

99007013001000

Erlaubnis zur Arbeitnehmerüberlassung Erteilung

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/645912/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99007013001000
Leistungsbezeichnung I	Erlaubnis zur Arbeitnehmerüberlassung Erteilung
Leistungsbezeichnung II	Apply for a temporary employment permit
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Erteilung (1)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte Beschäftigungsbedingungen — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche, Rechte und Pflichten bei Überstunden,

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	Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	Personal finden (2030100), Personal einstellen (2030200), Mitarbeiterbezogene Meldepflichten (2030400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.05.2023
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/a_g/_1.html https://www.gesetze-im-internet.de/bmasbgebv/index.html
Teaser	If you want to lend employees to a third party, you need a permit to do so.
Volltext	<p>Temporary employment is also known as temporary work. You need a permit for this. To obtain this, you must submit an application to the relevant employment agency.</p> <p>The permit is issued by the employment agency for a limited period of one year. It can be issued for an unlimited period if you have been permitted to work for 3 consecutive years.</p> <p>When hiring out employees, you must ensure, among other things, that</p> <ul style="list-style-type: none"> • the principle of equality and relevant collective agreements are applied correctly, • the maximum assignment period is not exceeded, • temporary workers are paid correctly in accordance with the actual work performed, • the applicable minimum wages and the reimbursement of expenses are paid and • the provisions of the Part-Time and Fixed-Term Employment Act are complied with, • Remuneration and compensation benefits as well as vacation or vacation compensation are granted correctly

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- temporary workers are also remunerated during periods when they are not on loan to third parties,
- wage tax and contributions to all branches of social security are paid correctly.

The employment agency regularly conducts company audits to monitor whether you are complying with the legal requirements and whether temporary employment is being carried out properly.

Erforderliche Unterlagen

- Application for permission to supply temporary workers (AÜG 2a)
 - Chronological extract from the commercial register
 - Copy of the articles of association and list of shareholders
 - Copy of the business registration
 - Details of construction company (AÜG 2c)
 - Certificate of good conduct for submission to authorities (document type O) for the person(s) authorized to represent your company
 - Information from the central trade register for the authorized representative(s) (GZR 3) and for your company (GZR 4)
 - Certificate from the responsible employers' liability insurance association
 - Certificate from the health insurance company for at least half of your employees
 - Proof of liquid funds in excess of EUR 2,000 per (planned) temporary worker
 - Sample employment contract for temporary workers
 - Sample temporary employment contract
 - When applying for a permit for the first time, please submit an overview of the career / curriculum vitae of the authorized representative(s)
 - Power of attorney for the application, unless it is submitted by a person authorized to represent the company by law, articles of association or partnership agreement (e.g. managing director, authorized signatory)

Voraussetzungen

- You have the reliability required under trade law.
 - In your case, there are no reasons that speak against a permit. These could be, for example, relevant

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previous convictions, violations of social security regulations or labor law obligations.

- The temporary employment takes place from a business, part of a business or an ancillary business located in Germany or in another country of the European Union or the European Economic Area.

Kosten

Gebühr: 218€ - 2.060€

In the eService of the Federal Employment Agency, it is possible to display the transfer data (e.g. IBAN, reason for payment) as part of a so-called 'e-payment' function and to copy these into your own transfer program. You can also use giro pay and the direct debit procedure. In the future, it is planned to make the payment methods Paypal, Sofortüberweisung and credit card (Mastercard and Visa) available.

<https://www.gesetze-im-internet.de/bmasbgebv/anlage.html>

Verfahrensablauf

You can apply for a temporary employment permit in writing or online via eService at the Federal Employment Agency:

Online application:

- Download the form "Antrag auf Erlaubnis zur Arbeitnehmerüberlassung (AÜG 2a)" from the website of the Federal Employment Agency. The documents are barrier-free and can be completed using a PC.

- Save the documents.

- Fill out the form.

- You do not need a scanned signature on the application form.

- Upload the completed forms / the completed form via the upload service. Do the same with the other documents. You can also use the upload service to submit additional documents if you have already submitted the application for a temporary employment permit.

- Before submitting the application, you must identify yourself using an electronic ID card or electronic residence permit.

- You will receive a notification of fees together with the decision on your application.

- In the eService of the Federal Employment Agency,

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you can use the so-called "e-payment" function to display the transfer data (e.g. IBAN and reason for payment) and copy them into your own transfer program. You can also use giropay and the direct debit procedure. In the future, it is planned to make the payment methods Paypal, Sofortüberweisung and credit card (Mastercard and Visa) available.

- If you successfully submit the application online and have identified yourself with your electronic ID card or electronic residence permit, it is not necessary to send the documents to the Employment Agency by post. The employment agency will check your application. If necessary, you will be asked to submit additional or missing documents.

- If you agree, you can retrieve your notification and the certificate for the temporary employment permit in eService.

Application by post:

- You can also send the application by post to the relevant employment agency. There is a written form requirement, i.e. the application must be signed in person by an authorized representative. Print out the form and sign it.

- Submit the completed and signed form, including the attachment, to the relevant employment agency. You can find out which employment agency is responsible for you on the form. There you will also find the postal addresses of the relevant offices to which you must send the form.

- You will be asked to pay a fee by post.

Bearbeitungsdauer

0 - 3 Monat(e)

Frist

1 Monat(e)

There is no deadline for the initial application. It is recommended that the initial application is submitted at least 3 months before the planned start of activities. You must submit the application to extend a permit at least 3 months before the permit expires.

weiterführende

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Informationen	<p>https://www.arbeitsagentur.de/unternehmen/personal-fragen/arbeitnehmerueberlassung</p> <p>https://www.arbeitsagentur.de/datei/Merkblatt-Leiharbeit_ba013184.pdf</p> <p>https://www.arbeitsagentur.de/datei/merkblatt-zur-gebuehrenpflicht_ba147168.pdf</p> <p>https://www.arbeitsagentur.de/datei/dok_ba015249.pdf</p>
Hinweise	<p>In the eService of the Federal Employment Agency, you can use the so-called "e-payment" function to display the transfer data (e.g. IBAN and reason for payment) and copy them into your own transfer program. You can also use giro pay and the direct debit procedure. In the future, it is planned to make the payment methods Paypal, Sofortüberweisung and credit card (Mastercard and Visa) available.</p>
Rechtsbehelf	<ul style="list-style-type: none"> • Appeal. Further information on how to lodge an appeal can be found in the notification of your application. • Legal action before the social court
Kurztext	<ul style="list-style-type: none"> • Permit for temporary employment <ul style="list-style-type: none"> • A permit is required for the employer in order to be allowed to hire out employees (temporary work) • Fee: between EUR 218.00 and EUR 2,060 depending on the application • A written application is required. It can also be submitted online via the BA's eService. • Permit limited to 1 year • After 3 consecutive years of permitted activity, the permit can be issued for an unlimited period • Employment Agency regularly checks whether temporary employment agencies comply with the regulations • Responsible: Employment Agency
Ansprechpunkt	<p>Depending on where your company is based, the employment agency in Düsseldorf, Kiel or Nuremberg may be responsible for you. You can find out which office is responsible for your federal state or country in the application for a temporary employment permit (AÜG 2a). There you will also find telephone numbers and e-mail addresses for the offices.</p>

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Zuständige Stelle	Depending on where your company is based, the employment agency in Düsseldorf, Kiel or Nuremberg may be responsible for you. You can find out which office is responsible for your federal state or country in the application for a temporary employment permit (AÜG 2a).
Formulare	Forms available: Yes Written form required: Yes, when applying online, identification takes place by means of electronic identity card or electronic residence permit Informal application possible: No Personal appearance necessary: No Online services available: Yes
Ursprungsportal	Erlaubnis zur Arbeitnehmerüberlassung Erteilung, Erlaubnis zur Arbeitnehmerüberlassung Erteilung