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## Germany – Youth Protection Act / Protection of Young Persons Act (2002)



**Full title:** Youth Protection Act of 23<sup>rd</sup> July 2002 (Federal Law Gazette I, p.2730) (*Jugendschutzgesetz*)  
Abbrev: JuSchG

Entered into force: 1st April 2003

Federal Ministry for Family Affairs, Senior Citizens, Women and Youth ([bmfsfj](#)) provides an English translation of Youth Protection Act / Protection of Young Persons Act [here](#) (Amended up to March 2017)

**Title of Relevant Sections**

- Article 9: Alcoholic beverages (Section 2: Protection of Young Persons in Public)
- Article 11: Film screenings (Section 3: Protection of young people in the context of media; Sub-section 1: Data Media)

**Article 9** Alcoholic Beverages

(1) The following bans shall apply to restaurants, stores and other points of sale:

1. Beer, wine, wine-like beverages or sparkling wine or mixtures of beer, wine, wine-like beverages or sparkling wine with soft drinks to children and adolescents under the age of 16 years,
2. other alcoholic beverages or food items that contain other alcoholic beverages in more than insignificant quantities to children<sup>1</sup> (under 14) and adolescents<sup>2</sup> (aged 14-17) must neither be dispensed to nor permitted to be consumed by them.

(2) Sub-clause 1, No. 1 shall not apply to adolescents accompanied by a custodial person<sup>3</sup>.

(3) In public, alcoholic beverages must not be dispensed from vending machines/ drinks dispensers. This does not apply where:

1. A drinks dispenser is located on a site not accessible for children and adolescents.
2. A drinks dispenser is located in an enclosed commercial area and furnished with mechanical devices or is permanently supervised to ensure that children and adolescents have no access to alcoholic drinks.

§ 20, No. 1, German Licensing Act, remains unaffected.

(4) Sweet drinks containing alcohol (Alcopops) within the meaning of § 1, Sub-clauses 2 and 3, of the Alcopop Tax Act<sup>4</sup>, must not be commercially launched without the label

<sup>1</sup> Art. 1(1): *Children* are persons below the age of 14 years.

<sup>2</sup> Art. 1(2): *Adolescents* are persons who are 14 but not yet 18 years of age.

<sup>3</sup> Art. 1(3): *A Custodial Person* is an individual who is, personally or together with another individual, responsible for care and custody of other persons according to the legal provisions of the (German) Civil Code [BGB]

<sup>4</sup> [Alkopopsteuergesetz](#) = Alcopop Tax Act; s. 1(2): Alcopops within the meaning of this Act are beverages, including in frozen state, which: 1. are made from a mixture of beverages with an alcohol content of 1.2 % by volume or less or fermented beverages with an alcoholic strength of more than 1.2 % vol with products according to § 1 (1) of the Alcohol Tax Act; 2. have an alcohol content of more than 1.2% vol but less than 10% vol; 3. are ready to drink mixed in ready-to-serve, sealed containers; and are subject to alcohol tax as products under § 1 (1) of the Alcohol Tax Act. Section 1(3): Alcopops also include industrially prepared mixture components of beverages according to paragraph 2, which are contained in a common packaging.

URL of source: DE: <http://www.gesetze-im-internet.de/juschg/BJNR273000002.html>

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"Not to be distributed to persons below 18 years of age, § 9, Protection of Young Persons Act" (*Abgabe an Personen unter 18 Jahren verboten, § 9 Jugenschutzgesetz*). This notice shall be attached to the sales package in the font, size and colour of print identical with that of the brand or trade name or with the marketing label or, in case of bottles, on the front label.

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## Article 11

## Film Screenings

- (1) The presence of children and young people at public film screenings is permitted only if the films have been approved by the highest state authority or a voluntary self-regulation organisation in the context of the procedure pursuant to Section 14 para 6 for presentation before them or if they are information, instructional and educational films which the supplier has labelled as "*information programme / infoprogramm*" or "*educational programme / lehrprogramm*".
  - (2) By way of derogation from paragraph 1, attendance at public film screenings with films approved and marked for children and/or adolescents from the age of twelve may also be allowed for children from the age of six if accompanied by a person entitled to custody (i.e. custodial person).
  - (3) Notwithstanding the provisions of paragraph 1, the attendance at public film screenings by the following persons is only permitted if accompanied by a person having custodial or parental authority:
    1. Children under 6 years,
    2. Children aged 6 years and upwards, if the screening ends after 8 pm
    3. Adolescents under 16 years, if the screening ends after 10 pm
    4. Adolescents aged 16 years and above, if the screening ends after midnight.
  - (4) Paragraphs 1–3 apply to the public screening of films, regardless of the type/ method of recording and playback. They also apply to advertising commercials and supporting programmes. They do not apply to non-commercial films, as long as those films are not used for commercial purposes.
  - (5) Commercials or advertising films for tobacco or alcoholic beverages may only be screened after 6 pm, notwithstanding the conditions specified in paragraphs 1–4.
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