

Answers to frequently asked questions

Applicant

The applicant for a type approval is the party wishing to place the machine on the market. Usually, this party is the manufacturer of the gaming machine.

Applications

Content and form of the applications for type approval are described in the Instruction Sheet for Applicants. For efficient processing, the applicants are to orientate themselves according to the guidelines given in the Instruction Sheet.

Approval

See Type approval

Approval application

See Application

Approval certificate

After type approval has been granted, the holder of the approval (applicant) is issued an approval certificate.

Granting of approval is announced by the PTB on page www.ptb.de/spielgeraete as soon as the first requests for delivery of the approval confirmation have been made.

The data/information contained in the approval certificate are stipulated by the Gaming Ordinance or are required for the inspection:

These are, among others:

- Identification of the gaming machine;
- name and place of residence of the approval holder;
- description of the gaming machine;
- identification of the utilized hard- and software modules.

Approval confirmation

For each prototype copy of an approved type, the holder of the approval receives an approval confirmation and an approval mark.

The approval confirmation contains

- the identification of the gaming machine,
- the name and place of residence of the approval holder,
- the beginning and the end of the period of commercial operation of the prototype copy and
- references to the regulations to be observed in the commercial operation of the prototype copy.

The fees for the issuing of an approval confirmation (including the approval mark) are stipulated by the Gaming Ordinance and amount to € 15.00.

Approval costs

The fees are based upon the time required for the examination. Section 17 of the Gaming Ordinance specifies hourly rates and maximum limits.

The maximum limit amounts to € 4.000; for examinations requiring exceptional expenditure, a maximum of € 8.000 may be levied.

Approval mark

For each prototype copy of the approved type, the approval holder receives an approval confirmation and an approval mark.

The approval mark must clearly show the identification of the gaming machine, name and place of residence of the approval holder as well as the beginning and the end of the period of operation.

Approval number

Prototype copies of an approved type receive a 9-digit number (approval number). This number begins with the type number followed by a consecutive number. It is entered in the approval confirmation and in the approval mark.

Approval supplement

An approval supplement is an addition or amendment to an approval certificate issued earlier, which becomes a part of the valid type approval.

Approved body

In the context of the Gaming Ordinance, this body, approved by the PTB, tests in conformity with section 7, para. 1 of the Gaming Ordinance the conformity of gaming machines to the approved type.

This same task can be assumed by sworn and publically appointed official experts.

Certificate of non-objection

Certificates of non-objection are issued by the *Bundeskriminalamt* (Federal Criminal Police Office) (www.bka.de) on the basis of the *Verordnung über das Verfahren bei der Erteilung von Unbedenklichkeitsbescheinigungen für andere Spiele im Sinne des § 33d Abs. 1 der Gewerbeordnung* (Ordinance regarding the procedure for the issuing of Federal certificates of non-objection in the sense of section 33d, para. 1 of the Trade, Commerce and Industry Regulation Act). Federal laws and legal regulations are to be found under www.gesetze-im-internet.de.

Contact

If you have any questions regarding the approval of gaming machines which are not answered in this Website, the staff members of the PTB Working Group "Gaming Machines" are available to you under the telephone number +49 30 3481-7221 and under the e-mail address spielgeraete@ptb.de

Gaming machine

In the context of the field of responsibility of the PTB, the subject of section 33c of the *Gewerbeordnung* (Trade, Commerce and Industry Regulation Act) is commercially utilized

gaming machines "equipped with a technical device which influences the gaming outcome and offers the possibility of winnings". In general, the gaming machines in question are randomly controlled. Commercial use of a gaming machine is only permitted if the type has been approved by the PTB.

Gaming Ordinance

The Gaming Ordinance regulates, on the basis of the *Gewerbeordnung* (Trade, Commerce and Industry Regulation Act), special questions regarding the approval and running of gaming machines in accordance with section 33c of the *Gewerbeordnung* (Trade, Commerce and Industry Regulation Act). The current version has been published in the *Bundesgesetzblatt*, volume 2006, part I, No. 6 (revised version of the Gaming Ordinance). Federal laws and legal regulations are to be found under www.gesetze-im-internet.de.

German Trade, Commerce and Industry Regulation Act

The *Gewerbeordnung* (German Trade, Commerce and Industry Regulation Act) regulates basic questions and competencies regarding commercially utilized gaming machines. It is superior to the Gaming Ordinance. Federal laws and legal regulations can be found under www.gesetze-im-internet.de.

Handling time

There are currently no average values available regarding the handling time of an approval application.

The time period from submitting the application to the issue of the type approval certificate depends on the quality of the submitted documents and the type specimen as well as the respective waiting list of applications for approval.

Identification of cash gaming machines

A cash gaming machine must be clearly identifiable. This is ensured by means of the machine identification field with the data: type name, approval holder and approval number, as well as the approval mark with the data: type name, approval holder, approval number and initial period of operation, and possibly an inspection sticker for the extension of the period of operation. This identification must be clearly visible on the front side of the machine.

Inspections

For cash gaming machines which have received approval in compliance with the Gaming Ordinance effective from 1.1.2006, the period of operation is limited initially to two years. Such machines are identifiable by the approval number beginning with numeral 2.

Should the machine operator have this gaming machine tested, then if the test is passed, the period of operation is extended for another two years; this prolongation is confirmed by a test sticker.

For cash gaming machines whose type approval was applied for by 31.12.2005 (in compliance with the old Gaming Ordinance), the period of operation, which cannot be extended, is entered in the approval confirmation and in the approval mark on the machine. Such machines are identifiable by the approval number which does not begin with numeral 2.

Inspection sticker

For cash gaming machines which have received approval in compliance with the Gaming Ordinance effective from 1.1.2006, the period of operation is limited initially to two years.

Should the commercial utilizer have this gaming machine tested, then if the test is passed, the period of operation is extended for the next two years; this prologation is confirmed by a test sticker.

Instruction Sheet

The Instruction Sheet for Applicants (Cash Gaming Machines) describes the approval procedure and the filing of application. This instruction sheet can be downloaded from the page *Richtlinien, Merkblätter* (Guidelines, instruction sheets).

Legal bases

The basic ordinances and regulations pertaining to commercially run gaming machines are to be found in the *Gewerbeordnung* (German Trade, Commerce and Industry Regulation Act). The Gaming Ordinance regulates further matters for gaming machines in compliance with section 33c of the *Gewerbeordnung* (Trade, Commerce and Industry Regulation Act - Gaming machines with a predominantly random gaming outcome); the ordinance regarding certificates of non-objection for gaming machines in compliance with section 33d of the *Gewerbeordnung* (Trade, Commerce and Industry Regulation Act - Other types of gaming). Federal laws and legal regulations can be found under www.gesetze-im-internet.de.

Losses

The loss limits are regulated in section 13 of the Gaming Ordinance.

The sum of the stakes minus winnings may not exceed € 80 per hour. Over a longer period of time, the average loss may amount to a maximum of € 33 per hour.

Machine identification field

To make prototype copies identifiable, they are equipped with a machine identification field. Here, the type name, approval holder and approval number must be indicated.

Official expert (publically appointed)

In the context of the Gaming Ordinance, the sworn and publically appointed official expert checks the conformity of the gaming machines to the approved type in compliance with section 7, para. 1 of the Gaming Ordinance.

This same task can also be assumed by a body approved by the PTB.

Period of commercial operation

For cash gaming machines which have been granted approval in accordance with the Gaming Ordinance effective from 1.1.2006, the period of operation is limited initially to two years (initial period of operation). Such gaming machines can be identified by the approval number beginning with numeral 2.

The initial period of operation is entered in the approval mark on the cash gaming machine and noted in the approval confirmation.

Should the commercial utilizer have this gaming machine inspected, then if the inspection is passed, the period of operation is extended for another two years; this prolongation is confirmed by a inspection document and an inspection sticker.

For cash gaming machines whose type approval was applied for by 31.12.2005 (in compliance with the old Gaming Ordinance), the period of operation, which cannot be extended, is entered in the approval confirmation and in the approval mark on the cash gaming machine. Such cash gaming machines can be identified by the type number which *does not* begin with numeral 2.

Prototype copy

Prototype copies are identical with the type specimen. The PTB does *not* grant approval for a single machine, but rather for a type of a gaming machine. For an approved type an approval certificate is issued. Prototype copies of an approved type receive an approval confirmation and an approval mark.

Publication of type approvals

Type approvals are published once a month. On the first day of each month, the list of published types is updated with those which have received an approval confirmation in the previous month, for the first time, i.e. which have been placed on the market for the first time.

The approval certificates published by the PTB are identical to the original approvals. Publication serves to aid execution and inspection in compliance with section 7, para. 1 of the Gaming Ordinance.

Notes

- (1) *Prints of type approvals without a signature and seal do not replace the original approvals.*
- (2) *A type approval may be disseminated only in an unaltered form. Excerpts must be authorized by the Physikalisch-Technische Bundesanstalt (PTB).*
- (3) *Approval is based exclusively on the regulations of section 33 c ff.. of the Gewerbeordnung (Trade, Commerce and Industry Regulation Act) and the regulations of the Gaming Ordinance, enacted in this regard. Regulations regarding protection of health and safety, security technique as well as trademark rights of any kind are not affected by the approval.*

Regulatory offence

A regulatory offence in the context of the Gaming Ordinance is a violation of existing regulations in the exercise of the commerce. A list of possible violations can be found in section 19 of the Gaming Ordinance.

Stakes

The stake limits are regulated in section 13 of the Gaming Ordinance:

At the minimum gaming time of five seconds, the maximum stake is €0.20. For longer gaming times it can amount to a maximum of €2.30. The sum of the stakes (minus the winnings) may not exceed €80 per hour.

Technical Guidelines

To ensure the verifiability and the implementation of the type examination, the PTB has issued Technical Guidelines in compliance with section 13, para. 2 of the Gaming Ordinance. These describe the requirements for the type of gaming machine and the implementation of the type examination. The Technical Guidelines for Gaming Machines can be downloaded from the page *Richtlinien, Merkblätter* (Guidelines, instruction sheets).

Type

The PTB does not grant approval for a single machine, but rather for a gaming machine type. For an approved type, an approval certificate is issued.

Prototype copies receive an approval confirmation and an approval mark.

Type approval

Type approval is the issuing of a decision in the form of an approval certificate, in which, after the type test has been carried out, the conformity of the type with the regulations of the Gaming Ordinance is confirmed and detailed information about the technical properties of the type is given. The type approval entitles requesting delivery of approval confirmations and placing the prototype copies on the market.

Type examination

Before type approval can be granted, the type specimen and the documents to be submitted by the applicant are examined. Testing is carried out at the PTB on the basis of the Technical Guidelines.

Type specimen

For the approval of a gaming machine, the PTB also requires, in addition to the application and the written documents, a type specimen of the cash gaming machine. This type specimen must be identical to the machines to be produced later.

Winnings

The winnings limits are regulated in section 13 of the Gaming Ordinance:

At the minimum gaming time of five seconds, the maximum winnings are €2. For longer gaming times they can amount to a maximum of €23. The sum of the winnings (minus the stakes) may not exceed €500 per hour.