

99050012186000, 99050012186000

Apply for a re-authorisation of a trade after prohibition

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/391572966/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99050012186000, 99050012186000
Leistungsbezeichnung I	Apply for a re-authorisation of a trade after prohibition
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Wiedergestattung (186)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400),

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	Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.11.2021
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Energy
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_35.html https://www.gesetze-im-internet.de/gewo/_35.html
Teaser	Have you been prohibited from practising your business because of unreliability? Then you can usually apply for the re-approval of your commercial activity after 1 year under certain conditions.
Volltext	<p>As a rule, you can only apply for the re-approval of your business after 1 year. This period is required by law. It gives you the opportunity to show the authority through a change in lifestyle that the reasons for the unreliability have disappeared.</p> <p>For overriding reasons – for example, economic or structural policy – the exercise of the trade can exceptionally be re-authorised at an earlier stage. This applies, for example, in the event that the resumption of business</p> <ul style="list-style-type: none"> • creates additional jobs, or • Allows creditors of your company to reduce debt. <p>The mere omission of the circumstances giving rise to the unreliability is not sufficient to shorten the one-year period.</p> <p>Hint: If you resume your activity after the re-admission, you must at least simultaneously file a business registration with the competent authority. The resumption is to be seen as a new beginning of the practice of the trade.</p> <p>If you have previously been revoked a permit that is legally required for the exercise of the business due to</p>

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unreliability, you must apply for a permit again before resuming your commercial activity that requires a permit. The same applies if a new permit requirement has been introduced in the meantime.

Erforderliche Unterlagen

- Details of the intended activity
 - Information on the place of the intended pursuit of the business
 - Proof of how you have made a living since the trade ban and whether you have pursued an employee activity
 - Certificate of good conduct
 - Extract from the Central Trade Register
 - Extract from the list of debtors and certificate from the insolvency court (available from the competent district or insolvency court)
 - Current certificates: the trade tax, tax offices and social security institutions

Special features in case of payment arrears:

If you had payment arrears at the time of the previous trade ban, then you must present current certificates from the trade tax, tax offices and social security institutions. Such certificates shall contain information on:

- the amount of any remaining arrears, separated by main and ancillary claim
- the period from which any principal claim originates
- repayment agreements made after the trade ban, their completion date, regulations and compliance
- the implementation of compulsory recovery measures, their nature and success

Special features when changing residence:

If you have moved after the trade ban at that time, then the certificates from the debtor file of the insolvency court, the tax office and the trade tax office are required from both the current and the competent authorities at the time of the trade ban.

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Voraussetzungen	<p>The reasons that led to the prohibition are no longer available.</p> <p>The competent authority must also be able to predict that you will properly carry out your business in the future on the basis of your interim behaviour.</p>
Kosten	<p>The costs are based on the respective administrative fee regulations of the land as well as on the fee statutes of the authorities responsible under state law.</p>
Verfahrensablauf	<p>Submit to the competent authority an informal written or electronic (for example, by e-mail) application for re-authorisation of the commercial activity and the necessary documents.</p> <p>The competent authority will check whether you can be reimbursed for the exercise of your business activity on the basis of your evidence. For this purpose, it makes a forecast decision with regard to the future proper exercise of your business.</p> <p>If the requirements are met, you will receive the positive decision.</p>
Bearbeitungsdauer	
Frist	<ul style="list-style-type: none"> • Application: at the earliest 1 year after prohibition, in exceptional cases also earlier possible
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Contradiction • Administrative court action
Kurztext	<ul style="list-style-type: none"> • Commercial Re-approval <ul style="list-style-type: none"> • One year after a trade ban (professional ban) has been carried out, the trader can apply for the re-authorisation of the trade. • Exceptionally, applications may also be submitted earlier (in the case of overriding reasons of an economic or structural policy nature: e.B. contribution to the reduction of unemployment through the creation of jobs in the business of the trader; Interests of the creditor: debt reduction, etc.). • Prerequisite:

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	<ul style="list-style-type: none"> • proof that the reasons which led to the prohibition of the exercise of the trade no longer exist, and • positive prognosis regarding the proper exercise of the business in the future. • Trade can also be partially refunded (if the reliability is restored in relation to parts of the prohibited activity) • Resumption of commercial activity requires business registration (new start of business) • If necessary, permission must be applied for (e.B., if permission has been introduced in the meantime, or if permission was revoked before the resumption). • responsible: depending on the federal state, local trade or regulatory office
Ansprechpunkt	Contact the trade office of your municipality or city.
Zuständige Stelle	
Formulare	\- Forms: no \- Written form required: no \- Online procedure possible: yes (if offered) \- Personal appearance required: no
Ursprungsportal	Wiedergestattung eines Gewerbes nach Untersagung beantragen, Apply for a re-authorisation of a trade after prohibition