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USAGE PROVISIONS FOR THE STADIUM INSIDE THE BORUSSIA-PARK

§ 1 SUBJECT MATTER OF THESE PROVISIONS - SCOPE

1. These Usage Provisions for the Stadium have been compiled to ensure the orderly use and infrastructural safety within the BORUSSIA-PARK (hereinafter referred to as “Stadium”).
2. These Stadium Usage Provisions shall apply to the fenced in assembly locations and facilities within the Stadium.
3. The material legal grounds for the Stadium Usage Provisions shall be the principal rights of the owner of the stadium as the organizer within the Stadium.
4. By acquiring an admission ticket for the Stadium, visitors of the Stadium accept these Usage Provisions as binding upon them at the latest when they enter the Stadium.

§ 2 PURPOSES

1. The primary purpose of the Stadium is to serve as a venue for sports events. Moreover, it is possible to permit events that are non-athletic events (e.g. concerts). The Usage Provisions shall apply to all events hosted at the Stadium.
2. The general public shall not have a vested entitlement to use the assembly places and facilities of the Stadium only within the framework of purposes set forth in Article 1.
3. The contracts to be executed on a case by case basis for the use of the Stadium shall be governed by civil law.
4. Borussia VfL 1900 Mönchengladbach shall make all decisions regarding the letting of the Stadium to any third parties.

§ 3 PRESENCE AT THE STADIUM

1. Only individuals who are in possession of a valid admission ticket or other certificate of entitlement (e.g. honorary card, work ID card) or who can prove their right to be present in any other way shall be permitted to be in the part of the Stadium assigned to the respective event.
2. Children and adolescents under the age of 14 shall be permitted to access the Stadium only if accompanied by an adult who shall be required to supervise these guests. Children under the age of 7 shall not be permitted to access block 16 even if accompanied by an adult.
3. Only individuals who have acquired their tickets through legitimate channels shall be permitted to access the Stadium. The sale/gifting of tickets by ticket holders shall be permitted only to such individuals who are acquaintances of the seller. The sale of tickets via the Internet shall be prohibited. The respective valid version of the General Ticketing Terms and Conditions (GTC) of Borussia VfL 1900 Mönchengladbach GmbH for the purchase of tickets shall apply.
4. Stadium visitors shall occupy the seats indicated for the respective event on the ticket. When leaving the stadium, the ticket shall be rendered void; the same shall apply to holders of a year-round pass with regard to the access authorization for the specific game day!
5. For safety/security reasons and to prevent dangers or in the event of other material events the event organizer is not responsible for, stadium visitors shall be required to take another seat than the one indicated on the admissions ticket if so ordered by the security team (OD) or law enforcement.
6. The North Curve (Blocks 13 – 19 in the lower Tribune and in Blocks 13A-19A in the upper Tribune) as well as Block 20 of the West Tribune (direct access to the North Curve is possible due to the



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access scenario) is the home area for fans of the BORUSSIA PARK. Guest fans are prohibited from entering or staying in this area. The OD and law enforcement have instructions and the right to remove, to the extent that this is possible, spectators recognized as guest fans or that draw attention to themselves because of their conduct, from these areas, even if they hold a valid ticket for this area, whereby they shall be assigned another suitable seat, if at all possible. If no other suitable seat can be offered, the respective guest fan shall be ordered to leave the stadium or shall be banned from accessing the stadium.

7. For the presence at the Stadium on non-event days, the provisions specified by Borussia Mönchengladbach shall apply.
8. Anyone under the influence of alcohol, illegal drugs or painkillers, anyone carrying dangerous objects or objects prohibited pursuant to §7 of the Stadium Usage Provisions or who has the intention of jeopardizing the security at the Stadium shall not be given access to the Stadium.
9. In the interest of the safety of the visitors and to prevent hazards, the Stadium and its vicinity are under video surveillance.

§ 4 ACCESS CHECKS BY SECURITY STAFF

1. When accessing the Stadium, every visitor shall be required to present his or her ticket or access identification card within the Stadium at the check points set up by law enforcement or the OD and to hand it over for inspection upon request. The OD shall have the right to check the identity of visitors by inspecting the identification documents issued by the respective government agency (e.g. personal identification card, passport, etc.). Individuals that refuse to consent to performance of searches or the checking of their identities, may be rejected by the identity check personnel and may be denied access to the Stadium.
2. The OD shall have the right to search individuals and shall also be authorized to use technical tools to perform such searches to determine whether anybody poses a safety or security risk because of the consumption of alcohol or drugs or because they carry weapons or dangerous or pyrotechnical objects. Searches shall also include objects visitors bring along and may only be performed subject to the affected individual's consent. Individuals who refuse to be searched shall be rejected and prevented from entering the Stadium! If necessary, separate facilities shall be available for the performance of searches.
3. Individuals who cannot document that they are legitimate residents or in possession of a visitor's visa as well as individuals who pose a security risk, shall be rejected and prevented from entering the Stadium. The same shall apply to individuals who have been banned from entering stadiums nationwide or by a specific stadium as well as visitors who refuse to allow a search pursuant to § 4 Sect. 1, 2.
4. Visitors denied access shall not be entitled to a reimbursement of the price of admission.

§ 5 CONDUCT WITHIN THE STADIUM

1. Every visitor shall be required to maintain conduct that does not harm or jeopardize others or that hinders or creates nuisances to others in a way that exceeds what is preventable under the circumstances.
2. Visitors shall be required to comply with the instructions of the organizer, the security staff, the stadium announcers, of law enforcement and of fire fighters as well as the regulatory agencies.
3. All zones identified as up and down access routes, transportation routes, escape and emergency routes as well as security walking areas shall be kept clear for the purposes they are intended for.
4. For safety reasons and to avert dangers, visitors shall be required to take other seats than those indicated on their admission tickets (including those in other sections) if so instructed by



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authorized parties specified in Section 2 or to leave the Stadium and the adjacent exterior facilities.

5. While events are in process, standing in the seating areas shall be prohibited.
6. These Usage Provisions notwithstanding, other mandates required to prevent or eliminate dangers to lives, health or property may be imposed in individual cases. Compliance with any instructions given by the individuals specified in § 4 Sect. 1, § 5 Sect. 2 for these purposes shall be mandatory.

§ 6 PROHIBITED ACTIVITIES

1. Borussia VfL 1900 Mönchengladbach is opposed to any hostility against foreigners, racist, violence lauding, extreme leftist or right wing tendencies. Consequently, individuals who, primarily through their external appearance affiliated with their political stance generate the impression of an extremist point of view, may be excluded from events. The term external appearance refers in particular the display of tattoos with identifiable radical backgrounds, the wearing of themed garments with logos or insignia that underscore the wearer's attitude as a result of different numbers or signs or certain trademarks that are used as identifying characteristics. Also excluded from events may be individuals who depict such extremist attitudes by using flags, patches, propaganda materials or call-outs.

The following acts shall in particular be prohibited:

- a) Expression or distribution of cruel and inhuman statements as well as those promoting violence, racism, hostility towards foreigners, as well as radical right wing or left wing, obscene or provocative insulting statements;
 - b) Forms of greetings that oppose the freedom inherent in fundamental democratic structures and that depict symbols of organizations that violate the German constitution or are hostile towards same.
2. Borussia VfL 1900 Mönchengladbach stands for an open-minded, tolerant football culture and thus expressly opposes the discrimination of any third parties based on their race, gender or language, ethnic origins, religion or philosophy, their age, any mental or physical handicap or their sexual identity. It shall in particular be prohibited to attack the human dignity of any other person – in particular athletes, trainers, umpire, umpire assistants, other officials and spectators - by making derogatory, discriminating or disparaging statements in words, song, shout-outs or in any other way (e.g. by unrolling banners).
 3. It shall furthermore be prohibited to do any of the following:
 - a) Climbing on or climbing over any structures or equipment not intended for general use, in particular facades, fences, walls, boundaries or the arena field, blockages, lighting systems, pedestals, trees, poles of all kinds and roofs;
 - b) Access to areas to which visitors are not permitted access (e.g. the arena field, the interior rooms, the functionary rooms) without the consent of the organizer or law enforcement
 - c) Wearing of clothing that conceals the wearer's identity or masks or carrying of objects aiming at preventing the identity of the wearer and / or wearing of clothing that identifies the wearer as a person with a racist attitude, hostility towards foreigners or a radically right wing stance
 - d) The throwing of objects of any kind;
 - e) Lighting of fires, ignition or shooting fireworks, light balls or other pyrotechnical objects, magnesium torches, smoke candles, Bengal fires, smoke powder, smoke bombs etc. in the absence of an official permit or to assist with such activities or to incite such activities;
 - f) Performance of any commercial activities, selling, distribution or presentation of newspapers, magazines, printed matters, advertising literature, banners, etc. as well as the



