

99050036005000, 99050212006000

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/27374/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050036005000, 99050212006000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Auctioneer trade; application for a license
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 Ansprechpartner	
Fachlich freigegeben am	02.04.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wirtschaft, Landesentwicklung und Energie (Bavarian State Ministry of Economic Affairs, Regional Development and Energy)
Handlungsgrundlage	http://bundesrecht.juris.de/gewo/__34b.html http://bundesrecht.juris.de/gewo/__34b.html http://bundesrecht.juris.de/gewo/__34b.html http://bundesrecht.juris.de/gewo/__34b.html http://bundesrecht.juris.de/verstv_2003/ http://bundesrecht.juris.de/verstv_2003/ https://www.gesetze-bayern.de/Content/Document/BayKVzKG-ANL_1 https://www.gesetze-bayern.de/Content/Document/BayKVzKG-ANL_1
Teaser	If you want to auction off third-party movable property, third-party land or third-party rights on a commercial basis, you need a permit.
Volltext	<p>The auctioning of third-party movable property, third-party land or third-party rights is subject to authorization. Movable property also includes fruit on the stalk and wood on the trunk.</p> <p>The auctioneer is generally subject to certain prohibitions, e.g. he may not bid for himself or through another person at his auctions or purchase auctioned goods entrusted to him or auction movables from the range of goods that he carries in his commercial business, unless this is customary.</p> <p>Furthermore, the auctioneer is subject to the requirements of the Auctioneers Ordinance (VerstV) when practicing his trade, e.g. he must</p> <ul style="list-style-type: none"> • prepare a list of the items to be auctioned no later than two weeks before the auction, in which the auctioned items of each client must be uniformly identified • notify the competent authority and the Chamber of Industry and Commerce in whose district the auction is to take place in writing of each auction at least two weeks before the planned auction date, stating the place and time of the auction and the type of goods to

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be auctioned

- provide an opportunity to inspect the goods to be auctioned for at least two hours
- keep a record of each auction order and its execution

In the case of partnerships, each managing partner is a trader; in the case of legal entities, permission is granted to the legal entity.

Particularly competent auctioneers, with the exception of legal entities, can be publicly appointed by the competent authority (see "Related topics").

The authorities have rights of information and inspection vis-à-vis traders. At the request of the authorities, the parties concerned must provide the information required to monitor business operations. Furthermore, the authorities are authorized to enter the business premises in order to carry out inspections and visits.

In addition to obtaining a permit, the business must be registered with the responsible municipality.

Erforderliche Unterlagen

- Valid identity card or passport
- Proof of reliability: Certificate of good conduct for public authorities (§ 30 Para. 5 Federal Central Register Act) and information from the Central Trade Register (§ 150 Para. 5 GewO)
- proof of financial standing information on entries in the register to be kept by the insolvency court or the enforcement court (section 26 subs. 2 Insolvency Code, section 915 Code of Civil Procedure)
- in the case of a power of attorney: a written power of attorney and identification of the grantor of the power of attorney and the authorized representative
- for registered companies, civil law companies and limited liability companies: for registered companies: Commercial register excerpt or comparable registration documents from abroad (with German translation), in the case of companies under civil law: articles of association, in the case of a GmbH in the process of formation: a copy of the notarial formation agreement and a power of attorney from the founders, according to which the commencement of the trade is

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	to be commenced prior to the entry in the commercial register.
Voraussetzungen	<p>Permit requirements are reliability and orderly financial circumstances of the trader.</p> <p>The applicant's reliability is checked on the basis of a certificate of good conduct for authorities and information from the central trade register.</p> <p>The applicant's orderly financial circumstances are determined on the basis of information on entries in the register kept by the insolvency court or the enforcement court.</p>
Kosten	Permit: 50 to 1,000 euros in accordance with the Schedule of Costs under the Costs Act (Tariff No. 5.III.5/13.1)
Verfahrensablauf	
Bearbeitungsdauer	
Frist	Duration of the procedure approx. 3 - 5 weeks
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal