



Identomat

COMPLIANCE GUIDE

eCommerce & Marketplaces Compliance in Germany

COUNTRY **Germany**

INDUSTRY **eCommerce & Marketplaces**

LAST UPDATED **30 October 2026**

KEY REGULATORS **Bundesnetzagentur (Digital Services Coordinator) · Bundeszentrale für
Kinder- und Jugendmedienschutz · Kommission für Jugendmedienschutz**

Key takeaways

- No licence is needed to run an online shop or marketplace in Germany. Permits apply only to specific goods, such as an online pharmacy permit for medicines.
 - Marketplaces must know their sellers before letting them sell to consumers: collect name, contact details, an identity document, payment account and trade register details, and check them against official databases. Sellers who do not correct false data must be suspended.
 - The same marketplaces must collect sellers' tax identification numbers and dates of birth and report seller income to the Federal Central Tax Office (Bundeszentralamt für Steuern) by 31 January each year.
 - Online sales of tobacco, e-cigarettes, adults-only films and games, and access to adult content, need real age verification. A ticked box or a date of birth is not enough, and adult content needs a one-time identity check plus a login check at every visit.
 - Shops become anti-money laundering (AML) obliged entities as goods traders, but customer checks are triggered mainly by cash payments (EUR 2,000 for jewellery, watches and precious metals, EUR 10,000 otherwise). From 10 July 2027 an EU-wide EUR 10,000 cash cap applies.
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Germany is an open market for online retail and marketplaces. Offering a digital service needs no prior authorisation, and the main obligations come from directly applicable EU law (the Digital Services Act), federal tax law and youth-protection law shared between the federal government and the 16 Länder.

The principal regulators are the Bundesnetzagentur (as Digital Services Coordinator), the Federal Agency for the Protection of Children and Young Persons in the Media (BzKJ) and the Commission for the Protection of Minors in the Media (KJM) acting for the state media authorities. Tax reporting goes to the Federal Central Tax Office.

The biggest obstacle for a new entrant is building one seller-onboarding process that satisfies three overlapping data regimes (consumer, tax and VAT), each with its own data set, retention period and sanction, and an age-assurance process strict enough for German youth-protection law.

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1 Who regulates this sector

Regulator	Remit for e-commerce	Level	Official site
Bundesnetzagentur (Digital Services Coordinator, DSC)	Enforces the Digital Services Act (DSA) against intermediaries in German competence, including trader traceability on marketplaces (§ 12(1) DDG)	Federal	bundesnetzagentur.de
BzKJ, Stelle zur Durchsetzung von Kinderrechten in digitalen Diensten (KidD)	Structural precautionary measures for minors on online platforms under art. 28(1) DSA (§ 12(2) DDG, § 24a JuSchG)	Federal	bzkj.de
State media authorities, acting through the KJM	Youth media protection in online content; criteria for age verification systems (§ 4(4) JMStV)	Länder (joint body)	kjm-online.de
Federal Commissioner for Data Protection (BfDI)	Art. 26(3) and 28(2) and (3) DSA (profiling-based advertising, including to minors) (§ 12(3) DDG)	Federal	bfdi.bund.de
Bundeszentralamt für Steuern (BZSt)	Platform tax reporting, registration and binding rulings under the PStTG	Federal	bzst.de

Land authorities named under Land law	AML supervision of goods traders (§ 50 No 9 GwG)	Länder	GwG § 50
Financial Intelligence Unit (FIU)	Suspicious transaction reports and mandatory goAML registration	Federal	zoll.de
Bundeskartellamt	Sector inquiries into serious, repeated consumer-law breaches in digital markets	Federal	bundeskartellamt.de
Federal Institute for Drugs and Medical Devices (BfArM)	Register of pharmacies and traders allowed to sell medicines online	Federal	bfarm.de

The European Commission supervises very large online platforms under the DSA, with the Bundesnetzagentur assisting; tax offices enforce marketplace VAT liability (§ 25e(7) UStG).

2 Licensing and authorisation

Offering digital services is free of authorisation and notification "within the framework of the law" ([§ 4 Digitale-Dienste-Gesetz, DDG](#)). An online shop or marketplace therefore needs no sector licence. Permissions attach to particular goods or activities instead:

- **Medicines.** Pharmacy-only medicines may be shipped only under a mail-order permit issued to a pharmacy ([§ 11a ApoG](#)). Anyone selling medicines online at retail must notify the competent authority before starting, including every internet portal used ([§ 67\(8\) AMG](#)). Registered traders appear in the BfArM mail-order register and must display the EU common logo.
- **Product safety.** Since 13 December 2024, online marketplaces must register with the EU Safety Gate portal and name a single point of contact for market surveillance authorities (art. 22, [Regulation \(EU\) 2023/988](#)).
- **Platform tax registration.** A platform operator with no tax residence or qualifying presence in any EU Member State, whose platform serves EU-resident sellers, must register once with an EU tax authority; in Germany that is the BZSt, through its online portal ([§ 12\(1\) PStTG](#) with § 3(4) No 2; [BZSt](#)). The BZSt also gives binding rulings on whether a service is a platform, for a fee of EUR 5,000.

- **VAT.** Sellers established outside the EU and EEA must appoint a receiving agent in Germany when registering for VAT ([§ 22f\(1\) UStG](#)).

Adult content needs no licence but is lawful online only behind a closed user group (section 4).

3

AML, KYC and customer due diligence

Goods traders are obliged entities under the Geldwäschegesetz ([§ 2\(1\) No 16 GwG](#); GwG as last amended by the Act of 29 June 2026, BGBl. 2026 I Nr. 197). A goods trader is anyone who sells goods commercially, "regardless of in whose name or for whose account" ([§ 1\(9\) GwG](#)). The Länder's [joint AML guidance for the non-financial sector](#) (18 June 2025) reads this as covering sales on own account, on commission and as agent, and states that a platform operator that only provides the opportunity to conclude contracts, without intermediating itself, is not an obliged entity. Most duties, however, are switched on only by specific transactions ([§ 10\(6a\) GwG](#)), and the same list governs risk management ([§ 4\(5\) GwG](#)):

Transaction	CDD threshold
Art (any means of payment)	EUR 10,000 or more
High-value goods such as precious metals (§ 1(10) sentence 2 No 1), paid in cash	Cash of EUR 2,000 or more
Any other goods, paid in cash	Cash of EUR 10,000 or more

Cash means banknotes and coins, and under the Länder guidance a customer's cash deposit into the trader's bank account also counts as accepting cash; card and bank-transfer sales do not count towards the thresholds. Linked payments that together reach a threshold must be caught. When a trigger is met, the trader identifies the customer (name, place and date of birth, nationality, address) and verifies it with one of the means in [§ 12\(1\) GwG](#): an official photo ID, the German eID, a qualified electronic signature plus a payment from the customer's own account, or an eIDAS-notified scheme. Verification takes place by checking the document on site or by another procedure with an equivalent security level ([§ 13\(1\) GwG](#)). Video identification is not a listed means: BaFin [circular 3/2017](#) is addressed only to the financial sector, and no ordinance under § 13(2) GwG has been issued. The Länder guidance tolerates it for goods traders that meet the circular's requirements, but

[Bavaria](#) does not permit it, nor reliance on a third party's video identification, so traders should confirm with their own supervisor.

Some duties apply regardless of thresholds. Suspicious facts must be reported to the FIU without delay "regardless of the value" ([§ 43\(1\) GwG](#)), and every obliged entity must register electronically with the FIU's goAML portal whether or not it ever files ([§ 45\(1\) GwG](#)). Records are kept for five years and destroyed after ten at the latest ([§ 8\(4\) GwG](#)). Goods traders filed 1,294 suspicious activity reports in 2025, down from 1,746 in 2023 ([FIU Annual Report 2025](#)).

Under the EU Anti-Money Laundering Regulation Adopted, applies 10 Jul 2027, the goods-trader category is replaced by persons trading as a regular or principal activity in precious metals and stones or in high-value goods: jewellery, gold- and silversmith articles and watches over EUR 10,000, motor vehicles over EUR 250,000, and aircraft and watercraft over EUR 7.5 million (art. 3(3) (e) and (f), Annex IV). Obligated entities must at least identify customers in occasional cash transactions of EUR 3,000 or more (art. 19(4)), and all persons trading in goods may accept or make cash payments only up to EUR 10,000, including linked operations (art. 80(1), [Regulation \(EU\) 2024/1624](#)).

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Identity verification and onboarding

Seller verification

Platforms that let consumers conclude distance contracts with traders may admit a trader only after obtaining its name, address, telephone and email; a copy of an identity document or an eIDAS electronic identification; payment account details; trade register details; and a self-certification of product compliance (art. 30(1), [Regulation \(EU\) 2022/2065, DSA](#)). Before activation the platform must make "best efforts" to assess whether the data are reliable and complete, using freely accessible official databases or supporting documents from reliable sources (art. 30(2)). Inaccurate data that the trader does not correct leads to suspension (art. 30(3)). Platforms that are micro or small enterprises are exempt (art. 29). Tax and VAT law add their own data points:

Data item	DSA art. 30	PStTG §§ 14, 17	UStG § 22f
Name and address	Yes	Yes	Yes
Identity document or eID	Yes	On BZSt request (§ 18(3))	No

Date of birth (natural persons)	No	Yes	Non-business sellers only
Tax ID number and VAT ID	No	Yes (VAT ID if any)	VAT ID; tax number if known
Payment account	Yes	Yes, with holder name if different	If known
Trade register number	Yes	Yes (entities)	No
Retention	6 months after relationship ends, then delete	10 years	10 years

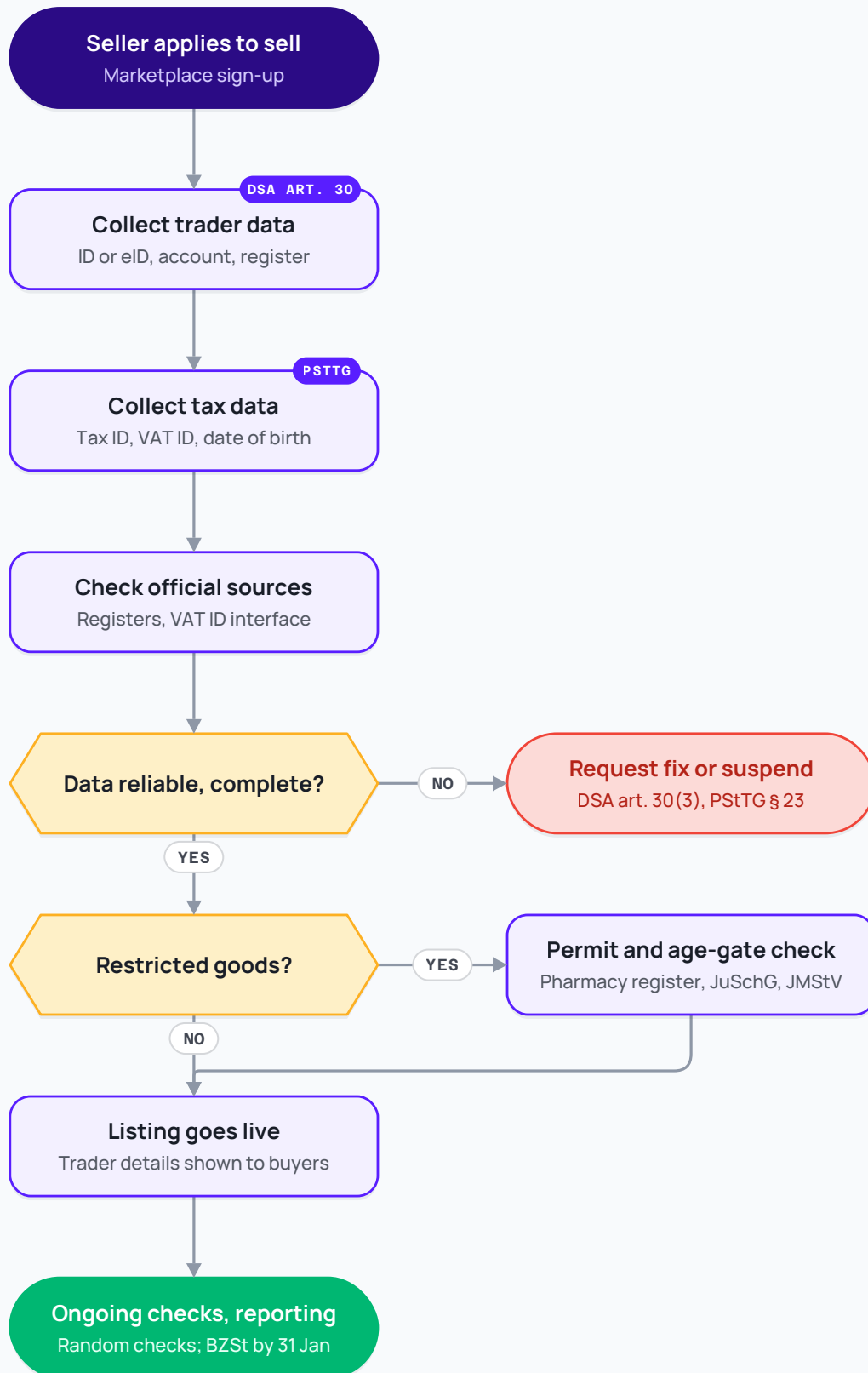


Figure 1. Seller onboarding on a marketplace serving consumers in Germany.

Buyer age verification

The Jugendschutzgesetz (JuSchG, last amended 6 October 2026) bans offering or supplying tobacco, nicotine products and e-cigarettes to minors by mail order ([§ 10\(3\) and \(4\)](#)), and bans mail-order supply of films and games without a youth rating or rated "no youth release" ([§ 12\(3\)](#)) and of indexed media ([§ 15\(1\)](#)). A sale counts as mail order only if it takes place without personal contact or without technical or other safeguards ensuring nothing is shipped to minors ([§ 1\(4\)](#)), so a sale backed by age verification and a delivery process that ensures nothing reaches a minor is not mail order in the legal sense.

For online content, pornography and other seriously harmful material is lawful only in a closed user group ensuring access by adults only ([§ 4\(2\) JMStV](#)). The KJM's [AVS-Raster](#) (valid since 12 May 2022) requires a one-time identification plus authentication at every session. Accepted identification routes are face-to-face checks such as Post-Ident; reuse of an earlier ID-checked identification (mobile contract, AML-compliant bank account, eID); video identification with circular 3/2017-type safeguards; automated matching of ID-document biometrics against a photo of the user; and camera-based age estimation with at least 95% reliability for ages 13 to 18. ID copies and ID-number checks are not sufficient.

5 Digital channels: what's different

Bottom line: online sale is the regulated channel. German youth-protection law treats mail order and online access more strictly than a shop counter, and seller-verification duties exist only for online platforms; AML rules are channel-neutral but rarely triggered without cash.

Requirement	In person / shop	Online / remote	Difference
Tobacco and e-cigarettes	No sale to minors; age checked in case of doubt (JuSchG §§ 2(2), 10(1))	No offer or supply to minors by mail order (§ 10(3))	Differs
Unrated or adult-rated films and games	Sale to adults in shop premises	Mail order banned unless safeguards exclude minors (§§ 1(4), 12(3))	Differs
Adult content	Not applicable	Closed user group only (§ 4(2) JMStV)	Differs

Seller identity and traceability	No equivalent duty	Trader data collected and checked before listing (art. 30 DSA)	Differs
Seller tax reporting	No equivalent duty	Annual report to BZSt (§ 13 PStTG)	Differs
Medicines	Pharmacy sale	Mail-order permit, notification and EU logo (§ 11a ApoG, § 67(8) AMG)	Differs
AML customer due diligence	Cash and art thresholds (§ 10(6a) GwG)	Same thresholds; card and transfer payments not counted	Same
Identity verification method under the GwG	Document checked on site	eID, qualified signature plus payment, notified eID or an equivalent procedure (§§ 12, 13 GwG)	Differs

Mail order is defined by safeguards, not by the internet

Under § 1(4) JuSchG the question for an online shop is whether its age check and delivery process keep goods away from minors. Alcohol differs: § 9 JuSchG covers shops and public places and, unlike § 10(3) for tobacco, has no express mail-order rule.

Age assurance must be real, not declared

The Commission's guidelines on art. 28 DSA ([C/2025/5519](#), 10 October 2025) consider age verification appropriate for the sale of alcohol, tobacco and nicotine products, pornography and gambling, and state that self-declaration is not an appropriate age-assurance measure. The BzKJ points providers to these guidelines.

Pending changes

The EU [Recommendation \(EU\) 2026/1035](#) **Adopted, non-binding** asks Member States to make privacy-preserving proof-of-age attestations available to all citizens by the end of 2026. The KJM's May 2026 discussion paper **Discussion paper, non-binding** recommends hit rates of at least 95% for adults and 85% for minors, and confirms such checks do not replace a closed user group.

The General Data Protection Regulation (GDPR) applies to all onboarding data. Face matching against an ID photo processes biometric data to uniquely identify a person, which is prohibited unless an exception applies, typically explicit consent (art. 9(1) and (2) (a), [Regulation \(EU\) 2016/679](#)). The German data protection conference's [position paper on biometric analysis](#) (version 1.0, 3 April 2019, adopted against the votes of Bavaria and Baden-Württemberg) requires consent that refers expressly to the biometric data and is freely given, so a non-biometric alternative should be offered.

Data minimisation pulls in the other direction from verification. Art. 28(3) DSA does not oblige platforms to process additional personal data to work out whether a user is a minor. The German eID can return only a yes or no on whether an age threshold is met ([§ 18\(3\) No 10 PAuswG](#)), and the AVS-Raster allows storing only the age if it is linked to unique authentication credentials. Children's consent to information society services is valid from age 16 under art. 8(1) GDPR.

Retention periods conflict: DSA trader data must be deleted six months after the relationship ends (art. 30(5)), while PStTG and VAT records are kept for ten years ([§ 24\(3\) PStTG](#), § 22f(4) UStG).

Platform tax reporting (DAC7)

The Plattformen-Steuertransparenzgesetz (PStTG) applies since 2023 to platforms facilitating the sale of goods, personal services and rentals ([§ 5\(1\)](#)). For each non-exempt seller, the operator collects and plausibility-checks the identity and tax data by 31 December of the reporting period (§§ 17, 18, 20). The BZSt's [FAQ](#) (24 February 2025) expects the name to be checked against official identity documents the operator already holds, for example from AML or payment onboarding, and cross-checked with financial and contact data, and tax and VAT numbers to be run through every public automated validation system. Reports are due to the BZSt by 31 January of the following year ([§ 13\(1\)](#)). Sellers of goods with fewer than 30 sales and under EUR 2,000 on the platform in the period are exempt for that activity (§ 4(5) No 4). A seller who ignores two reminders must be blocked or have payouts withheld no earlier than 60 and no later than 180 days after the first request, and must not be able to re-register ([§ 23](#)).

Marketplace VAT liability

An operator that supports supplies of goods through its electronic interface is liable for the seller's unpaid VAT ([§ 25e\(1\) UStG](#)) unless the seller held a valid German VAT ID at the time of supply and the operator had no reason to know of non-compliance. For sellers registered as non-business, liability is avoided only if the operator records the § 22f(2) data, including date of birth, and the volume does not suggest a business. After a tax office notice, the operator must remove the seller within the set deadline to avoid liability (§ 25e(4)).

Protection of minors on platforms

Online platforms accessible to minors must ensure a high level of privacy, safety and security for them (art. 28(1) DSA). The BzKJ enforces this through the KidD; listed measures include child-friendly reporting tools, protective default settings and age verification for adults-only user content ([§ 24a\(2\) JuSchG](#)).

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Risk indicators and red flags

SELLER FRAUD, TAX AND MONEY LAUNDERING INDICATORS

- **Unverifiable trader data:** register number, VAT ID or address that fails an official database check (art. 30(2) DSA).
- **Payout account in another name:** payment account holder differs from the seller (§ 14(2) No 7 PStTG).
- **Private seller, business volumes:** account registered as non-business with sales suggesting a business (§ 25e(3) UStG).
- **Ignored data requests:** seller does not supply tax data after reminders (§ 23 PStTG).
- **Split cash payments:** linked cash payments that together reach a threshold (Länder AML guidance, 18 June 2025).
- **Large cash for high-value goods:** cash of EUR 2,000 or more for jewellery, watches or precious metals (§ 10(6a) GwG).
- **Fake shops advertising on social media:** a fraud pattern highlighted by the Digital Services Coordinator (Bundesnetzagentur, 29 January 2026).
- **Weak age evidence:** an ID copy or ID-number check offered as age proof (KJM AVS-Raster).

Regime	Penalty structure
DSA via § 33 DDG	Up to EUR 300,000 for most art. 30 trader-traceability breaches, or up to 6% of total turnover for companies with turnover above EUR 5 million; up to EUR 100,000 or 1% of turnover (above EUR 10 million) for information breaches such as not displaying trader data; up to EUR 50,000 otherwise
GwG, § 56	Up to EUR 150,000 for intent, EUR 100,000 for recklessness; up to EUR 1 million or twice the economic benefit for serious, repeated or systematic breaches
PStTG, § 25	Up to EUR 50,000 for registration and notification failures; up to EUR 30,000 or EUR 5,000 for the other listed breaches
JMStV, § 24(3)	Up to EUR 500,000 (for example adult content outside a closed user group); up to EUR 2 million for operating-system and app youth-protection breaches

The Digital Services Coordinator had opened 42 national administrative proceedings by 28 May 2026 (four in 2024, 26 in 2025, 12 in 2026), including an information request to eBay, with trader traceability under art. 30 DSA among the focus areas for marketplaces ([Bundesnetzagentur, Status Quo DSC, 28 May 2026](#)). State media authorities may also bar payment providers from processing payments for unlawful offers without first acting against the provider ([§ 20\(4\) sentence 2 JMStV](#)).

- **10 July 2027** [Adopted, applies 10 Jul 2027](#) : the EU AML Regulation applies, with a EUR 10,000 cash cap for all traders in goods; the GwG will have to be adapted.
- **May 2026** [Discussion paper, non-binding](#) : KJM minimum requirements for age checks (95% and 85% hit rates), a signal of how supervisors will judge age estimation.
- **8 May 2026** [Adopted, non-binding](#) : Commission Recommendation (EU) 2026/1035 on a common framework for EU-wide age verification, aiming at proof-of-age apps for all citizens by end-2026.
- **1 January 2026** [In force](#) : PStTG reporting may rely on an EU or Member State identification service (§ 14(2) No 12).
- **1 December 2025** [In force](#) : the [Sixth Media Amendment Treaty](#) adds payment blocking against unlawful offers and youth-protection settings in operating systems and apps (§§ 12, 12a, 20(4)).

- **10 October 2025** **In force** : Commission guidelines on art. 28 DSA published; self-declaration is not adequate age assurance.

11 What this means for identity verification

- **Seller onboarding is know-your-business.** Capture ID or eID, payment account and register data before listing, check them against official sources, and build in suspension and re-registration blocking.
- **One record, three retention clocks.** Tag each seller field by legal basis (six months for DSA data, ten years for tax data).
- **Age assurance by risk tier.** Verify age before dispatching tobacco, e-cigarettes and adults-only media; for adult content, pair one-time identification with authentication at every session.
- **Minimise what you keep.** Prefer age-threshold attributes over full identity data, and offer a non-biometric route where face matching relies on consent.
- **Cash is the AML trigger.** Flag threshold cash sales, register with goAML, and plan for the July 2027 cash cap.
- **Watch the wallet.** The federal government plans to offer its state EUDI wallet "d-you" from early 2027 ([BMDS](#)); design flows that can accept wallet-based age and identity attestations.

How Identomat helps

Identomat runs identity verification, screening and monitoring for regulated businesses on one platform, with workflows you configure for each market. For the requirements in this guide, that means:

- KYB and beneficial owner verification for marketplace sellers, with ID document capture and verification to meet trader-traceability checks before listing.
- Age verification for restricted goods and adult content, using document checks, face match and biometric liveness.
- AML screening against sanctions, PEP and adverse-media lists for sellers and high-value buyers, with ongoing monitoring.
- No-code workflow builder to combine seller, tax-data and age checks in one flow with an audit trail.

[Request a meeting](#)

DISCLAIMER

This article is intended for informational purposes only and does not constitute legal advice. It is a compilation of information from various sources and reflects the information available as of the last updated date indicated above. Laws, regulations, and regulatory guidance may change, so readers should consult qualified legal professionals for advice specific to their circumstances.

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