

99050012186000, 99050012186000

# Applying for re-authorization of a trade after prohibition

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/218501124/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99050012186000, 99050012186000
Leistungsbezeichnung I	Applying for re-authorization of a trade after prohibition
Leistungsbezeichnung II	Applying for re-authorization of a trade after prohibition
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
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

Modul	Sachverhalt
	Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	30.11.2021
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Energy
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gewo/_35.html">https://www.gesetze-im-internet.de/gewo/_35.html</a> <a href="https://www.gesetze-im-internet.de/gewo/_35.html">https://www.gesetze-im-internet.de/gewo/_35.html</a>
Teaser	Have you been banned from exercising your trade due to unreliability? Then, as a rule, you can apply for the re-authorization of your commercial activity under certain conditions after one year.
Volltext	<p>As a rule, you can only apply for re-licensing of your trade after 1 year. This period is prescribed by law. It gives you the opportunity to show the authorities that the reasons for your unreliability have ceased to exist by changing your way of life.</p> <p>For overriding reasons - for example, economic or structural policy reasons - you may be permitted to carry out your trade again earlier in exceptional cases. This applies, for example, in the event that the resumption of the trade</p> <ul style="list-style-type: none"> <li>• creates additional jobs or</li> <li>• enables creditors of your business to reduce their debts.</li> </ul> <p>The mere cessation of the circumstances justifying unreliability is not sufficient to shorten the one-year period.</p> <p>Note: 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>

## Modul

## Sachverhalt

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.

### Erforderliche Unterlagen

- Details of the intended activity
  - Details of the location of the intended business activity
  - Proof of how you have made a living since your business was banned and whether you have worked as an employee
  - Certificate of good conduct
  - Extract from the central trade register
  - Extract from the debtor register and certificate from the insolvency court (available from the competent local or insolvency court)
  - Current certificates: from the 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 security 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:

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	<p>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 trade tax office from both the current authorities and those responsible at the time the business was prohibited.</p>
Voraussetzungen	<p>The reasons that led to the prohibition no longer exist.</p> <p>Based on your conduct in the meantime, the competent authority must also be able to predict that you will exercise your trade properly in the future.</p>
Kosten	<p>The costs are based on the respective administrative fee schedule of the state and the fee statutes of the authorities responsible under state law.</p>
Verfahrensablauf	<p>Submit an informal written or electronic (e.g. by email) application to the competent authority for re-authorization to carry out commercial activities and the necessary documents.</p> <p>The competent authority will check whether you can be permitted to carry out your commercial activity again on the basis of your evidence. To this end, it will make a prognosis decision regarding the future proper exercise of your trade.</p> <p>If the requirements are met, you will receive a positive decision.</p>
Bearbeitungsdauer	
Frist	<ul style="list-style-type: none"> <li>• Application: at the earliest 1 year after prohibition, in exceptional cases also possible earlier</li> </ul>
weiterführende Informationen	
Hinweise	
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-licensing           <ul style="list-style-type: none"> <li>• One year after the implementation of a trade ban (prohibition of occupation), the trader can apply for the re-licensing of the trade.</li> <li>• In exceptional cases, applications can be submitted earlier (for overriding economic or structural policy)</li> </ul> </li> </ul>

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	<p>reasons: e.g. contribution to reducing unemployment by creating jobs in the trader's business; creditor's interests: debt reduction, etc.).</p> <ul style="list-style-type: none"> <li>• Prerequisite: <ul style="list-style-type: none"> <li>• Proof that the reasons that led to the trade being prohibited no longer exist and</li> <li>• Positive prognosis regarding the future proper exercise of the trade.</li> <li>• Trade can also be partially re-authorized (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> <li>• Responsible: depending on the federal state, local trade or public order office</li> </ul> </li> </ul>
Ansprechpunkt	
Zuständige Stelle	Responsibility is determined by the respective state law.
Formulare	<p>\- Forms: no</p> <p>\- Written form required: no</p> <p>\- Online procedure possible: yes (if offered)</p> <p>\- Personal appearance required: no</p>
Ursprungsportal	Wiedergestattung eines Gewerbes nach Untersagung beantragen, Applying for re-authorization of a trade after prohibition