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Applying for an exemption from the ban on working on Sundays and public holidays

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/427516126/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99006001006000, 99006001006000
Leistungsbezeichnung I	Applying for an exemption from the ban on working on Sundays and public holidays
Leistungsbezeichnung II	Applying for an exemption from the ban on working on Sundays and public holidays
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Genehmigung (006)

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SDG-Informationsbereich	
Lagen Portalverbund	Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.04.2023
Fachlich freigegeben durch	Lower Saxony Ministry for Social Affairs, Labor, Health and Equality
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_13.html https://www.gesetze-im-internet.de/arbzg/_13.html http://www.voris.niedersachsen.de/jportal/?quelle=jlink&query=L%C3%96VerkZG+ND&psml=bsvorisprod.psml&max=true&aiz=true https://www.gesetze-im-internet.de/arbzg/_13.html https://www.gesetze-im-internet.de/arbzg/_13.html http://www.voris.niedersachsen.de/jportal/?quelle=jlink&query=L%C3%96VerkZG+ND&psml=bsvorisprod.psml&max=true&aiz=true
Teaser	If you as an employer wish to have employees work in your company or business on a Sunday or public holiday, you require a permit to do so.
Volltext	As an employer, you require a permit from the local authority responsible for occupational health and safety if you wish to work on a Sunday or public holiday. You can apply for a permit to work on Sundays or public holidays for • in the commercial sector, if special circumstances make it necessary to extend business operations, e.g. holding in-house and order fairs for commercial resellers. • the prevention of disproportionate damage to a business due to special circumstances, such as a very high sickness rate or late delivery of materials. • the statutory stocktaking, if this cannot be carried out on a weekday. If there are other reasons, these will also be examined

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and work on Sundays or public holidays will be approved if necessary.

The general ban on working on Sundays and public holidays does not apply to activities that serve to meet the particularly prominent needs of the population, such as

- Services of general interest (for example in the care of the sick or the care of animals),
- services (for example in restaurants or cab companies) and
- Leisure activities (for example in theaters, soccer or leisure facilities)
- Use in emergencies and exceptional cases (work that cannot be postponed, such as repairs to burst pipes or storm damage to roofs).

Maximum limits apply for certain exceptions.

In Lower Saxony, you also need a permit to compensate for unreasonable competition from abroad by working on Sundays or public holidays.

Erforderliche Unterlagen

- For an application in accordance with Section 13 (3) No. 2 a-c) ArbZG, please use the [application form Granting of exceptional permits for work on Sundays and public holidays](https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html).
- Please prepare the application documents for permits in accordance with Section 13 (5) ArbZG [Impairment due to unreasonable competition from abroad], taking into account the list of criteria for submitting applications in accordance with Section 13 (5) of the Working Hours Act (ArbZG).
- [List of criteria for submitting applications in accordance with Section 13 (5) of the Working Hours Act (ArbZG)](<https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitschutz/arbeitszeitregelungen/sonn>

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[_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html](https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html)
https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html
https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html
https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html
https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/sonn_und_feiertagsarbeit/erteilung-von-ausnahmebewilligungen-fuer-sonn-und-feiertagsarbeit-52006.html

Voraussetzungen
Kosten

Gebühr: 200€ - 5.200€
 The amount of the fees is based on the Lower Saxony General Fee Schedule (AllGO) and depends on the number of Sundays/holidays approved and the number of employees to be employed.

Verfahrensablauf

You can apply for a permit to work on Sundays and public holidays from your local occupational health and safety authority in writing or online. The following steps are necessary:

Written application:

- You submit an informal application to the competent authority and submit all other required documents.
- If the documents or information required for processing are incomplete, you will be contacted by the processing department.
- If the requirements for approval are met, you will receive a notice of approval, otherwise a notice of rejection.

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Online procedure:

- You log in to the online service and use it to create your application. Attach the required documents to the application.
- The responsibility is automatically determined and the application is automatically sent to the responsible authority after processing.

The remaining steps are the same as for written processing

Bearbeitungsdauer

The processing time for applications pursuant to Section 13 (5) ArbZG [impairment due to unreasonable competition from abroad] is 3 months.

Frist

Please submit the application for authorization to work on Sundays or public holidays in accordance with § 13 (5) ArbZG [Impairment due to unreasonable competition from abroad] 3 months before the intended first date of Sunday/holiday work.

weiterführende Informationen

<https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a120-arbeitszeitgesetz.pdf>
<https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a120-arbeitszeitgesetz.pdf>

Hinweise

<https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/gesetzliche-arbeitszeitregelungen-52092.html>
<https://www.gewerbeaufsicht.niedersachsen.de/startseite/arbeitsschutz/arbeitszeitregelungen/gesetzliche-arbeitszeitregelungen-52092.html>

Rechtsbehelf
Kurztext

- Exemption from the ban on working on Sundays and public holidays Approval
 - Exceptions that can be approved are
 - in-house and order fairs for commercial resellers (up to 10 Sundays and public holidays per year)
 - special circumstances (e.g. very high sickness rate, late delivery of materials) that could cause

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disproportionate damage to a business (up to 5 Sundays and public holidays per year) or

- the statutory stocktaking if this cannot be carried out on a weekday (one Sunday per year).
- In the case of other reasons, these are examined and work on Sundays or public holidays is approved if necessary.
- Responsible: locally competent authority for occupational health and safety, in Lower Saxony the State Trade Inspectorate, for activities and facilities subject to the Federal Mining Act: State Office for Mining, Energy and Geology (LBEG)

Ansprechpunkt

In principle, responsibility lies with the State Trade Supervisory Offices in Lower Saxony.

[Areas of responsibility of the state trade supervisory offices in Lower Saxony](https://www.gewerbeaufsicht.niedersachsen.de/startseite/wir_uber_uns_aktuelles_lokal/gewerbeaufsichtsamt/zustaendigkeitsbereiche-der-staatlichen-gewerbeaufsichtsamt-in-niedersachsen-52142.html)

The State Office for Mining, Energy and Geology (LBEG) is responsible for activities and facilities that are subject to the Federal Mining Act.

The administrative districts are responsible for the personnel of legal entities that are under the supervision of the administrative districts.

Notwithstanding the above:

The Osnabrück State Trade Supervisory Office is responsible for all applications pursuant to Section 13 (5) ArbZG [impairment due to unreasonable competition from abroad].
https://www.gewerbeaufsicht.niedersachsen.de/startseite/wir_uber_uns_aktuelles_lokal/gewerbeaufsichtsamt/zustaendigkeitsbereiche-der-staatlichen-gewerbeaufsichtsamt-in-niedersachsen-52142.html
https://www.gewerbeaufsicht.niedersachsen.de/startseite/wir_uber_uns_aktuelles_lokal/gewerbeaufsichtsamt/zustaendigkeitsbereiche-der-staatlichen-gewerbeaufsichtsamt-in-niedersachsen-52142.html

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	sichtsaeemter-in-niedersachsen-52142.html
Zuständige Stelle	
Formulare	
Ursprungsportal	Ausnahme vom Verbot der Sonn- und Feiertagsarbeit beantragen, Applying for an exemption from the ban on working on Sundays and public holidays