

99050012163000, 99050012163000

Trade requiring a license: Prohibition due to unreliability

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/9169326/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99050012163000, 99050012163000
Leistungsbezeichnung I	Trade requiring a license: Prohibition due to unreliability
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Untersagung (163)
SDG-Informationsbereich	
Lagen Portalverbund	Betriebsaufgabe und zeitweise Stilllegung (2160100)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_35.html
Teaser	The competent authority may prohibit traders from exercising their trade on the grounds of unreliability.
Volltext	<p>One of the prerequisites for carrying out a business requiring a license is your reliability under trade law. If you are found to be unreliable during the licensing procedure or during ongoing business operations, the competent authority may prohibit you from exercising your trade.</p> <p>Unreliability can be assumed if you cannot guarantee that you will be able to exercise the trade properly in the future. This is the case if, among other things</p> <ul style="list-style-type: none"> • Non-payment of public duties, such as wage tax, VAT, social security contributions, • tax arrears, • illegal employment of employees, • relevant convictions (e.g. for embezzlement, embezzlement, mistreatment of persons under protection such as trainees) or • in the event of a threat to public safety and order, for example due to poor food hygiene. <p>As a rule, the competent chamber is consulted before the prohibition order is issued, unless there is imminent danger. If the chamber also considers a prohibition to be necessary and you do not make any further efforts, you will receive a formal prohibition notice. The following options are available:</p> <ul style="list-style-type: none"> • Partial prohibition: Prohibition of certain trades or prohibition of the employment of employees subject to social security contributions, • Full prohibition: Prohibition of any commercial activity,

Modul

Sachverhalt

- Extended prohibition: Prohibition of any commercial activity and activity as managing director, operations manager or similar.

A legally binding trade ban applies indefinitely and throughout Germany. The prohibited activity must be stopped immediately and the business must be deregistered. After one year at the earliest, an application for re-licensing can be submitted. The prerequisite for re-authorization of the prohibited activity is that the unreliability no longer exists. The competent chamber will also be consulted on this.

Erforderliche Unterlagen

- Identity card or passport,
- Extract from the commercial, association or cooperative register, if applicable,
- Certificate of good conduct/excerpt from the central trade register, if applicable,
- Trade license, if applicable,
- Proof of showman's liability insurance, if applicable.
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Voraussetzungen

Kosten

Fees are charged in accordance with the state ordinance on administrative fees. Detailed information can be obtained from the responsible office.

Verfahrensablauf

Bearbeitungsdauer

Frist

weiterführende Informationen

Hinweise

Are you affected by a trade ban? Find out about the advice offered by the relevant chamber! A distinction must be made between a trade ban and a business ban in accordance with Section 16 (3) of the Crafts Code (HwO).

Rechtsbehelf

Kurztext

Modul	Sachverhalt
Ansprechpunkt	To the municipal, local or city administration in whose district the business is located.
Zuständige Stelle	
Formulare	
Ursprungsportal	Trade requiring a license: Prohibition due to unreliability, Gewerbe erlaubnispflichtig: Untersagung wegen Unzuverlässigkeit