

99025002005000

Heruntergeladen am 20.05.2025

<https://fimportal.de/services/99025002005000>

Modul	Sachverhalt
Leistungsschlüssel	99025002005000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Restaurant license
Typisierung	2/3

## Modul

## Sachverhalt

**Handlungsgrundlage(n)**

- [https://www.gesetze-im-internet.de/gastg/\\_2.html](https://www.gesetze-im-internet.de/gastg/_2.html)
- [https://www.gesetze-im-internet.de/gastg/\\_4.html](https://www.gesetze-im-internet.de/gastg/_4.html)
- [https://www.gesetze-im-internet.de/gastg/\\_14.html](https://www.gesetze-im-internet.de/gastg/_14.html)

## Teaser

## Volltext

If you want to operate a restaurant business that serves alcohol, you generally need a restaurant license.

Irrespective of the restaurant permit discussed here and depending on your offer, you may have to fulfill further registration and licensing obligations, for example in accordance with the Trade Regulation Act and the Crafts Code.

You operate a catering business if you commercially

- \* in a standing business, i.e. in a permanent establishment, serve drinks (pub business) or prepared food (restaurant business) for consumption on the spot or
- \* serve drinks or prepared food for consumption on the premises in a traveling trade (from a fixed business premises only for the duration of an event).

The prerequisite in any case is that the establishment is accessible to everyone.

You do not require a restaurant license if you only serve

- \* non-alcoholic drinks,
- \* free samples,
- \* prepared food or
- \* in conjunction with an accommodation establishment, drinks and prepared food to house guests.

to house guests.

Special regulations apply to Straußwirtschaften (§ 14 of the Restaurant Act [GastG]).

The permit is issued for a specific type of business (e.g. pub, discotheque, snack bar) and only applies to the rooms used for the business. A building permit may also be

required.

Permission is also required for any expansion of the restaurant business and any changes to the premises.

In the case of civil law partnerships and commercial partnerships, a separate permit is required for each partner. In the case of legal entities and associations without legal capacity, however, only a single restaurant permit is required.

If you wish to take over an existing restaurant business requiring a permit from another person, you can be granted a temporary permit on revocation (usually for 3 months) until the final restaurant permit is issued (§11 GastG). With this permit, the business can also be taken over at short notice.

A permit to act as a deputy (§ 9 GastG) should be applied for if you wish to have the restaurant run by a deputy who will also be responsible to authorities and institutions. The deputy must meet the same criteria regarding personal reliability and suitability as you yourself.

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#### Begriffe im Kontext

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#### Bearbeitungsdauer

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#### Fristen

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#### Formulare + Objekt Formular

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#### Kurztext

If you want to operate a restaurant business that serves alcohol, you generally need a restaurant license.

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#### weiterführende Informationen

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#### Hinweise (Besonderheiten)

The Restaurant Act only applies in the states of Bavaria, Berlin, Hamburg, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Rhineland-Palatinate and Schleswig-Holstein. The other nine states have enacted their own state restaurant laws.

## Rechtsbehelf

<b>fachlich durch</b>	<b>freigegeben</b>	Federal Ministry for Economic Affairs and Energy, Division VIIB3
<b>fachlich am</b>	<b>freigegeben</b>	07.11.2017
<b>Lagen Portalverbund</b>		Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)