

99025002005001

# Catering trade - Apply for a temporary permit

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/527/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99025002005001
Leistungsbezeichnung I	Catering trade - Apply for a temporary permit
Leistungsbezeichnung II	Catering trade - Apply for a temporary permit
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Landesgaststättengesetz (LGastG):</p> <ul style="list-style-type: none"> <li>• § 1 Geltung des Gaststättengesetzes - in Verbindung mit</li> </ul> <p>Gaststättengesetz (GastG):</p> <ul style="list-style-type: none"> <li>• § 11 Vorläufige Erlaubnis und vorläufige Stellvertretungserlaubnis</li> </ul> <p>Gaststättenverordnung (GastVO):</p> <ul style="list-style-type: none"> <li>• § 1 Sachliche Zuständigkeit</li> <li>• § 3 Verfahren</li> </ul> <p>Landesverwaltungsverfahrensgesetz (LVwVfG):</p> <ul style="list-style-type: none"> <li>• § 3a Elektronische Kommunikation</li> <li>• § 42a Genehmigungsfiktion - in Verbindung mit</li> </ul> <p>Gewerbeordnung (GewO):</p> <ul style="list-style-type: none"> <li>• § 6a Absatz 2 Entscheidungsfrist, Genehmigungsfiktion</li> </ul>
Teaser	<p>Would you like to take over an existing catering business but are not yet able to submit all the documents required for a [catering licence](<a href="https://www.service-bw.de/zufi/leistungen/526">https://www.service-bw.de/zufi/leistungen/526</a>)? Then the licensing authority can grant you a three-month provisional licence.</p>

**Modul**
**Sachverhalt**
**Volltext**

Would you like to take over an existing catering business but are not yet able to submit all the documents required for a [catering licence](<https://www.service-bw.de/zufi/leistungen/526>)? Then the licensing authority can grant you a three-month provisional licence.

**Erforderliche Unterlagen**

- Completed application form
- Copy of identity card or comparable identification document
- For proof of the legal form of the company:
  - if the company is based in Germany:
    - for companies entered in a register: [Extract from the commercial register](<https://www.service-bw.de/zufi/leistungen/102>)
    - otherwise a copy of the articles of association (e.g. for a civil law partnership (GbR))
  - if the company is domiciled abroad: documents from the country of domicile that prove the legal form.
- For proof of personal reliability:
  - For residence in Germany:
    - [Certificate of good conduct](<https://www.service-bw.de/zufi/leistungen/279>)
    - [Extract from the central trade register](<https://www.service-bw.de/zufi/leistungen/1006>)
  - If you live abroad: Documents from your home country that prove your personal reliability.
  - Proof of training from the Chamber of Industry and Commerce [IHK](<http://www.bw.ihk.de/>) responsible for you (certificate from the IHK confirming participation in training on food and hygiene regulations) or certificate from the IHK confirming that you have passed a final examination for a state-recognised training occupation that makes the training unnecessary
- Construction plans, floor plans, site plans
- If a deputy is to run the restaurant, additionally:
  - Application for a deputy licence
  - personal documents of the deputy

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	<p>The competent authority may request additional documents to verify personal reliability.</p> <p>In the case of legal entities (limited liability companies, business companies, public limited companies, registered co-operatives), you only need to complete the application form for the legal entity itself. You must submit all personal documents for all natural persons authorised to manage the company (e.g. identity papers). For the legal entity, you also need an extract from the central trade register.</p> <p>Partnerships (GbR, KG, OHG, PartG, GmbH &amp; Co. KG) are not eligible for authorisation as such. Therefore, each managing partner requires a licence. You must submit a completed application form and all personal documents for each of these persons.</p>
Voraussetzungen	<p>The requirements for the provisional licence are</p> <ul style="list-style-type: none"> <li>• You take over the premises and the operation of the pub unchanged from the predecessor.</li> <li>• The pub has not been closed for more than one year.</li> </ul>
Kosten	<p>The amount of the fees is based on the relevant fee statutes of the municipality or city or the fee regulations of the district administration.</p>
Verfahrensablauf	<p>You must always apply for the provisional restaurant licence in writing, i.e. signed by hand, to the responsible office. Alternatively, you can also submit the application electronically. However, a simple email is not sufficient; your electronic application must fulfil one of the following requirements:</p> <ul style="list-style-type: none"> <li>• The application must have a qualified electronic signature.</li> <li>• You submit your declaration in an electronic form that is provided by the competent authority in an input device on site or via the Internet. If you submit your declaration via the Internet, you must prove your identity using the electronic ID function of your ID card</li> </ul>

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or electronic residence permit.

- You submit your declaration from a special electronic lawyer's mailbox or a comparable professional electronic mailbox.
- You submit your declaration from a special electronic mailbox for citizens and organisations.
- You send a sender-confirmed De-Mail to the responsible office. Sender-confirmed means that your De-Mail provider confirms in the De-Mail with a qualified electronic signature that
  - it has received exactly this message content from you and
  - You have authorised the sending of this De-Mail using the electronic ID function of your ID card or another secure method instead of your user name and password in your De-Mail account.

You must provide the required information and submit the documents that are important for the assessment of your application.

**Bearbeitungsdauer**

The authority must decide on your application within a period of three months. The period begins with the receipt of the complete documents. Once this period has expired, the licence applied for is deemed to have been granted if your application is sufficiently specific. Note: The authority may extend the deadline once if this is justified by the difficulty of the matter. The authority must justify such an extension and notify you in good time.

**Frist**

none

**weiterführende Informationen**
**Hinweise**

None

**Rechtsbehelf**

Objection or complaint

**Kurztext**

Modul	Sachverhalt
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	