

99050078056000, 99050078056000

Operation of a trade after the death of the trader without a qualified representative Authorisation

Heruntergeladen am 25.05.2025

<https://fimportal.de/xzufi-services/305451131/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99050078056000, 99050078056000
Leistungsbezeichnung I	Operation of a trade after the death of the trader without a qualified representative Authorisation
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	

Modul	Sachverhalt
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Betriebsübernahme (2160200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.09.2018
Fachlich freigegeben durch	Lower Saxony Ministry of Economic Affairs, Labour and Transport
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_46.html#:~:text=Gewerbeordnung,%C2%A7%2046%20Fortf%C3%BChrung%20des%20Gewerbes&text=(3)%20Die%20zus t%C3%A4ndige%20Beh%C3%B6rde%20kann,45%20bef %C3%A4higten%20Stellvertreter%20betrieben%20wird . https://www.gesetze-im-internet.de/gewo/_46.html#:~:text=Gewerbeordnung,%C2%A7%2046%20Fortf%C3%BChrung%20des%20Gewerbes&text=(3)%20Die%20zus t%C3%A4ndige%20Beh%C3%B6rde%20kann,45%20bef %C3%A4higten%20Stellvertreter%20betrieben%20wird .
Teaser	
Volltext	After the death of a trader, the trader may be • of the surviving spouse or partner • of the minor heirs during the period of minority • the administrator of the estate, the administrator of the estate or the executor of the will as a rule, are only operated by deputies qualified in accordance with § 45 of the Industrial Code (GewO). Upon request, the competent authority may allow the trade to be carried on without such a representative for a period of up to one year after the death of the trader.

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	Special regulations for individual trades (e.g. crafts) remain unaffected by this. https://www.gesetze-im-internet.de/gewo/_45.html#:~:text=Gewerbeordnung,Gewerbe%20insbesondere%20vorgeschriebenen%20Erfordernissen%20gen%C3%BCgen. https://www.gesetze-im-internet.de/gewo/_45.html#:~:text=Gewerbeordnung,Gewerbe%20insbesondere%20vorgeschriebenen%20Erfordernissen%20gen%C3%BCgen.
Erforderliche Unterlagen	• If applicable, identity card or passport Further documents may be required as a result of the relevant specialist law. Please contact the competent authority.
Voraussetzungen	
Kosten	Fees are charged in accordance with Appendix 1 to § 1 paragraph 1 of the General Schedule of Fees of the State of Lower Saxony (AllGO) in accordance with No. 40.1.15.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	Deadlines may have to be observed. Please contact the competent authority.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	• Operation of a trade after the death of the trader without a qualified representative Authorisation • Upon request, the trade can be operated without a qualified representative after the death of the trader under certain conditions. • Responsibility lies with the county, the independent city, the large independent city and the independent

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	municipality in whose district the commercial enterprise has its registered office or the authority responsible under specialist law. • This procedure can also be carried out through a "Point of Single Contact". The "Point of Single Contact" is a special service offered by the municipalities and the state for service providers.
Ansprechpunkt	Responsibility lies with the county, the independent city, the large independent city and the independent municipality in whose district the commercial enterprise has its registered office or the authority responsible under specialist law. This procedure can also be carried out through a "Point of Single Contact". The "Point of Single Contact" is a special service offered by the municipalities and the state for service providers. https://service.niedersachsen.de/dlp/ea https://service.niedersachsen.de/dlp/ea
Zuständige Stelle	
Formulare	
Ursprungsportal	Betrieb eines Gewerbes nach dem Tode der Gewerbetreibenden/des Gewerbetreibenden ohne befähigte Stellvertretung Gestattung, Operation of a trade after the death of the trader without a qualified representative Authorisation