

99050012186000, 99050012186000

# Trade re-authorization

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/121345257/L100002>

| Modul                     | Sachverhalt                                                                                                        |
|---------------------------|--------------------------------------------------------------------------------------------------------------------|
| Leistungsschlüssel        | 99050012186000, 99050012186000                                                                                     |
| Leistungsbezeichnung I    | Trade re-authorization                                                                                             |
| Leistungsbezeichnung II   | Applying for re-authorization of a trade after prohibition                                                         |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug                                                             |
| Quellredaktion            | Nordrhein-Westfalen                                                                                                |
| Freigabestatus Katalog    | fachlich freigegeben (gold)                                                                                        |
| Freigabestatus Bibliothek | fachlich freigegeben (gold)                                                                                        |
| Begriffe im Kontext       |                                                                                                                    |
| Leistungstyp              | Leistungsobjekt mit Verrichtung                                                                                    |
| Leistungsgruppierung      | Gewerbe (050)                                                                                                      |
| Verrichtungskennung       | Wiedergestattung (186)                                                                                             |
| 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)                                                |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| Einheitlicher Ansprechpartner | Ja                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Fachlich freigegeben am       | 03.08.2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Fachlich freigegeben durch    | Ministry of Economic Affairs, Industry, Climate Protection and Energy of the State of North Rhine-Westphalia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Handlungsgrundlage            | <a href="http://www.gesetze-im-internet.de/gewo/__35.html">http://www.gesetze-im-internet.de/gewo/__35.html</a><br><a href="http://www.gesetze-im-internet.de/gewo/__35.html">http://www.gesetze-im-internet.de/gewo/__35.html</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Teaser                        | <p>Have you been banned from exercising your trade due to unreliability? Then you can apply for your commercial activity to be re-authorized after one year, or earlier in exceptional cases. You can find out more here.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 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 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 trade 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, such as economic or structural policy reasons, the exercise of the trade may be permitted again earlier in exceptional cases. This applies, for example, in the event that the resumption of the trade creates additional jobs or enables creditors of your business to reduce their debts by generating income in your business to repay debts. The mere cessation of the circumstances justifying unreliability is not sufficient to shorten the one-year</p> |

**Modul**
**Sachverhalt**
**Erforderliche Unterlagen**

period.

- informal written or electronic application for permission to carry on the trade you wish to resume, with further details
  - 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 (Leika key: 99049001001000)
  - Application for an extract from the central trade register for submission to an authority (Leika key: 99052002109000)
  - Extract from the debtor register and certificate from the insolvency court (available from the competent local or insolvency court)
  - Current certificates: from trade tax, tax offices and social insurance agencies
  
- \*\*Special features in the event of 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 was prohibited, you will need certificates from the debtor register of the insolvency court, the tax office and the

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                              | trade tax office from both the current authorities and those responsible at the time the business was prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Voraussetzungen              | <p>The reasons that led to the ban no longer apply.</p> <p>You will be able to guarantee your reliability under trade law again in future.</p>                                                                                                                                                                                                                                                                                                                                                                                             |
| 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             | <p>Submit an informal application to the competent authority for the re-authorization of your commercial activity and the necessary documents.</p> <p>The competent authority will check whether you can be permitted to carry out your business activity again on the basis of your evidence and will make a prognosis decision in relation 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                        | Application: at the earliest one year after prohibition, in exceptional cases also possible earlier Current documents                                                                                                                                                                                                                                                                                                                                                                                                                      |
| weiterführende Informationen | <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> |
| Hinweise                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Modul             | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Rechtsbehelf      | <ul style="list-style-type: none"> <li>• Objection</li> <li>• Administrative court action</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Kurztext          | <ul style="list-style-type: none"> <li>• Trade re-authorization               <ul style="list-style-type: none"> <li>• The trader can apply for re-licensing one year after a trade ban (prohibition of occupation).</li> <li>• In exceptional cases, an application may be submitted earlier (for overriding reasons of an economic or structural policy nature: e.g. contribution to reducing unemployment by creating jobs in the business of the trader; creditor's interests: debt reduction, etc.).</li> <li>• Prerequisite: Proof that the reasons that led to the trade being prohibited no longer exist and a positive forecast regarding the future proper exercise of the trade.</li> <li>• Trade can also be partially permitted again (if reliability is restored in relation to parts of the prohibited activity)</li> <li>• Resumption of commercial activity requires trade notification (new start of the trade)</li> <li>• If necessary, a permit must be applied for (e.g. if a permit requirement has been introduced in the meantime, or if a permit was revoked before resumption).</li> </ul> </li> </ul> |
| Ansprechpunkt     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Zuständige Stelle | Responsibility is determined by the respective state law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Formulare         | <ul style="list-style-type: none"> <li>• Written form required: no</li> <li>• Online procedure possible: yes</li> <li>• Personal appearance required: no. However, it is advisable to appear in person.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Ursprungsportal   | Trade re-authorization, Gewerbe Wiedergestattung                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |