

99050012186000, 99050012186000

Applying for re-authorisation of a trade after prohibition

Heruntergeladen am 17.06.2025

<https://fimportal.de/xzufi-services/434406724/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99050012186000, 99050012186000
Leistungsbezeichnung I	Applying for re-authorisation of a trade after prohibition
Leistungsbezeichnung II	Applying for re-authorisation of a trade after prohibition
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	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Wiedergestattung (186)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und

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	Rechtsformen für geschäftliche Tätigkeiten), Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.08.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Economic Affairs, Labour, Transport and Digitalisation
Handlungsgrundlage	http://www.gesetze-im-internet.de/gewo/_35.html http://www.gesetze-im-internet.de/gewo/_35.html
Teaser	Have you been prohibited from practicing your trade because of unreliability? Then you can apply for the restoration of your commercial activity after one year, exceptionally even earlier. Find out more here.
Volltext	<p>The competent authority had prohibited you from carrying out your business due to unreliability. However, you now want to resume your commercial activity. After one year, or earlier in the case of special reasons, the authority may allow you to resume your business upon request.</p> <p>The prerequisite is that you can prove to the competent authority that the reasons that led to the prohibition of your business no longer exist. The competent authority must also be able to predict that you will carry out your business properly in the future on the basis of your interim behaviour.</p> <p>As a rule, re-admission can only take place after one year. This period is considered appropriate in order to demonstrate to the Authority that the reasons for unreliability have ceased to exist by changing the way of life. For overriding reasons – such as economic or structural policy – the exercise of the trade may exceptionally be permitted earlier. This applies, for example, in the event that additional jobs are created by the resumption of business, or creditors of your company are enabled to reduce debt by generating</p>

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income for debt repayment in your company. The mere elimination of the circumstances justifying the unreliability is not sufficient to shorten the one-year period.

Erforderliche Unterlagen

- written or electronic application for permission to pursue the business you wish to resume with further details
- Information on the place of the intended business
- Proof of how you have made a living since the trade ban and whether you have been employed
- Application for a certificate of good conduct for submission to an authority (LeikaSchlüssel: 99049001001000)
- Application for an extract from the Central Trade Register for submission to an authority (Leika Schlüssel: 99052002109000)
- Extract from the list of debtors and certificate from the insolvency court (available from the competent office or insolvency court)
- Current certificates: from trade tax offices, tax offices and social security institutions
- If you had arrears at the time of the previous trade ban, you must submit current certificates from the trade tax offices, tax offices and social security institutions. These certificates shall contain information on:
 - the amount of arrears that may still exist, separated into principal and ancillary claim
 - the period from which the principal originates, if any;
 - repayment agreements concluded after the trade ban, their conclusion date, regulations and compliance
 - the implementation of compulsory recovery measures, their nature and success
 - If you moved after the trade ban at that time, then the certificates from the debtor file of the insolvency court, the tax office and the trade tax office are required by both the current authorities and those competent at the time of the trade ban.

Voraussetzungen

The reasons which led to the prohibition no longer exist. They can guarantee reliability under trade law again in the future.
 After the prohibition, one year should have elapsed regularly.

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Kosten	Gebühr: 0€ - 395€ in Lower Saxony according to § 1 Abs 1 in conjunction with .dem cost tariff (Annex to § 1 Abs. 1) AllGO
Verfahrensablauf	Submit to the competent body a written or electronic application for re-authorisation of commercial activity and the necessary documents. The competent authority checks whether you can be allowed to carry out your business activity again on the basis of your evidence and makes a prognosis decision with regard to the future proper exercise of your business. If the prerequisites are met, you will receive the official decision to re-authorise.
Bearbeitungsdauer	
Frist	• Application: at the earliest one year after prohibition, in exceptional cases also possible earlier •
weiterführende Informationen	
Hinweise	
Rechtsbehelf	In Lower Saxony, preliminary proceedings are abolished by § 8a Nds. AG VwGO. Therefore, no objection is admissible, but rather administrative court action must be brought directly.
Kurztext	<ul style="list-style-type: none"> • Commercial re-authorisation • One year after the implementation of a trade ban (professional ban), the trader can apply for re-authorisation. • Exceptionally, an application may also be submitted earlier (for overriding reasons of an economic or structural nature: e.g. contribution to reducing unemployment by creating jobs in the trader's business; Creditor's interests: debt reduction, etc.). • Prerequisite: Proof that the reasons that led to the prohibition of the exercise of the trade no longer exist and a positive prognosis regarding a future proper exercise of the trade. • Trade can also be partially permitted (if the reliability is restored in relation to parts of the prohibited activity)

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	<ul style="list-style-type: none"> • Resumption of commercial activity requires business registration (new start of the trade) • If necessary. Permission must be applied for (e.g. if a permit requirement has been introduced in the meantime, or if permission has been revoked before resumption).
Ansprechpunkt	
Zuständige Stelle	Rural districts, independent cities, large independent cities, independent municipalities
Formulare	<ul style="list-style-type: none"> • Written form required: no • Online procedure possible: yes • Personal appearance required: no. However, it is advisable to appear in person.
Ursprungsportal	Applying for re-authorisation of a trade after prohibition, Wiedergestattung eines Gewerbes nach Untersagung beantragen