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Applying for a replacement permit for a hospitality business that requires a permit

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/13036284/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99025011001000, 99025011001000
Leistungsbezeichnung I	Applying for a replacement permit for a hospitality business that requires a permit
Leistungsbezeichnung II	Applying for a replacement permit for a hospitality business that requires a permit
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gaststätten (025)
Verrichtungskennung	Erteilung (001)

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SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § Section 9 of the Restaurant Act (GastG), • The respective state ordinance on the implementation of the Restaurant Act https://www.gesetze-im-internet.de/gastg/_9.html https://www.gesetze-im-internet.de/gastg/_9.html https://www.gesetze-im-internet.de/gastg/_9.html
Teaser	Would you like to operate your licensed restaurant business through a deputy? You will need a deputy permit for this. You can find out more here.
Volltext	<p>If you wish to operate your licensed restaurant business through a deputy, you will need a deputy permit in addition to the permit for the restaurant business. You submit the application as the holder of the restaurant license. The deputy permit is issued for a specific deputy and can be limited in time.</p> <p>If you want to operate your restaurant business through several deputies, you need a separate deputy permit for each person who is to operate the business as a deputy. The proxy permit can be issued to both natural and legal persons. A proxy permit is only required for legal entities and associations without legal capacity if the person by whom the catering business is to be operated is not authorized to represent or manage the business by law, articles of association or partnership agreement. Bodies of legal entities or associations without legal capacity do not require a proxy permit.</p> <p>The representative manages the business in your name and for your account. They act in your place as</p>

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the holder of the restaurant license and are liable for any violations of the Restaurant Act.

The deputy must have the necessary reliability and must also take part in a training course at a chamber of industry and commerce on the main features of the most important provisions of food law and have this training certified.

The deputy permit expires as soon as the associated restaurant permit expires or if the deputy does not start working within one year of being granted the permit or has not worked as a deputy for one year.

Erforderliche Unterlagen

As future deputy:

The following documents can be requested

- Certificate in tax matters from the responsible tax office,
- tax clearance certificate from the municipality of residence,
- Extract from the debtor register,
- Certificate from the insolvency court,
- Certificate of good conduct (document type "0"),
- Information from the central trade register (document type 9),
- Certificate from the Chamber of Industry and Commerce confirming instruction in accordance with Section 4 (1) No. 4 of the German Restaurant Act or an exemption in accordance with No. 3.4 of the General Administrative Regulation on Proof of Instruction in the Restaurant Industry (GastUVwV) in conjunction with its Annex 3.
- When serving prepared food: Proof from the public health department of participation in an instruction session in accordance with the Infection Protection Act or a valid health certificate.
- In the case of a GbR, the GbR contract must be submitted.
- In the case of legal entities or associations, information must be provided for all authorized representatives,
- In addition, an excerpt from the commercial, cooperative or association register must be submitted

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	if applicable.
Voraussetzungen	The deputy must have the necessary reliability and must also take part in a training course at a chamber of industry and commerce on the main features of the most important provisions of food law and have this training certified.
Kosten	The fees depend on the administrative effort and the respective administrative fee schedule of the state.
Verfahrensablauf	<p>Once you have submitted the application and all the documents are complete, the competent authority will check whether the deputy meets all the requirements for granting the requested deputy permit.</p> <p>If you meet all the requirements, you will receive the deputy permit.</p>
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	<p>If the business is no longer operated by the representative, you must notify the licensing authority immediately.</p> <p>You are committing an offense if you operate a restaurant business through a representative without the required permit. In this case, the deputy is also acting in violation of the regulations.</p>
Rechtsbehelf	Appeal (appeal may be excluded depending on national law), administrative court action
Kurztext	<ul style="list-style-type: none"> • Issuance of a deputy permit in accordance with the Restaurant Act • Application for a permit under restaurant law for a deputy in accordance with § 9 GastG • Deputy permit is issued for a specific person • Proxy permits can be issued to natural and legal persons • Management of the business in the name and for the account of the holder of the restaurant permit by a

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	<p>deputy</p> <ul style="list-style-type: none"> • Deputy must provide proof of the required reliability and proof of training from the IHK • Permit only issued if a restaurant license has already been issued or is issued at the same time • Responsible: Responsibility depends on the respective state law
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Applying for a replacement permit for a hospitality business that requires a permit, Stellvertretungserlaubnis für ein erlaubnisbedürftiges Gastgewerbe beantragen</p>