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Register a trade

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<https://fimportal.de/xzufi-services/496/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99050012104000
Leistungsbezeichnung I	Register a trade
Leistungsbezeichnung II	Register a trade
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul

Sachverhalt

Fachlich freigegeben durch

Handlungsgrundlage

Gewerbeordnung (GewO):

- § 11 Verarbeitung personenbezogener Daten; Verordnungsermächtigung
- § 14 Anzeigepflicht
- § 15 Empfangsbescheinigung
- § 6b Absatz 1 GewO und § 71a ff. LVwVfG in Verbindung mit §§ 1 ff. des Gesetzes über einheitliche Ansprechpartner für das Land Baden-Württemberg (EAG BW) (Verfahren über eine einheitliche Stelle, einheitliche Ansprechpartner)

Verordnung zur Ausgestaltung des Gewerbeanzeigeverfahrens

Landesverwaltungsverfahrensgesetz BW (LVwVfG):

- § 3a elektronische Kommunikation

Teaser

A business registration is always necessary when you start a standing business. This is the case when

Volltext

A business registration is always necessary when you start a standing business. This is the case when

- Setting up a new business,
- Setting up a new branch office,
- Setting up a dependent branch,
- Taking over an existing business, e.g. by purchase or lease,
- Conversion of a sole proprietorship into another legal form,
- Transfer of a business from the area of one authority to the area of another authority (considered as an abandonment by one authority and as a new establishment by the other authority).

The business registration must be made at the same time as the start of the business.

- The obligation to notify exists only if it is a commercial activity. The activities listed in section 6(1) sentence 1 GewO are exempt from the obligation to notify. Among

Modul	Sachverhalt
	<p>others, the following are exempt:</p> <ul style="list-style-type: none"> • Primary production (livestock breeding, agriculture, hunting, forestry and fishing) • Liberal professions (including lawyers, notaries, tax consultants, auditors, doctors, scientific, artistic and literary activities) • Education of children for remuneration <p>The purpose of registering a trade is to enable the competent authority to monitor the exercise of the trade and to conduct statistical surveys.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Proof of identity (e.g. identity card, passport with registration certificate) • in the case of electronic business registration, other means of identification are also possible (e.g. electronic ID card, De-Mail, PIN/TAN procedure) • notarised articles of association or extract from the commercial register
Voraussetzungen	<p>You want to operate a trade. Traders are natural persons or legal entities (public limited company, limited liability company, registered cooperative or registered association, partnership limited by shares). The following must be notified:</p> <ul style="list-style-type: none"> • in the case of sole traders, the sole trader, • in the case of partnerships (e.g. OHG, GbR), the managing partners, • in the case of a KG, each personally liable partner, the limited partners of a KG only if they have management authority • in the case of corporations (e.g. GmbH, AG), the legal representative
Kosten	<p>The amount of the fees is determined by the municipal fee statutes.</p>
Verfahrensablauf	<p>You must register the start of a standing trade with the competent authority. The same applies to the operation of a branch office or a dependent branch.</p> <p>Some business activities require a permit. Others are subject to supervision. Additional requirements apply to them.</p>

Modul

Sachverhalt

Find out at an early stage which personal, financial and professional requirements you must fulfil in order to be able to work in these trades.

You can register your trade in person, in writing or electronically. Use the form "Trade registration" (GewA 1). You can also register your trade via the network of points of single contact.

If you are not registering the trade yourself, but as a managing partner or legal representative, you need a written power of attorney.

If you register your trade in writing or electronically, you will receive confirmation of your trade registration (the so-called "trade certificate") within 3 days, provided you have filled out the registration form completely and correctly. If you go in person, you will receive the confirmation directly at the time of registration.

The competent office will forward the trade registration to other offices such as the tax office, the Chamber of Crafts or the Chamber of Industry and Commerce, the registration court and the employers' liability insurance association.

If a permit is also required for your trade (e.g. guarding trade, operation of a restaurant) and this is not available, the competent office can prohibit the continuation of the business.

Bearbeitungsdauer

- In the case of a personal visit: immediately
- In case of written or electronic registration: within 3 days, provided that the business registration form has been filled in completely and correctly and the required documents are available.

Frist

You must register your trade immediately at the time of setting up the business. A fine may be imposed for late notification.

weiterführende Informationen

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Hinweise	<p>In some cases, you will have to submit further documents or proof. Please enquire with the competent authority.</p> <p>Additional special requirements apply to trades that require a permit or supervision.</p>
Rechtsbehelf	<p>There is no appealable remedy, as the acknowledgement of receipt does not contain a decision. If necessary, a failure to issue a receipt can be pursued with an action for performance. It might be more effective to enquire at the competent trade office.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	