec. 15 on the operation of amusement slot machines;”

49. *In Sec. 45, clause 2, the phrase "BGBI. I No. 104/2018" is replaced by the phrase "BGBI. I No. 160/2023".*

50. *Sec. 45, clause 4.*

51. *The following paragraph is added to Sec. 47:*

“(10) If an approved waste management concept suitable for the event in question already exists for an event venue, it must be supplemented within one year to include the contents of Sec. 32, para. 3, and notified to the authority. If the environmental and waste management concept complies with the legal requirements, the authority must take note of this; otherwise, the permit must be refused.”

## **Article II**

### **Entry into force**

Art. I, clauses 1, 15, 28, 31, 33, 35, 36, 37, 38, 46 and 51, shall enter into force one year after the date of publication. Art. I, clauses 12 and 18, shall enter into force three months after the date of publication. The remaining numbered clauses of Art. I shall enter into force on the day following publication.

## **Article III**

This Act was 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 2024/627/AT).

State Governor:

**Ludwig**

Director of the State Office:

**Griebler**