

# SPIELBANKORDNUNG (SpielbO)

SpielbO: Spielbankordnung (SpielbO) (Bavarian Casino Gaming Regulation) of 13 June 1996 (GVBl. p. 232) BayRS 2187-1-1-I (§§ 1–13)

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Based on Art. 4 (1) of the Gesetz über Spielbanken im Freistaat Bayern (Act on Casinos in the Free State of Bavaria) of 26 July 1995 (GVBl. p. 350, BayRS 2187-1-I), the Bayerisches Staatsministerium des Innern (Bavarian State Ministry for the Interior), in agreement with the Bayerisches Staatsministerium der Finanzen (Bavarian State Ministry of Finance), hereby enacts the following ordinance:

## § 1 Authorised games and gaming rules

- (1) The following games of chance are authorised to be offered in casinos:
  1. Roulette, Baccarat, Blackjack, Poker (big games),
  2. Slot machine games (small games).
- (2) The supervisory authority can authorise further games of chance, subject to revocation.
- (3) <sup>1</sup>The casino management fixes the rules of the games according to international practice and standards. <sup>2</sup>The rules for all games offered in the casino must be displayed in the gaming rooms. <sup>3</sup>They are binding for the casino and all gaming guests.

## § 2 Gaming times

- (1) <sup>1</sup>The casinos are allowed to be open daily from 12.00 noon at the earliest until 4.00 a.m. at the latest. <sup>2</sup>The supervisory authority may, in individual cases, permit opening from 10.00 a.m. at the earliest for a limited period and subject to revocation, and on Sundays and public holidays from 11.00 a.m. at the earliest. <sup>3</sup>Art. 3 of the Feiertagsgesetz (Bavarian Act on Public Holidays Act) remains unaffected.
- (2) The supervisory authority may prohibit gambling on certain days for special reasons.
- (3) The daily opening hours and the days on which gaming is prohibited shall be posted at the entrances to the casinos.
- (4) Gaming operations may only commence if at least one member of the casino supervisory service is present.

## § 3 Gambling bans

Participation in the games is prohibited for persons

1. who have not yet reached the age of 21;
2. who are involved in the supervision or operation of the casino, who have an employment or service relationship with the casino or another Bavarian casino or who run or are employed in an ancillary business, as well as the spouses or partners of the aforementioned persons;
3. for whom there is reason to assume that their income and financial circumstances are not suitable for participation in gambling;

4. who have been denied access to the casino by the casino due to a violation of the Casino Gaming Regulation or the gaming rules or due to suspicion of a serious violation or on the basis of the casino's right to undisturbed possession of premises and to keep out trespassers („Hausrecht“);

5. who are barred from gambling on the basis of Art. 4a (2) sentences 1 to 3 of the Bavarian Casinos Act (Spielbankgesetz – SpielbG).

## § 4 Access authorisation

- (1) Access to the gaming rooms may only be granted upon presentation of a valid official identification card containing a photograph of the holder and a cross-check against the list of barred persons.
- (2) <sup>1</sup>Persons of full age who have not yet reached the age of 21 may be granted access in the company of persons who have reached the age of 21 if it is ensured that the gambling ban under § 3 no. 1 is complied with. <sup>2</sup>Minors must not be granted access to the gaming rooms.

## § 5 Prohibition of access

- (1) The casino is authorised to deny access or withdraw access authorisation in order to comply with the gambling bans.
- (2) The casino's right to deny access on the basis of the casino's right to undisturbed possession of premises and to keep out trespassers („Hausrecht“) without stating reasons or to request persons to leave the casino remains unaffected.

## § 6 Visitor record

- (1) <sup>1</sup>The casino shall keep a visitor record. <sup>2</sup>The first name and surname, date of birth, place of birth, occupation, nationality, address, type, number and issuing authority of the official identification card, days of visit as well as the beginning and end of gambling bans pursuant to § 3 nos. 3, 4 and 5 shall be recorded therein. <sup>3</sup>The data in the visitor record shall be deleted upon expiry of the two calendar years following the last visit, unless further storage of the data is necessary in individual cases or is generally provided for by special statutory regulations. <sup>4</sup>No visitor record needs to be kept for the small games.
- (2) The casino may require visitors to provide information and suitable evidence of their personal and financial circumstances in order to consider a gambling ban.
- (3) <sup>1</sup>If there is a gambling ban pursuant to § 3 nos. 3, 4 or 5, this ban may be communicated to other casinos using the data stored in the visitor record under para. (1) above. <sup>2</sup>The casino may adopt bans imposed by other casinos. <sup>3</sup>The transfer of such information and data to foreign casinos outside the European Union or the European Economic Area is only permitted if the data protection provisions of the country concerned ensure an appropriate level of protection. <sup>4</sup>The casino should inform the person concerned of the casinos to which the ban is communicated.

