

Gaming in Germany Newsletter – No virtual slots licenses in 2021 as German advertising battles heat up

GAMING GERMANY

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Recent statements by the regulatory authority confirm that no licenses for virtual slot machines and online poker will be granted in the coming weeks. While it is uncertain when the first such licenses will be granted, insiders expect that could happen in February or March at the very earliest.

Reportedly, Germany's national gambling regulator in Saxony-Anhalt has decided to await the outcome of political discussions on new gambling advertising regulations. Although a recent attempt by Ulrich Mäurer (SPD), the Minister of the Interior of the Land Bremen, to introduce a ban on gambling advertising failed to garner sufficient support among his peers, some additional restrictions could still be announced in the coming months.

Industry representatives, including the Deutscher Sportwettenverband (DSWV), were quick to denounce the proposals tabled by Mäurer.

Although a full advertising ban does not appear to be in the

works for now, other, less far-reaching restrictions could still be introduced.

OASIS exclusion database queries cheaper in 2022

Germany's sports betting authority, currently still the Regierungspräsidium Darmstadt, has made it slightly cheaper for licensed operators to consult the OASIS national exclusion database from January 1, 2022.

Every time a player wishes to participate in a game of chance – either land-based or online – the operator must check whether the player is registered in OASIS. The costs of this procedure depend on the total number of database queries made each year. Additional queries beyond certain threshold values become progressively cheaper.

Deutscher Sportwettenverband welcomes new members

Sports betting operators BildBet and Sportwetten.de have become members of German sports betting association Deutschen Sportwettenverband (DSWV), bringing its total membership to 17.

BildBet was created through a collaboration between German newspaper Bild and British bookmaker BetVictor. Sportwetten.de is a new division of horse racing operator Pferdewetten.de AG, focused on sports betting.

“With BildBet and Sportwetten.de, the DSWV is gaining two more renowned and ambitious members. As the only voice of sports betting operators willing to submit to Germany's new gambling regulation, we warmly welcome every Germany-licensed provider to our ranks,” said Mathais Dahms, President of DSWV.

Player reimbursement claims meet with mixed success in German courts

It has become increasingly common for German players to launch court proceedings to demand reimbursement for their online gambling losses, on the basis that operators offered their services illegally. Many of these claims are financed by litigation funders, to whom the plaintiffs cede part of their claims in return for financing the lawsuit.

Different lower courts continue to reach divergent verdicts, both in favor of the claimant (player) and defendant (the operator).

Recently, the Landgericht of Mönchengladbach decided in favor of the claimant, while the Landgericht Bonn ruled in favor of the operator, overturning a decision by a lower court (Amtsgericht).

So far, higher appellate courts have not yet ruled on the merits of these cases, thus allowing a certain amount of legal uncertainty to continue to exist.

ICE London postponed

Due to rising concern regarding the Omicron variant of Covid-19, ICE London and ICE Vox 2022, which were scheduled to run on 31 January-3 February 2022, have been postponed to spring next year, with new dates to be confirmed soon.

“This comes as really disappointing news for everyone connected with ICE London and iGB Affiliate London,” Clarion Gaming managing director Stuart Hunter said.

“However, in what is a rapidly changing situation, it became clear that we could not provide the certainty that our customers need in terms of logistical planning, from the construction of stands to the transportation of equipment, as

well as the booking of flights and accommodation.”

Dutch government promises action on Curaçao-based online gambling

Curaçao, which is a constituent country of the Kingdom of the Netherlands, is home to a large online gambling industry which mostly targets European markets, including Germany.

Dutch Minister for Legal Protection, Sander Dekker recently announced the launch of an action plan designed to combat illegal gambling from Curaçao.

The action plan reportedly includes the introduction of an independent gaming regulator with the power to grant and revoke gaming licenses and to levy fines. The new regulator would also be tasked with ensuring that Curaçao -licensed operators act in accordance with the laws and regulations of the countries they target.