

99118064001000

Heruntergeladen am 26.07.2025

<https://fimportal.de/xzufi-services/172278/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99118064001000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Cannabis for consumption; application for permission for communal home cultivation and distribution in cultivation associations
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

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Ansprechpartner	
Fachlich freigegeben am	24.11.2024
Fachlich freigegeben durch	Bayerisches Staatsministerium für Gesundheit, Pflege und Prävention (Bavarian State Ministry of Health, Care and Prevention)
Handlungsgrundlage	https://www.gesetze-im-internet.de/kcang/ https://www.gesetze-im-internet.de/kcang/
Teaser	Cultivation associations that want to cultivate cannabis on a non-commercial basis and distribute it to members for their own use require an official permit.
Volltext	<p>An official permit must be obtained for the communal cultivation and distribution of cannabis in cultivation associations. This must be applied for by the cultivation association.</p> <p>Cultivation associations are registered, non-commercial associations or registered cooperatives whose purpose is the communal, non-commercial cultivation and distribution of cannabis and propagation material (seeds and cuttings of cannabis plants) for personal use as well as the provision of information to their members on cannabis-specific addiction prevention and counseling.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • The following documents are required: Certificate of good conduct for submission to an authority in accordance with Section 30 (5) of the Federal Central Criminal Register Act (BZRG), which was issued no more than three months prior to the application (if a new application is made, it will be sent directly to the LGL by the licensing authority) Central trade register information in accordance with Section 150 (1) sentence 1 of the Trade Regulation Act (GewO), which was issued no more than three months before the application was submitted Site and building plan of the pacified property Security and protective measures concept in accordance with § 22 Para. 1 KCanG Proof of the advisory and prevention skills of the prevention officer in accordance with Section 23 (4) sentence 5 KCanG; additional content of the prevention training if this was carried out outside Bavaria (curriculum)

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Health and youth protection concept in accordance with § 23 Para. 6 KCanG Participation concept Articles of association Extract from the register of associations

Voraussetzungen

It is a cultivation association within the meaning of the German Consumer Cannabis Act (KCanG). Cultivation associations

- may have a maximum of 500 members, who must have reached the age of 18 and have been resident or ordinarily resident in Germany for at least 6 months.
- must stipulate a minimum membership period of three months in their articles of association.
- must also maintain a minimum distance of 200 meters from the entrance area of schools, other children's and youth facilities and playgrounds.
- must cover their own costs and may only demand the statutory contributions from members and, if cannabis seeds are passed on to non-members and other growers' associations, reimbursement of the production costs.

Cultivation associations receive a license upon application if the legal requirements are met, i.e. if

- the persons authorized to represent the cultivation associations have unlimited legal capacity and the necessary reliability for handling cannabis, cannabis seeds and cuttings,
- the growers' association guarantees that the cannabis, cannabis seeds and cuttings in its possession are adequately protected against access by children, adolescents and unauthorized third parties, and
- the cultivation association ensures compliance with the other provisions of this Act and the regulations issued on the basis of this Act.

Board members and other authorized representatives must also be members of the respective cultivation association.

Kosten

Costs are charged for the granting of a cultivation association permit within the meaning of the KCanG.

Before your application is examined, an advance

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	<p>payment in the amount of the anticipated administrative costs must be made. The amount of the costs is between EUR 2,700 and EUR 3,500 and depends on the importance of the matter. Among other things, the estimated number of members of the planned cultivation association is taken into account. The cost calculation includes all costs of the application procedure, including the costs of third-party involvement (e.g. local authority, on-site police inspection).</p> <p>If the advance on costs is not paid by the due date, the application will be treated as withdrawn.</p>
Verfahrensablauf	<ul style="list-style-type: none"> • The application must be submitted to the Bavarian State Office for Health and Food Safety (LGL) using the online procedure provided (see "Online procedure") and must contain the information and evidence required by law. • An advance on costs will be requested before the application is examined. • The LGL examines and decides on the application. • As part of the examination, an inspection of the pacified property of the cultivation association is planned, among other things. • The permit is then issued or refused.
Bearbeitungsdauer	<p>The competent authority should decide on the application for a permit within three months of receiving all the information and evidence specified in Section 11 (4) of the Act on the Handling of Consumer Cannabis (Consumer Cannabis Act - KCanG). However, the actual processing time depends, among other things, on the quality and completeness of the applications.</p>
Frist	none
weiterführende Informationen	<p>https://www.lgl.bayern.de/produkte/ueberwachung/antrag_anbauvereinigungen.htm</p> <p>https://www.lgl.bayern.de/produkte/ueberwachung/antrag_anbauvereinigungen.htm</p> <p>https://www.lgl.bayern.de/produkte/ueberwachung/konsumcannabisgesetz_faq.htm</p> <p>https://www.lgl.bayern.de/produkte/ueberwachung/konsumcannabisgesetz_faq.htm</p>

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Hinweise

The license may be denied in particular due to the lack of reliability of a board member of the cultivation association, especially if the person concerned has a relevant criminal record or does not or is unlikely to comply with the requirements of the Cannabis Act for the protection of health, children and minors

Relevant previous convictions include drug-related offences with the exception of cannabis-related offences for acts that are no longer punishable under the Cannabis Act, as well as other offences that are usually attributed to organized crime. Board members and other authorized representatives must also be members of the respective cultivation association.

Permission may also be denied by the competent authority if the cultivation areas or greenhouses of the cultivation association are structurally linked to cultivation areas or greenhouses of other cultivation associations, in particular if they are housed in a common building or building complex.

In addition, permission may be refused if the cultivation areas and greenhouses of the growers' association are located in the immediate vicinity of cultivation areas or greenhouses of other growers' associations.

This is intended to enable the competent authorities to ensure that a large number of growers' associations are not allowed to operate cultivation areas at the same location or in the same building. In this way, commercial "plantations" and comparable large-scale cannabis cultivation areas are to be excluded, which would conflict with the declared purpose of small-scale, non-commercial home cultivation in cultivation associations for personal consumption through the active cooperation of the members of the respective cultivation association.

Rechtsbehelf

Administrative court action

Kurztext

Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal