

99050012186000

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/74615/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050012186000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Trade; application for re-authorization
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	21.03.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wirtschaft, Landesentwicklung und Energie (Bavarian State Ministry of Economic Affairs, Regional Development and Energy)
Handlungsgrundlage	http://www.gesetze-im-internet.de/gewo/_35.html http://www.gesetze-im-internet.de/gewo/_35.html
Teaser	If you have been banned from practicing your trade, you can apply for re-authorization.
Volltext	<p>The competent authority has banned you from practicing your trade due to unreliability. However, you would now like to resume your commercial activity. After one year, or earlier if there are special reasons, the competent authority may allow you to resume your trade upon application.</p> <p>The prerequisite is that you can prove to the competent authority that the reasons that led to the prohibition of your business activity no longer exist. Based on your conduct in the meantime, the competent authority must also be able to predict that you will carry out your trade properly in the future.</p> <p>As a rule, you can only be re-authorized after one year. This period is considered appropriate in order to demonstrate to the authorities that the reasons for unreliability have ceased to exist by changing your lifestyle. For overriding reasons - for example, economic or structural policy reasons - it may also be possible in exceptional cases to be allowed to exercise the trade again earlier. This applies, for example, in the event that additional jobs are created by the resumption of the trade, or creditors of your business are enabled to reduce their debts by your business again generating income to repay debts. The mere cessation of the circumstances justifying unreliability is not sufficient to shorten the one-year period.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • required documents: <ul style="list-style-type: none"> • informal written or electronic application for permission to carry on the trade you wish to resume, with further details

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- Details of the location of the intended business
- Proof of how you have made a living since your business was banned and whether you have worked as an employee
- Application for a certificate of good conduct for submission to an authority
- Application for an extract from the central trade register for submission to an authority
- Extract from the debtor register and certificate from the insolvency court (available from the relevant local court)
- ****Special features for payment arrears:**** If you had payment arrears at the time of the previous business prohibition, you must submit current certificates from the trade tax, tax offices and social insurance institutions. These certificates must contain information about
 - the amount of any outstanding arrears, broken down into principal and ancillary claims
 - the period from which the possible main claim originates
 - any repayment agreements made after the trade ban, their date of conclusion, regulations and compliance
 - the implementation of compulsory collection measures, their nature and success
- ****Special features in the event of a change of residence:**** If you have moved after your business has been prohibited, you will need certificates from the debtor register of the insolvency court, the tax office and the trade tax office, both from the current authorities and from the authorities responsible at the time the business was prohibited.

Voraussetzungen

- The reasons that led to the ban no longer apply.
- You will be able to guarantee your reliability under trade law again in future.

Kosten

Verfahrensablauf

Submit the application for re-authorization of commercial activity and the necessary documents to the competent authority.

The competent authority will check whether you can be

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	<p>re-authorized to carry out your business activity on the basis of your evidence and will make a prognosis decision with regard to the future proper exercise of your business.</p> <p>If the requirements are met, you will receive the official decision on re-authorization.</p>
Bearbeitungsdauer	
Frist	The application can be submitted at the earliest one year after prohibition (in exceptional cases even earlier).
weiterführende Informationen	
Hinweise	<p>If you resume your activity after being re-authorized, you must at least submit a business registration to the competent authority at the same time. The resumption is to be assessed as a new start of the trade.</p> <p>If you have previously had a permit revoked due to unreliability, which is legally required for the exercise of the trade, you must apply for a new permit before resuming your commercial activity requiring a permit. The same applies if a new permit requirement has been introduced in the meantime.</p>
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal