

## Factsheet on Gambling Bans

### Principle and legal basis

Casinos are legally obliged to impose a gambling ban if they suspect that the person concerned is over-indebted, is not meeting his or her financial obligations or is risking stakes that are disproportionate to his or her income and assets.

The legal basis for issuing and lifting gambling bans are the following provisions of the “Bundesgesetz über Geldspiele” (BGS) and the “Verordnung über Geldspiele” (VGS):

- Suspension of gambling Art. 80 para. 1 let. a and b BGS
- Gambling ban Art. 80 para. 2 BGS
- Self-requested ban on gambling Art. 80 para. 5 BGS
- Lifting of the ban Art. 81 para. 1 - 3 BGS
- Lifting of a self-requested ban Art. 84 BGS

### Gambling bans

The gambling ban applies throughout Switzerland to all land-based and online casinos and the online lottery. The gambling ban is entered in a national register. Access rights to this register are regulated by law.

### Lifting of the gambling ban

The gambling ban may be lifted upon application by the banned person if the reason for the ban no longer exists and the examination of the application is positive. The application must be submitted to the casino or lottery company that imposed the ban. A cantonally recognised specialist must be involved in the lifting procedure (Art. 81 BGS).

In the event of a negative decision by the casino or if the person concerned refuses to cooperate, the person concerned remains barred from gambling until further notice.

A self-requested ban on gambling pursuant to Art. 80 para. 5 BGS may be lifted after three months at the earliest pursuant to Art. 84 VGS.

### Violation of bans

Attempts by the person concerned to violate the gambling ban may result in legal action being taken by the casino (charge of unlawful entry pursuant to Article 186 of the Swiss Criminal Code). Gambling winnings of barred persons are considered unlawful and must be transferred to the OASI in accordance with Art. 52 para. 4 VGS. Stakes are not refunded.