

German Taxation on Online Gaming

	Taxation pursuant to the German Act on Race Betting and Lotteries (RBLA)	German VAT	Schleswig-Holstein Gaming Duty
Online-Betting¹			
Tax rate and Tax base	20% ² of the nominal value of the lot excl. Tax (=16,6%)	19% of the Stakes excl. Taxes (=15,96%)	20% of the Gross Gaming Revenues
a) operated from within Germany	+	- (VAT exemption for sales under the RBLA)	-
b) operated from other EU-memberstates (including eg. Malta)	- Changes to be expected with effect from 01 July 2012 ³	- (no German place of performance, foreign VAT may apply)	+
c) operated from third countries (including eg. Gibraltar)	- Changes to be expected with effect from 01 July 2012 ³	+	-
Online-Casinogames			
Tax rate and Tax base	-	19% of the Stakes excl. Taxes (=15,96%)	20% of the Gross Gaming Revenues
a) operated from within Germany	-	+	-
b) operated from other EU-memberstates (including eg. Malta)	-	- (Changes to be expected from 2015 on ⁴)	+
c) operated from third countries (including eg. Gibraltar)	-	+	-

¹ Betting at fixed quota (Oddset) is subject to the German Act on Race Betting and Lotteries (RBLA). A bill to amend the RBLA has been introduced into parliament and should take effect from 01 July 2012 (Bundestag, Official Records N° 17/8494). After the intended amendments, the RBLA shall cover all Sports Betting.

² Following the draft amendments of RBLA, the RBLA-taxation shall amount to 5 % of the nominal value of the Betting lots. In the light of an RBLA-taxation of 20 % on Lotteries, critics already note that the taxation on gaming remains incoherent.

³ According to the draft amendments of RBLA, the RBLA-taxation shall apply dependent on players' residence or permanent home being within Germany.

⁴ As from 2015, a new VAT-system applies. All services provided to non-business customers via electronic means shall be subject to VAT taxation within their home country.