## § 7 Video surveillance

- (1) <sup>1</sup>The casino may implement video surveillance (video observation and video recording) to ensure proper gaming operations, for financial and tax control, to protect against manipulation and to protect visitors to the casino. <sup>2</sup>Information on the video surveillance system and the body collecting the data must be displayed in the entrance area and at the vehicle parking areas or entrances.
- (2) The following areas may be surveilled with video cameras:
  1. Outdoor facilities of the casino, including, without limitation, vehicle parking areas and entrances as well as entrances for gaming guests and staff,
  2. Reception area for gaming guests, including, without limitation, foyer, cloakroom, reception,
  3. Gaming area, including, without limitation, gaming rooms and cash desks, and
  4. Internal security areas, accounting and cashier rooms.
- (3) <sup>1</sup>The surveillance of the outdoor facilities under para. (2) no. 1 above may also include neighbouring public traffic areas to a minor extent, if and to the extent this is necessary to ensure safety. <sup>2</sup>If vehicle parking areas of the casino are available to the general public outside the casino's operating hours, video surveillance may begin no earlier than one hour before the casino opens; it must end no later than two hours after the casino closes. <sup>3</sup>Notwithstanding sentence 2, the surveillance may be continued on behalf of the operator of the parking areas if the legal requirements for this are fulfilled with the party commissioning the surveillance.
- (4) Art. 24 (4) of the Bayerisches Datenschutzgesetz (Bavarian Data Protection Act) shall apply accordingly to the deletion and the deletion period.
- (5) <sup>1</sup>The data from the video surveillance may only be processed for the purposes of para. (1) sentence 1 above, for the assertion of related legal claims, for the prevention of threats to public safety and order and for the prosecution of administrative offences of considerable significance or criminal offences. <sup>2</sup>The data may be processed by
  1. the management of the casino,
  2. the management of the branch offices of the casino surveillance,
  3. the management, and the management of the „Casinos“ department, of the State Lottery Administration (Staatliche Lotterieverwaltung),
  4. the bodies responsible for casino supervision and the management of the „Central Administration of the Casino Supervision Service“ („Zentralverwaltung des Spielbankaufsichtsdienstes“) department at the State Lottery Administration (Staatliche Lotterieverwaltung),
  5. during gaming operations, the technical manager, the hall managers and the supervisory officers on duty, and

6. the police and the public prosecutor's office within the limits of their statutory duties. <sup>3</sup>The powers under sentence 2 nos. 1 to 5 above shall also be vested in and exercised by those authorised to perform the respective tasks.

## § 8 Stakes

- (1) <sup>1</sup>Stakes must be paid in tokens (jetons, chips) or in euros. <sup>2</sup>In the case of slot machines, paying in the stakes by means of smart cards may be permitted.
- (2) <sup>1</sup>The minimum and maximum stakes for the individual games must be determined in the gaming rules and clearly displayed at the gaming tables and slot machines. <sup>2</sup>A game announcement (announcement) is only valid if the stated amount has been paid and the game announcement has been accepted by the dealer by repeating the announcement.
- (3) <sup>1</sup>Every player is responsible for their own stake. <sup>2</sup>The position of the stake or the winning image on slot machines at the time of the decision is decisive for determining the winnings. <sup>3</sup>In case of doubt, the game management shall decide.
- (4) <sup>1</sup>Chips are to be exchanged for jetons when leaving the gaming table. <sup>2</sup>Jetons are to be exchanged at the cash desks when leaving the casino. <sup>3</sup>Credit and winnings from a smart card must be redeemed when leaving the casino; exceptions may be permitted in the licence. <sup>4</sup>Winnings from slot machines in excess of two thousand euros may only be paid out on presentation of a valid official identification card.
- (5) <sup>1</sup>The casino may withdraw tokens and smart cards from the game at any time and replace them with others. <sup>2</sup>The tokens and smart cards withdrawn from the game lose their validity upon withdrawal.

## § 9 Prohibition of technical aids

The casino may prohibit visitors from using technical aids of any kind.

## § 10 Prohibition of granting credit

The granting of credit to visitors by employees of the casino and its ancillary businesses is prohibited.

## § 11 Supervision

- (1) All visitors to the casino are obliged to follow the instructions of the casino staff and to present identification documents on request.
- (2) <sup>1</sup>Disagreements between gaming guests and casino staff regarding the application of the Casino Gaming Regulation or the gaming rules shall be settled by the casino management or its authorised agents. <sup>2</sup>Their decision is final. <sup>3</sup>Gaming guests are not entitled to claim the consultation of video surveillance footage (§ 7).

## § 12 Display

This Casino Gaming Regulation must be clearly displayed at the entrances and in the gaming rooms.

## § 13 Effective date

This Casino Gaming Regulation enters into force on 1 July 1996.

Munich, 13 June 1996 **Bayerisches Staatsministerium des Innern** (Bavarian State Ministry for the Interior) Dr Günther Beckstein, Staatsminister (State Minister)



# SPIELBANKEN BAYERN

www.spielbanken-bayern.de

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