

Former President of the German Federal Constitutional Court, Prof. Dr. Dres. h.c. Hans-Jürgen Papier: Foreword to the new handbook for judges on German Gaming Law

Kommentar zum Glücks- und Gewinnspielrecht in den Medien (Commentary on Betting and Gaming Law in the Media)

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Medien,_*“:[http://www.beck-shop.de/Streinz-Liesching-Hambach-Gluecks-Gewinnspielrecht-](http://www.beck-shop.de/Streinz-Liesching-Hambach-Gluecks-Gewinnspielrecht-Medien/productview.aspx?product=10259966)

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No other area of public law has experienced a similarly far-reaching and rapid development in recent years as has the field of betting and gaming law, not least including, above all, the law governing sports bets. This was due to a variety of reasons, based in part on technological development, but also on legal considerations, under aspects of EU law as well as constitutional law. Online media and the offers contained in these media naturally are no longer constrained by national borders, and in particular, not by the state borders within the federalist structure of Germany. EU law and the European Court of Justice's case law which bindingly interprets this law, but also German court decisions (not least by the Federal Constitutional Court (BVerfG)), furthermore gave important impulses towards a reform of German betting and gaming law. Recent legislation in this area, has, in particular, been

shaped by decisions handed down by the European Court of Justice with regard to the „coherent“ structuring, and by the Federal Constitutional Court regarding the consistent and congruous pursuit and implementation of the protection principle and protection level chosen by the legislator. All of the above reasons have changed the entire legal field of betting and gaming law – which had originally been characterised primarily by the public administrative monopoly – into a strongly liberalised legal area which, however, and probably just for this reason, still continues to raise important specific questions of EU law, national constitutional law, administrative law and criminal law. This means that this area of law has turned into a virtual treasure trove for practical legal problems which is enriched by the fact that in the Federal Republic of Germany, and in the various federal states which have overriding competence for this area of law, there is no continuous and uniform legal regime. Due to its major factual and financial significance, the online area is focused upon here. The commentary thus satisfies a strong desire on the part of the affected commercial circles as well as of those who have to implement this important and interesting area of law by applying it in practice.

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For further information on this legal commentary, please „click here“:<http://www.beck-shop.de/Streinz-Liesching-Hambach-Gluecks-Gewinnspielrecht-Medien/productview.aspx?product=10259966>.