

99025002005001, 99025002005001

# Applying for a temporary permit for a restaurant business

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/29806324/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99025002005001, 99025002005001
Leistungsbezeichnung I	Applying for a temporary permit for a restaurant business
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gaststätten (025)
Verrichtungskennung	Erlaubnis (005)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten), Erlangung

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	von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	04.12.2020
Fachlich freigegeben durch	Ministry of Economic Affairs, Innovation, Digitalization and Energy NRW
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gastg/_11.html">https://www.gesetze-im-internet.de/gastg/_11.html</a> <a href="https://www.gesetze-im-internet.de/gastg/_2.html">https://www.gesetze-im-internet.de/gastg/_2.html</a> <a href="https://www.gesetze-im-internet.de/gastg/_4.html">https://www.gesetze-im-internet.de/gastg/_4.html</a> <a href="https://www.gesetze-im-internet.de/gastg/_11.html">https://www.gesetze-im-internet.de/gastg/_11.html</a> <a href="https://www.gesetze-im-internet.de/gastg/_2.html">https://www.gesetze-im-internet.de/gastg/_2.html</a> <a href="https://www.gesetze-im-internet.de/gastg/_4.html">https://www.gesetze-im-internet.de/gastg/_4.html</a>
Teaser	Would you like to take over a restaurant serving alcohol from another person? In order to continue the restaurant business without interruption, you can first apply for a temporary permit, which will later be replaced by a permanent permit.
Volltext	<p>You need a permit to operate a restaurant that serves alcohol.</p> <p>If you want to take over the pub from another person, you can apply for a temporary permit under simplified conditions to enable seamless continued operation. As a rule, this temporary permit is granted for a maximum of three months and is later replaced by a permanent permit. However, the period of validity of the temporary permit can be extended in exceptional cases for good cause. This applies in particular if a final permit is not issued within the three-month period.</p> <p>It is a catering business if you commercially</p> <ul style="list-style-type: none"> <li>• serve drinks (pub business) or</li> <li>• serve prepared food (food service), and</li> <li>• the business is open to the general public or a</li> </ul>

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specific group of people.

Only if you offer alcoholic beverages is your catering business subject to licensing. However, if you only offer non-alcoholic drinks and prepared food, your catering business does not require a permit.

## Erforderliche Unterlagen

To prove your personal reliability, you must submit the following documents to the competent authority:

- Copy of identity card or passport with registration certificate, or presentation on site. Application for a certificate of good conduct for submission to an authority in accordance with Section 30 (5) of the Federal Central Register Act
- Application for an extract from the central trade register for submission to an authority in accordance with Section 150 (5) of the Trade, Commerce and Industry Regulation Act (Leika key: 99052002109000)
- Certificate in tax matters from the tax office of the place where you have lived or operated a business in the last three years
- Residence permit if you are a foreigner and not a national of an EU or EEA country

The information must be requested from the municipality of residence for submission to an authority; it will be sent directly to the authority. You must therefore state the exact address of the competent licensing authority and the purpose of use in your application.

The information can also be requested using the online procedure provided by the Federal Office of Justice/Citizen Services.

The information must not be older than 3 months.

You must provide the following documents to prove your professional suitability:

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- If applicable: Proof of instruction from a chamber of industry and commerce in accordance with Section 4 (1) sentence 1 no. 4 of the German Restaurant Act (the competent authority may waive this proof for the granting of a provisional permit) or
- Proof of exemption in accordance with No. 3.4 of the General Administrative Regulation on Proof of Instruction in the Catering Act in conjunction with its Annex 3

Please note that the competent authority may require further documents in individual cases. Please inform yourself in good time before submitting your application.

## Voraussetzungen

You can only apply for a provisional restaurant license if you want to take over an existing restaurant without making any changes (not for a new establishment or expansion). This means that no changes may be made to the premises or the type of business (e.g. pub, restaurant, discotheque) as part of the continuation of the business.

You will only receive a temporary permit if you have already applied for a restaurant permit or are applying for one at the same time.

To obtain a permit, you must prove the following:

- Your personal reliability
- If applicable, your professional suitability

## Kosten

The fees depend on the administrative effort and the respective administrative fee schedule of the state.

## Verfahrensablauf

Submit your application for a temporary restaurant permit to the competent authority.

At the same time, apply for a restaurant permit for the permanent operation of your restaurant. Enclose all the necessary documents with this application.

You will receive a notification when the permit is

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	<p>granted.</p> <p>If you have not received the final permit by the time your provisional permit expires, you must apply for an extension in good time.</p>
Bearbeitungsdauer	
Frist	<p>The temporary restaurant permit is usually limited to 3 months. You can apply for an extension if there are certain reasons. Good cause exists if you have not yet received the final permit by the time your temporary permit expires. At the same time as the start of the activity, the trade must be notified to the authority responsible for trade notifications in accordance with § 14 GewO.</p>
weiterführende Informationen	
Hinweise	<p>You will not be granted a temporary permit under catering law if a structural change has taken place, the business has been closed for longer than 1 year or it is a new establishment.</p>
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Opposition</li> <li>• Administrative court action</li> </ul>
Kurztext	<ul style="list-style-type: none"> <li>• Provisional license for the restaurant trade</li> <li>• The operation of a restaurant serving alcohol requires a permit</li> <li>• If the restaurant is taken over by another person, a temporary permit can be applied for until a final permit is obtained</li> <li>• The temporary permit can generally be granted for up to 3 months</li> <li>• A permanent permit must be applied for at least at the same time.</li> <li>• A permit is only required for the catering trade if alcoholic beverages are offered for consumption on the premises. If only non-alcoholic drinks and prepared food are served, the catering trade is not subject to licensing.</li> </ul>
Ansprechpunkt	<p>Contact the catering authority in your municipality or city.</p>

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Zuständige Stelle	
Formulare	• • • Personal appearance required: no
Ursprungsportal	Vorläufige Erlaubnis für ein Gaststättengewerbe beantragen, Applying for a temporary permit for a restaurant business