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UEFA-Pokalsieger
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storage of objects or performance of collections in the absence of official written permits from the competent authority (e.g. organizer, owner of the Stadium, regulatory agencies). It shall also be prohibited to conduct promotional depictions by individuals or by the way they are dressed or by way of joint illustration;

- g) Recording of sound, images, descriptions or results of the event without the consent of Borussia VfL 1900 Mönchengladbach or to broadcast same in their entirety or in part via the Internet and other media (including mobile services) or to distribute them publicly or to support other individuals in such activities. Photos or images created by spectators during a game shall be used exclusively for personal purposes. Any commercial use, regardless of the method and by whom, shall be subject to prior written consent;
- h) Writing or painting, scratching on buildings, equipment or pathways; adhesion of objects or causing damages to the former, regardless of the method used;
- i) Urinating or defecating outside of restrooms or soiling the Stadium in any other way, in particular by littering;
- j) Driving into the scope of application of these Usage Provisions with motorized vehicles in the absence of a permit or parking in an area therein that is not designated for this purpose;
- k) Using motorized vehicles 2.5 hours prior to the start of a game after participants have been allowed into the Stadium facilities in the absence of the owner of the Stadium;
- l) Erecting, setting up, mounting or storing of objects, in particular the setting up of tents and recreational vehicles as well as camping in the Stadium area overnight;
- m) Obstruction of infrastructural transportation areas, in particular walkways and drives and setting up of commercial booths in the green zones;
- n) Ganging up with others in the vicinity and during events as defined in these Stadium Usage Provisions. A ganging up scene will be presumed to exist if several individuals are gathering with the intent of committing a mutual activity that identifiably aims at disturbing the public peace.

§ 7 PROHIBITED OBJECTS

1. The carrying, keeping available and provision of the following objects is prohibited:
 - a) Cruel and inhuman, racist, hostility towards foreigners expressing, radical right or left wing, violence promoting propaganda material;
 - b) Displaying symbols of organizations that are in violation of or hostile towards the constitution;
 - c) Weapons of any kind;
 - d) Combat weapons or clothing or objects that can be used as combat weapons or intended for the purpose of defending against law enforcement measures of a carrier of such authority based on the circumstances;
 - e) Objects that can be used as weapons or can be thrown as objects to attack others;
 - f) Corrosive, highly flammable substances, dyes or health hazardous solid, liquid or gas substances;
 - g) Bottles, mugs, pitchers or cans made of fragile, splintering or especially hard material (e.g. plastic, PET) ("TetraPak" containers up to 0.5 liters are permitted);
 - h) Alcoholic beverages or illegal drugs of any kind;
 - i) Bulky objects, such as umbrellas, ladders, seats, chairs, boxes, suitcases, bags or backpacks (larger than DIN A4 / or exceeding dimensions of 25 cm x 25 cm x 25 cm), motorcycle helmets;



- j) Torches, fireworks, light balls, smoke candles, Bengal fires, smoke powder, smoke bombs as well as sparklers or other pyrotechnical objects;
 - k) Telescopic rods of any kind (e.g. selfie sticks), external power sources (e.g. power banks);
 - l) Drones or other flying objects of any kind;
 - m) If a valid flag pass issued by the owner of the Stadium cannot be presented, flags or banner rods exceeding 1.50 meters in length or diameters of 3 cm;
 - n) View obstructing banners brought in with the intention of unrolling the former in order to cover up the performance of illegal acts;
 - o) Mechanically operated noise generators, devices that amplify sound or speaking voices (e.g. fanfares, air or gas operated horns, vuvuzelas, megaphone) or other hazardous objects (e.g. laser pointers);
 - p) Promotional or other commercial objects as well as politically extreme, obscene, provocative and insulting or religious objects of any kind, such as banners, signs, flyers, without the express approval of the organizer;
 - q) The organizer shall have the right to prohibit the bringing along of any other objects on a case by case basis if this is necessary for the safety of the event. This shall in particular apply to security relevant games
 - r) Devices or equipment that can be used to record video and/or sound;
 - s) The organizer shall have the right to seize prohibited items for the duration of the event.
2. The bringing along of pets is not permitted.
 3. The club may grant exemptions from the provisions of §§ 6, 7 if an exception from the rules appears to be justified and is not in conflict with public or safety relevant interests. This shall be contingent upon the timely submission of an application by the affected visitors with the organizer. The identity of visitors shall be verified through the inspection of the identification documents and respective notes shall be taken. Home fans shall be issued a so-called “flag pass” subject to certain conditions, which shall legitimize the use and the bringing of the objects into the Stadium.
 4. The bringing along of medically essential walking aids shall be permitted only in the seating areas and/or designated special locations for safety reasons (keeping clear of escape and emergency responder routes). The security staff is authorized to assign visitors who bring along a walking aid pertinent seating pursuant to §5 Section 4.

§ 8 INDIVIDUALS UNDER THE INFLUENCE OF ALCOHOL OR ILLEGAL DRUGS

1. In the event that individuals who are under the influence of alcohol or other substances that impair the free will (e.g. illegal drugs or painkillers) should be identified within the scope of application of these Usage Provisions, such individuals may be banned from the affected area or from the Stadium.
2. Visitors who are severely drunk (limit: 1.1 ‰), shall not be permitted to stay in the Stadium.
3. Beverages may be dispensed in the exterior area of the Stadium only in such containers that are unbreakable and cannot be used as throwing weapons.

§ 9 EXCLUSION OF LIABILITY

1. Visitors shall enter and use the Stadium at their own risk. The organizer shall assume liability – regardless of the legal grounds – only for damages that have been caused intentionally or as a result of gross neglect by the organizer, the organizer’s legal representatives or agents. The organizer shall not assume any liability for damages to persons or objects that have been caused by third parties.





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2. The above notwithstanding, the organizer must be notified of any accidents and damages immediately.

§ 10 VIOLATIONS

1. In the event that an illegal act or misdemeanour of any kind is being suspected, a criminal complaint shall be filed.
2. Moreover, individuals who violate any of the provisions of the Stadium Usage Provisions may be banned from the Stadium without compensation, may be banned from being allowed to acquire tickets in the future and may be prohibited from entering the Stadium in the future.
3. Borussia VfL 1900 Mönchengladbach shall have the option to demand the payment of a contractual penalty of up to € 2,500 for each violation of the above prohibitions. This shall be without prejudice to further entitlements to compensation for damages.
4. In the event that the organizer should become the target of damage compensation claims and/or monetary fines imposed by third parties (DFB/DFL, UEFA, FIFA, etc.) as a result of Stadium visitor misconduct in violations of these Usage Provisions, such claims shall be filed against the party who caused said damages by way of subrogation.
5. Prohibited objects carried by visitors shall be seized and returned upon voidance of the prerequisites for seizure if they are not needed for the purpose of a criminal investigation.

§ 11 IMPOSITION OF STADIUM BANS

Stadium bans shall be promptly issued in the event of actions that impair the security and safety in the Stadium. As a rule, this shall occur whenever investigations are launched because of such an act. Stadium bans may be issued with local and nationwide effect. The affected party will be given the opportunity to make statements, which, if at all possible, must be filed in writing with the stadium ban officer of Borussia VfL 1900 Mönchengladbach GmbH. If the statement is submitted prior to the imposition of a stadium ban, it shall be taken into account during the decision-making process. Otherwise, the statement may be submitted within two weeks after receipt of the stadium ban notification. The imposition of the stadium ban shall subsequently be reviewed and made subject to the consideration of the statement and the insights gained in the interim. If new facts have arisen, this may result in the voidance or reduction of the stadium ban.

The above shall be subject to the DFB Directives on the Uniform Handling of Stadium Bans.

Mönchengladbach, August 8, 2018
Borussia VfL 1900 Mönchengladbach GmbH

The management board