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Registration in the Register of Craftsmen: Exemption according to § 9 Handwerksordnung (HwO) for nationals of member states of the EU, the EEA and Switzerland

Heruntergeladen am 19.07.2025

<https://fimportal.de/xzufi-services/10923143/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99058023001000
Leistungsbezeichnung I	Registration in the Register of Craftsmen: Exemption according to § 9 Handwerksordnung (HwO) for nationals of member states of the EU, the EEA and Switzerland
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	

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Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Handwerk (058)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Eintragung in Register (2020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.05.2012
Fachlich freigegeben durch	Hessian Chambers of Crafts
Handlungsgrundlage	https://www.gesetze-im-internet.de/hwo/_9.html https://www.gesetze-im-internet.de/eu_ewrhww_2016/ https://www.gesetze-im-internet.de/hwo/_9.html https://www.gesetze-im-internet.de/eu_ewrhww_2016/
Teaser	
Volltext	<p>If, as a citizen of the EU, the EEA or Switzerland, you want to operate a craft in Germany as a standing trade (i.e. with a branch in Germany) without having successfully passed a German master craftsman's examination or an equivalent examination within the meaning of § 7 Abs. 2, 2a HwO, you need an exemption permit. . In addition to the general regulation of § 8 HwO, there is a special regulation in § 9 HwO due to Community law requirements for citizens of the EU, the EEA or Switzerland. With an exemption permit, you meet the requirements for entry in the register of craftsmen for a craft subject to licensing. However, an exemption does not entitle you to use the master craftsman title and to train in the relevant trade. The exemption may be limited to a partial activity of a craft. An obligation to be entered in the Register of Craftsmen exists only in connection with establishment transactions, not in the case of a cross-border provision of services without establishment in Germany. A notification procedure is provided for here</p>

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(cf. §§ 7 ff. EU/EEA HwV). See the service description
Cross-border provision of services.
https://hessenfinder.de/portaldeeplink/?tsa_leistung_id=10615382
https://hessenfinder.de/portaldeeplink/?tsa_leistung_id=10615382

Erforderliche Unterlagen

1. Recognition of professional experience – does not apply to health crafts (points 33 – 37 of Annex A to the Crafts Code)

- Proof of nationality.
- certificate attesting to the nature and duration of the activity issued by the competent authority or body of the home Member State. The following professional experience, partly combined with acquired professional qualifications, is taken into account:
 - self-employed or as a manager for at least 6 consecutive years (the termination of this activity must not have occurred more than 10 years ago) or
 - self-employed or as a manager for at least 3 consecutive years, if at least 3 years' training has previously been completed in the profession concerned, or self-employed or as a manager for at least 4 consecutive years, provided that at least 2 years' training has previously been completed in the profession concerned, or self-employed for at least 3 consecutive years and at least 5 years employed (the termination of activity must not be more than 10 years ago), or in a managerial position for at least 5 consecutive years, of which at least 3 years in a technical activity and with responsibility for at least one department of the company after at least 3 years' training (this alternative does not apply to hairdressing).

The activity carried out must include at least one essential activity of the trade listed in Annex A to the Crafts Code, for which the exemption permit is requested. In order to take into account professional qualifications in addition to practical professional experience, a certificate of training by a state-recognised certificate or recognition of the training by the competent professional organisation of the country of origin is also required.

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1. Recognition of training and competence certificates – in particular for health crafts (points 33 – 37 of Annex A to the Crafts Code) and for access to all other Annex A occupations, if proof of sufficient practical professional experience cannot be provided. It is required:

- proof of nationality,
- a certified copy of the evidence of competence or formal qualifications,
- if applicable, additional proof of practical professional experience.

Depending on the individual case, further evidence may be required, which is conclusively regulated in § 5 EU/EEA Crafts Regulation. If, during the examination of qualifications and qualifications, it is found that a relevant skills deficit exists, compensatory measures consisting of passing an aptitude test or an adaptation period may be required under conditions specified by law.

Voraussetzungen

Kosten

The following fees shall be charged for granting an exemption:

- unlimited: 650,00 Euro
- limited: 550,00 Euro

If the application is rejected or withdrawn before a decision has been taken, a processing fee will also be charged.

Verfahrensablauf

Bearbeitungsdauer

Frist

The Chamber of Crafts shall acknowledge receipt of the application within one month, indicating whether any documents are missing. No later than 3 months after submission of the complete dossier, a decision must have been taken on the application. This period may be extended by one month in justified cases. If there are doubts as to the authenticity of the certificates and

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	evidence of formal qualifications produced or as to the rights conferred by them, the Chamber of Crafts may verify the authenticity or the rights conferred thereby by enquiring the competent authority or body of the Member State of origin; the expiry of the deadline is suspended for so long.
weiterführende Informationen	
Hinweise	After you have received the exemption, you can be entered in the Register of Craftsmen or you can work as a technical manager in another company.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	Contact the Chamber of Crafts in whose district your future branch is located.
Zuständige Stelle	
Formulare	The application form is available on the website of the responsible Chamber of Crafts https://www.hwk-kassel.de/ https://www.hwk-rhein-main.de/ https://www.hwk-wiesbaden.de/ https://www.hwk-kassel.de/ https://www.hwk-rhein-main.de/ https://www.hwk-wiesbaden.de/
Ursprungsportal	Eintragung in die Handwerksrolle: Ausnahmegewilligung nach § 9 Handwerksordnung (HwO) für Staatsangehörige von Mitgliedsstaaten der EU, des EWR und der Schweiz, Registration in the Register of Craftsmen: Exemption according to § 9 Handwerksordnung (HwO) for nationals of member states of the EU, the EEA and Switzerland