

# HOUSE RULES

D.LIVE GmbH & Co. KG

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## Table of Contents:

1	General .....	3
2	Admission control.....	3
3	Instructions.....	3
4	Cloakroom, bag/body searches .....	4
5	Prohibited items .....	4
6	Right to one's own image .....	4
7	Sound levels at music events.....	5
8	House bans.....	5
9	Advertising and decoration.....	5
10	Sale of goods/food and beverages .....	5
11	Driving on the Venue premises/parking areas/garage use.....	5
12	Infection protection rules .....	6
13	Final provisions .....	6

## 1 General

The House Rules define the rights and obligations of visitors during their stay on the premises, in the event halls and event rooms and any extended areas of the house rights (hereinafter referred to as the 'Venue') of the venues operated by D.LIVE GmbH & Co. KG (hereinafter referred to as 'D.LIVE'). The territorial scope of these House Rules shall also apply to extended areas of house rights. The respective organiser and D.LIVE shall monitor compliance with the obligations towards the event visitors

## 2 Admission control

Admission to the Venue for public events is only permitted for visitors with a valid ticket or guests of the organiser. All persons entering the venue are obligated to present, and upon request hand over for validation, their ticket or access authorisation to the control and security service as well as officials working for the police or other regulatory agency.

The agencies specified above are also entitled to inspect articles of clothing and carried containers in order to identify and secure prohibited articles on a random sampling basis and without grounds for suspicion. Anyone refusing to consent to a search of their person can be refused admission to the premises or expelled from the Venue if found there.

Tickets authorise attendance exclusively to the events for which they were given. Visitors are to take the place specified on the ticket for the respective event and only use the entrances designated for it. Leaving the Venue will cause the ticket to become invalid. Any misuse can lead to loss of the ticket and immediate expulsion from the Venue. Ticket scalping can be reported to the police.

The general terms and conditions for tickets of the respective organiser shall otherwise apply.

## 3 Instructions

All facilities of the Venue must be used with due care and consideration. At the Venue, everyone must behave in such a way that no one else is harmed, endangered, hindered or harassed to an extent more than unavoidable under the circumstances.

Structures and installations not intended for general use, in particular façades, fences, walls, fencing of activity spaces, the activity spaces themselves, barriers, stages, lighting equipment, camera platforms, trees, posts and poles of any kind and roofs, are not permitted to be climbed on or climbed over. Thoroughfares, in particular footpaths and roadways, must not be obstructed. Prams, wheeled walkers, mobility aids and other bulky objects are only permitted to be left at the locations provided for them, not in pathways and thoroughfares.

The instructions of the operator/owner or other persons authorised to exercise property rights (e.g. organisers) as well as the security agencies being utilised in connection with it are to be followed. The closure of rooms, parts of buildings and outdoor areas as well their evacuation may be ordered for safety reasons. All individuals who are present in the Venue and on the premises must comply with such requests without delay and, in the event of an evacuation order, must immediately leave the Venue.

Persons recognisability under the strong influence of alcohol and/or drugs will be barred from the event and must leave the Venue. Visitors turned away from the event are not entitled to a refund of the admission fee. The provisions of the Youth Protection Act (<http://www.gesetze-im-internet.de/juschg/>) must be observed. Children up to the age of 14 are only permitted admission if accompanied by an adult. Special provisions are only valid in case of explicit postings at the cash desks and in the entrance areas.

Smoking is banned in all enclosed areas of the Venues operated by D.LIVE.

The smoking ban also applies in its entirety to electronic cigarettes, also known as e-cigarettes. The provisions of the NRW Non-Smoker Protection Act in its valid version from 1 May 2013 apply ([https://www.landtag.nrw.de/portal/WWW/GB\\_II/II.2/Gesetzgebung/Aktuell/01\\_Aktuelle\\_Gesetzgebungsverfahren/NiSchG.jsp](https://www.landtag.nrw.de/portal/WWW/GB_II/II.2/Gesetzgebung/Aktuell/01_Aktuelle_Gesetzgebungsverfahren/NiSchG.jsp)).

**Note:** If the roof of the MERKUR SPIEL-ARENA is closed, smoking is also banned within the entire building.

#### 4 Cloakroom, bag/body searches

For security reasons, a ban on the carrying of bags and backpacks as well as an obligation to check bags, backpacks and coats may be ordered. Unless such searches are prohibited, visitors must expect that their bags and person as well as the contents of any containers, coats, jackets and cloaks being carried will be searched. Visitors who do not agree with the seizure of objects that could endanger the event or visitors by admission or security service will be barred from the event. Rejected visitors are not entitled to a refund of the admission fee. It may be completely prohibited to carry bags and backpacks at certain events.

No liability will be accepted for valuables, money, keys in bags, backpacks or items checked in to the cloakroom.

#### 5 Prohibited items

It is furthermore prohibited to carry the following items within the scope of application of these House Rules:

- Weapons and dangerous objects as well as objects which, if thrown, could cause bodily injury to persons.
- Gas spray bottles, corrosive or colouring substances or pressurised containers for highly flammable or harmful gases, with the exception of commercially available pocket lighters
- Bulky objects such as ladders, stools, chairs, crates, suitcases, etc.
- Containers made of fragile or splintering material
- Fireworks, rockets, Bengal fires, smoke powder, sparklers, glow balls and other pyrotechnic articles
- Untethered balloons filled with flammable gases
- Laser pointers, selfie sticks
- Mechanically and electrically operated noisemakers
- All food and beverages brought in; in individual cases the organiser can decide to make an exception to this rule with the operator
- Animals (with the exception of guide dogs and service dogs)
- Racist, xenophobic and radical right-wing and/or left-wing propaganda material as well as material glorifying violence; the same applies to clothing with the prohibited content specified above as well as corresponding typefaces or symbols; the organiser can impose further bans
- Audio or video recording devices or photographic equipment for the purpose of commercial use
- Drugs
- Whistles
- Flagpoles or transparent poles that are not made of wood or are longer than 1 metre or whose diameter is greater than 3 cm (unless expressly permitted by the organiser)
- Large-scale banners, two-pole banners, large quantities of paper, toilet paper, flagpoles and transparent poles of any size (unless expressly permitted by the organiser)
- Handbags/backpacks larger than DIN A4 format; the respective organiser can impose further bans, see also point 4
- Objects that can be used and under certain circumstances may be intended to prevent the authorities from establishing the identity of a person
- The organiser or operator can impose further bans, which must then also be posted on site

The operation of drones, model aircraft or other unmanned aviation systems is prohibited within and on the extended premises covered by property rights of the venues; the flyover ban must be followed without exception on the outdoor premises ([www.bmvi.de/drohnen](http://www.bmvi.de/drohnen)).

Office tenants are exempted from these regulations within the areas rented by them.

#### 6 Right to one's own image

It is not permitted to create video, photographic, audio or other recordings of any type of events and/or the premises without the permissions required for this under copyright law. If photographs, film and/or video recordings are made in the area of the Venue by employees of D.LIVE, by the organiser or by companies commissioned by the organiser for reporting or advertising purposes, the recording activity must not be obstructed or impaired in any other way. All persons entering or staying in the Venue are advised by these house rules that photography, filming and video recording may not be carried out in the area of the Venue. By entering the Venue, the persons identifiable on such recordings consent to the use of such recordings for reporting as well as advertising purposes.

The video surveillance of the venues operated by D.LIVE is used to control the traffic/visitor flows and for security purposes. It is not utilised for other purposes. Further information can be found at: <https://www.d-live.de/datenschutz/>.

## **7 Sound levels at music events**

The organiser is obligated to inform the visitors that sound levels can be reached in the audience area that can contribute to the development of permanent hearing damage. In order to reduce the risk of damage, we especially recommend the use of hearing protection devices. In the entrance area the organiser shall advise visitors of the corresponding risks of the Venue at such events and provide them with earplugs free of charge upon request. The provisions of the German Technical Instructions on Noise Abatement (TA-Lärm; protection of the neighbourhood), DGUV V3 (protection of employees) and DIN 15905 Part 5 (protection of the audience) apply.

## **8 House bans**

Without prejudice to other rights of the operator/owner or organiser, a house ban without refund can be imposed against persons who negatively impact or endanger the safety and order of an event through their behaviour inside or outside the Venue in relation to the event. Depending on the severity of the offence, this ban may be limited to an individual Venue operated by D.LIVE. However, according to the provisions of associations such as the DFB and the DEL, a country-wide ban on events in stadiums and halls can also be imposed (this predominantly applies to the MERKUR SPIEL-ARENA and the PSD BANK DOME).

If damage is caused due to culpable actions, the originators – unless contractual provisions apply – will be held liable for damage compensation within the framework of the statutory provisions. Should associations assert a claim for damage compensation and/or payment of a monetary penalty against the operator/owner and/or the organiser due to violations of these House Rules by visitors, the violating visitors shall be liable to recourse.

## **9 Advertising and decoration**

Advertising and promotional materials of any type as well as the placement of decorations and other objects are generally prohibited in the Venue if they have not been permitted through the written consent of the operator/owner and/or organiser in the individual case.

The distribution of flyers, folders and periodicals is prohibited on the entire premises including parking lots and parking garages of the Venue, without prejudice to other official regulations, and is permitted exclusively through the consent of the operator/owner and/or the organiser.

## **10 Sale of goods/food and beverages**

The sale of food and beverages to users and other visitors at events is generally only permitted by the companies utilised by the operator/owner for the event.

The offer and sale of goods of any type or the collection of donations is prohibited unless it is carried out within the framework of a contractually agreed authorisation of the respective user or organiser and any permits required under public law have been obtained.

## **11 Driving on the Venue premises/parking areas/garage use**

Vehicle traffic is generally to be kept as minimal as possible within the framework of events. If thoroughfares are also being used as visitor accesses, the vehicle traffic there must be concluded early enough before admission. The provisions of the individual Venues apply. Police, rescue and fire brigade vehicles are exempted from this when in use/on standby.

It is prohibited to drive vehicles onto sports, green and lawn areas unless there is an exception is permitted to contractual agreements or in the event of exigent circumstances.

Vehicles parked in fire rescue paths or on sports, green or lawn areas will be towed or relocated and a fee for this will be charged.

The control and security service as well as police officers and other public order authorities are entitled to search vehicles entering the premises on a random sampling basis without grounds for suspicion in order to identify and seize prohibited items.

By entering garages and other parking areas by foot or by vehicle, users agree to comply with the following rules:

- Soiling caused by oil, petrol, battery acid or similar substances must be removed and the originator shall bear the costs for its removal
- Only permitted, operational and registered vehicles may be parked
- Items that could pose a fire hazard, flammable or environmentally harmful items/materials such as petrol, oil, acids, paints, batteries, old tyres and similar items/substances are not permitted to be stored, emptied, transferred or filled
- It is prohibited to wash vehicles or perform repairs
- It is prohibited to create an open flame or light
- Ventilation systems are not permitted to be closed, switched off or blocked
- It is prohibited to operate electrical devices
- If the garage is located underground, gas-fuelled vehicles are prohibited from being parked there
- Boats, caravans, trailers and similar vehicles are not permitted to be parked

Users of the garages agree to observe the applicable fire protection regulations and are required to exercise the greatest possible consideration when using the garages.

In addition to these rules of use, the rules of the road as well as all applicable official regulations apply.

## 12 Infection protection rules

Currently relevant and communicated infection prevention regulations must be followed at all times.

The instructions of the security staff must be followed.

## 13 Final provisions

These House Rules take effect 13 April 2022.

By purchasing a ticket, visitors accept these House Rules as binding.

D.LIVE can change the House Rules at any time and without giving reasons. Each new version of these House Rules automatically replaces and thereby invalidates the previous version.

D.LIVE reserves the right to temporarily suspend individual items of these House Rules in individual cases.