

99050004005000

Heruntergeladen am 25.05.2025

<https://fimportal.de/services/99050004005000>

Modul	Sachverhalt
Leistungsschlüssel	99050004005000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Security business - apply for a permit
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baustein Leistungen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Trade (individuell, 050)
Verrichtungskennung	Erlaubnis (005)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	16.12.2022
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Climate Protection
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_34a.html https://www.gesetze-im-internet.de/bewachv_2019/
Teaser	Anyone wishing to guard the lives or property of third parties on a commercial basis requires a permit from the competent authority.
Volltext	<p>Commercial security is subject to authorization. This includes all activities that are aimed at protecting the lives or property of third parties from interference by third parties. The specific activities covered by the term "guarding" are wide-ranging. These include, among others</p> <ul style="list-style-type: none"> • conventional bicycle, vehicle and building security, • the event service, • air passenger control, • the transportation of money and valuables, • personal protection or • the guarding of industrial and military facilities and nuclear power plants. <p>This exclusively involves active surveillance activities by persons on site.</p> <p>A natural or legal person can be a security company and therefore require a permit. In the case of partnerships without their own legal personality (e.g. OHG, KG), a permit is required for each partner. In the case of legal entities (e.g. GmbH, AG), the permit is issued to the legal entity.</p> <p>They may only employ persons (guards) to carry out security tasks who have the necessary reliability and can prove by means of a certificate from the Chamber</p>

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of Industry and Commerce that they have been instructed in the legal and technical principles necessary for the exercise of the trade and are familiar with them. For the performance of certain activities (e.g. the guarding of asylum reception facilities and the guarding of large events with protected access, in each case in a managerial capacity), proof of a successfully passed examination of expertise before the Chamber of Industry and Commerce is required instead of proof of the aforementioned instruction.

The permit may be subject to conditions insofar as this is necessary to protect the general public or the client; under the same conditions, the subsequent inclusion, amendment and addition of conditions is also permitted.

Erforderliche Unterlagen

- Copy of identity card or passport with registration certificate, or presentation on site. For legal entities for all natural persons authorized to represent them
- Proof of personal reliability
 - If resident in Germany:
 - Extract from the central trade register for submission to an authority in accordance with Section 150 (5) of the Trade, Commerce and Industry Regulation Act
 - Certificate of good conduct for submission to an authority (document type O)
 - If resident abroad: documents from the home country that prove personal reliability
- 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, cooperative or association register
 - otherwise a copy of the articles of association (e.g. for a civil law partnership (GbR))
 - If the company is based abroad: documents from the country of domicile that prove the legal form.
- Proof of orderly financial circumstances, e.g:
 - Current certificate in tax matters from the responsible tax office (to be submitted in the original); if applicable, certificate in tax matters from the local tax office

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- Extract from the debtor register of the central enforcement court
- Submission of a statement of assets
- Information from the insolvency court as to whether proceedings have been opened (so-called negative certificate)
- Proof of personal expertise: Proof of expertise must be provided by the trader and the persons entrusted with the management of the business or its branch; in the case of legal entities, the legal representatives must possess the expertise if they are directly involved in the performance of security tasks or if no person entrusted with the management of the business or a branch has proof of expertise; in the case of partnerships, the managing partners must provide proof of expertise

- Proof that the required liability insurance has been taken out

In order to verify the necessary requirements (in particular personal reliability), the competent authority may request further documents and obtain statements from other authorities (e.g. police, State Office of Criminal Investigation, Office for the Protection of the Constitution).

Voraussetzungen

In order to obtain a license in accordance with the trade regulations, you must

- have the necessary reliability for the business operation.
- live in orderly financial circumstances.
- prove your personal expertise and the expertise of the person appointed to manage the business or a branch office by successfully passing an examination of expertise or an equivalent qualification at the Chamber of Industry and Commerce and
- provide proof of the required liability insurance.

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The personal licensing requirements (reliability, orderly financial circumstances, successful completion of an expert examination) must be met by the trader or the legal representatives of a legal entity. The necessary expertise must also be proven for a person appointed to manage the business or a branch office.

You may only employ persons (guards) to carry out security tasks who have the necessary reliability and can prove by means of a certificate from the Chamber of Industry and Commerce that they have been instructed in the legal and technical principles necessary for the exercise of the trade and are familiar with them. For the performance of certain activities (e.g. the guarding of asylum reception facilities and the guarding of access-protected major events, in each case in a managerial capacity), proof of a successfully passed examination of expertise before the Chamber of Industry and Commerce is required instead of proof of the aforementioned instruction.

Kosten

Is based on the respective administrative fee schedule of the federal state or on the fee statutes of the authorities responsible under federal state law.

Verfahrensablauf

You must apply for the permit from the competent authority.

Once you have submitted the application and all documents are complete, the competent authority will check whether you meet all the requirements.

If you meet all the requirements, you will receive the permit.

You may only start your activity once you have received the permit.

In the case of legal entities (e.g. limited liability companies, business companies, public limited companies, registered cooperatives), you only need to complete the application form for the legal entity itself. You must submit all personal documents for all natural persons authorized to represent you (e.g. identity card). For the legal entity, you also need an extract

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	<p>from the central trade register.</p> <p>Partnerships (GbR, KG, OHG, PartG, GmbH & Co. KG) are not eligible for authorization as such. Therefore, each managing partner requires a permit. You must submit a completed application form and all personal documents for each of these persons.</p>
Bearbeitungsdauer	If the documents are complete, your application will be processed promptly.
Frist	none
weiterführende Informationen	
Hinweise	<p>If you have not resided in Germany or the EU in the last 3 years and therefore your "reliability" cannot be sufficiently checked, you cannot obtain a permit.</p> <p>You must register the persons you wish to employ as security guards or appoint to manage the business or a branch office with the competent authority via the security guard register prior to employment.</p> <p>At the request of the authorities, the persons concerned must provide the information required to monitor business operations. Furthermore, the authorities are authorized to enter the business premises in order to carry out inspections and visits.</p> <p>Violation of the licensing requirement and violation of an enforceable condition or an enforceable order prohibiting the employment of a person due to unreliability can be punished as administrative offenses with a fine. Breaches of obligations in connection with the employment of persons are also considered administrative offenses.</p>
Rechtsbehelf	<ul style="list-style-type: none"> • Appeal (depending on national law, the appeal may be excluded) • Administrative court action
Kurztext	<ul style="list-style-type: none"> • Security services - applying for a permit • Applicants require a permit for activities in the security industry ;

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- This requires, among other things, proof of the applicant's personal reliability and orderly financial circumstances ;
- the applicant and all persons entrusted with the management of the business or a branch office must provide evidence of the expertise required to exercise the security business ;
- in the case of legal entities, the legal representatives must possess the expertise if they are directly involved in carrying out security tasks or if no person responsible for managing the business or a branch office has a certificate of competence ;
- liability insurance must be in place
- responsible: Responsibility depends on the respective state law

Ansprechpunkt

Zuständige Stelle

Responsibility depends on the respective state law

Formulare

- Online procedure possible: yes (if available)
- Written form required: no
- Personal appearance required: no

Ursprungsportal