

99050012104000

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/161/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050012104000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Business notification; business registration
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	09.04.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wirtschaft, Landesentwicklung und Energie (Bavarian State Ministry of Economic Affairs, Regional Development and Energy)
Handlungsgrundlage	http://bundesrecht.juris.de/gewo/__14.html http://bundesrecht.juris.de/gewo/__14.html http://bundesrecht.juris.de/gewo/__15.html http://bundesrecht.juris.de/gewo/__15.html http://bundesrecht.juris.de/gewo/__38.html http://bundesrecht.juris.de/gewo/__38.html http://bundesrecht.juris.de/gewo/__55c.html http://bundesrecht.juris.de/gewo/__55c.html https://www.gesetze-bayern.de/Content/Document/BayKVzKG-ANL_1 https://www.gesetze-bayern.de/Content/Document/BayKVzKG-ANL_1
Teaser	If you want to start a permanent business, you must notify the authorities. You must also report the start of operation of a branch office or dependent branch, as well as the relocation of the business.
Volltext	<p>Before starting an independent commercial activity, it is generally only necessary to notify the competent Chamber of Industry and Commerce or Chamber of Crafts or the municipality in which the activity is carried out (Section 14 (1) sentence 1 of the Trade, Commerce and Industry Regulation Act - GewO). If vending machines of any kind are set up as an independent business, notification must be submitted to the competent authority of the main establishment (§ 14 Para. 3 GewO).</p> <p>A trade is any self-employed activity that is not socially unworthy, aimed at making a profit and intended to be permanent, with the exception of primary production (e.g. agriculture), liberal professions (free scientific, artistic and literary activities of a higher nature as well as personal services that require higher education) and the mere administration and use of one's own assets.</p> <p>Every natural person (e.g. also partners in partnerships) or legal entity that starts a business (main establishment) and the start of operation of a</p>

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branch or dependent branch office is subject to notification.

In the case of trades requiring a permit (e.g. real estate agents, catering trade) and craft activities, a permit or entry in the register of craftsmen is also required in addition to the business registration.

Although certain trades do not require a permit, they are subject to special official supervision (so-called trades requiring supervision in accordance with Section 38 GewO). The following trades are affected:

1. Purchase and sale of
2. provision of information on financial circumstances and personal matters (credit agencies, detective agencies);
3. arranging marriages, partnerships and acquaintances;
4. Operation of travel agencies and brokerage of accommodation;
5. Distribution and installation of building security equipment, including locksmith services; and
6. manufacture and distribution of special theft-related opening tools.

When registering a business requiring supervision, the reliability of the business operator is checked immediately. The applicant is therefore obliged to apply for a certificate of good conduct (§ 30 Para. 5 Federal Central Register Act) and information from the central trade register (§ 150 Para. 5 GewO) for submission to the authorities. The foreign applicant is obliged to provide comparable proof of good conduct (official certificate of good conduct or good character or an extract from the criminal record of their home country or an equivalent document). If, based on the foreigner's previous residence, it can be assumed that the aforementioned certificates and proofs no longer or not yet contain facts of significance under trade law, the foreign or German certificates may be waived.

Travel trade activities for which a travel trade license is required are not subject to notification. On the other hand, some activities that do not require a travel trade

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	license (e.g. sale of printed works in public places, sale of food from non-stationary points of sale) must be notified (Section 55c GewO).
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Identity card or passport (copy) • For legal entities: Excerpt from the commercial register or comparable registration documents from abroad (including a certified translation into the German language) • For BGB companies: Articles of association • For limited liability companies in the course of incorporation: a certified copy of the notarized memorandum of association and a power of attorney by the incorporators stating that the commercial activities will be commenced even prior to the limited liability company's registration in the commercial register. • For trades or businesses requiring special supervision: Certificate of good conduct and extract from the Central Register of Trade and Industrial Offenses (if necessary, the written certificates of reliability may be replaced by an affidavit or similar acts) • Minors: Authorization of the legal representative(s) and approval of the family court • Authorization: Written power of attorney and the ID cards of both the grantor of the power of attorney and the grantee of the power of attorney • for non-EU citizens: residence permit that allows self-employment
Voraussetzungen	<ul style="list-style-type: none"> • Age of majority or authorization from the guardianship court • for non-EU citizens: residence permit allowing the exercise of self-employed activity
Kosten	EUR 25 to EUR 100 in accordance with the Schedule of Costs under the Costs Act (Tariff No. 5.III.5/2.)
Verfahrensablauf	The business registration can be submitted in text form using the form provided to the municipality in which the activity is carried out or to the competent Chamber of Industry and Commerce or Chamber of Crafts. If a competent authority provides an online procedure, the business registration can be submitted electronically via this procedure.

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	Other authorities (e.g. tax office, Chamber of Crafts or Chamber of Industry and Commerce) are also informed about the business registration.
Bearbeitungsdauer	
Frist	The notification must be made before the start of the commercial activity.
weiterführende Informationen	https://www.stmwi.bayern.de/wirtschaft/aufsicht-und-recht/gewerberecht/ https://www.stmwi.bayern.de/wirtschaft/aufsicht-und-recht/gewerberecht/ https://www.lfst.bayern.de/steuerinfos/zielgruppen/existenzgruender https://www.lfst.bayern.de/steuerinfos/zielgruppen/existenzgruender https://www.stmwi.bayern.de/fileadmin/user_upload/stmwi/Wirtschaft/Aufsicht_und_Recht/2021-08-24_Unter_richtung_BStatG_Hinweise.pdf https://www.stmwi.bayern.de/fileadmin/user_upload/stmwi/Wirtschaft/Aufsicht_und_Recht/2021-08-24_Unter_richtung_BStatG_Hinweise.pdf
Hinweise	
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal