

99025008007000, 99025008007000

# Restaurant operation Approval early start of operations

Heruntergeladen am 07.07.2025

<https://fimportal.de/xzufi-services/13221631/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99025008007000, 99025008007000
Leistungsbezeichnung I	Restaurant operation Approval early start of operations
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gaststätten (025)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Sonderöffnungszeiten und -genehmigungen (2150200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	19.01.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Economic Affairs, Labour, Transport and Digitalisation
Handlungsgrundlage	<a href="https://voris.wolterskluwer-online.de/browse/document/cite/cc6e781a-e121-33f9-a9f1-60d9c1016f61">https://voris.wolterskluwer-online.de/browse/document/cite/cc6e781a-e121-33f9-a9f1-60d9c1016f61</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/cc6e781a-e121-33f9-a9f1-60d9c1016f61">https://voris.wolterskluwer-online.de/browse/document/cite/cc6e781a-e121-33f9-a9f1-60d9c1016f61</a>
Teaser	Would you like to start operating a restaurant business, but cannot meet the previous notification deadline of 4 weeks? The competent authority may allow an earlier start if you cannot reasonably be expected to comply.
Volltext	<ul style="list-style-type: none"> <li>• If you want to operate a standing catering business, you must notify the competent authority at least 4 weeks before offering drinks or prepared food for the first time.</li> <li>• This also applies if the catering industry is only to be operated for a short time.</li> <li>• The same procedure shall apply to the operation of a branch, a dependent branch, the transfer of the permanent establishment and the extension of the offer to alcoholic beverages or prepared foods.</li> <li>• Deviating from this, the competent authority may allow an earlier start of the catering business if compliance with the 4-week period is not reasonable for you as the operator.</li> </ul>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Identity card or comparable identity document</li> <li>• If applicable, power of attorney</li> </ul>
Voraussetzungen	- You must be able to demonstrate that you cannot reasonably be expected to comply with the statutory period of 4 weeks.
Kosten	Gebühr: 1€ - 112€ is calculated according to the time spent Fees are charged in accordance with tariff number 40.6.2 of the annex to §1 paragraph 1 of the General Fee Schedule of the State of Lower Saxony (AllGO).

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Verfahrensablauf	<ul style="list-style-type: none"> <li>• Submit an explanation together with the restaurant advertisement why it is not reasonable for you to wait 4 weeks before starting the restaurant business</li> <li>• After assessing the situation, the competent restaurant authority will inform you whether an earlier start can be permitted.</li> </ul>
Bearbeitungsdauer	If there is sufficient justification, prompt processing will take place.
Frist	<p>4 Woche(n) before offering beverages or prepared food for the first time</p> <p>There is a considerable interest in adhering to the notification period of 4 weeks before the start of operations. However, if compliance with this deadline is not reasonable for you, you are requested to report the first serving of beverages or the delivery of prepared food for consumption on the spot as early as possible.</p>
weiterführende Informationen	
Hinweise	<p>There is a considerable public interest in complying with the 4-week deadline. Early knowledge of an intended restaurant industry is not only important for the restaurant administration but also for other legal concerns such as food hygiene law, building law, etc. is significant. Earlier authorisation can therefore only be considered in particularly justified exceptional cases. This may be, for example, the case that a takeover of a restaurant business becomes unforeseen as a result of serious illness or death of the previous operator.</p>
Rechtsbehelf	Administrative court proceedings
Kurztext	The authority may permit an earlier start of the catering business if compliance with the prescribed 4-week period is not reasonable for the operator.
Ansprechpunkt	<p>This procedure can also be handled by a "Point of Single Contact". The "Point of Single Contact" is a special service offered by the municipalities and the state for service providers.</p> <p><a href="https://service.niedersachsen.de/dlp/ea">https://service.niedersachsen.de/dlp/ea</a></p>

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	<a href="https://service.niedersachsen.de/dlp/ea">https://service.niedersachsen.de/dlp/ea</a>
Zuständige Stelle	The municipality in whose local area of responsibility the operation is to be commenced.
Formulare	<ul style="list-style-type: none"> <li>• The request to allow the earlier start of the catering industry can be applied for informally at the competent authority.</li> <li>• Online procedure: possible</li> <li>• Written form: not required</li> <li>• Personal appearance: not required</li> </ul>
Ursprungsportal	Gaststättenbetrieb Zulassung vorzeitiger Betriebsbeginn, Restaurant operation Approval early start of operations