

99400033017000

Heruntergeladen am 19.06.2025

<https://fimportal.de/xzufi-services/64187/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99400033017000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Theater and concert hall buildings; application for an allocation for construction measures
Typisierung	4 - Land: Regelung
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	06.05.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium der Finanzen und für Heimat (Bavarian State Ministry of Finance and Regional Identity)
Handlungsgrundlage	<a href="https://www.gesetze-bayern.de/Content/Document/BayFAG-10">https://www.gesetze-bayern.de/Content/Document/BayFAG-10</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayFAG-10">https://www.gesetze-bayern.de/Content/Document/BayFAG-10</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayVwV295492">https://www.gesetze-bayern.de/Content/Document/BayVwV295492</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayVwV295492">https://www.gesetze-bayern.de/Content/Document/BayVwV295492</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125</a> <a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125</a>
Teaser	Upon application, the Free State grants subsidies for municipal construction work on professional municipal theater and concert hall buildings.
Volltext	<p>As part of the municipal financial equalization scheme, the Free State of Bavaria supports municipal bodies with construction investments in professional municipal theater and concert hall buildings with grants in accordance with Art. 10 of the Bavarian Financial Equalization Act (BayFAG).</p> <p>Funding is provided for</p> <ul style="list-style-type: none"> <li>• New buildings, conversions and extensions</li> <li>• renovations</li> <li>• technical installations in the stage and auditorium area, insofar as these measures are necessary for performance operations, and</li> </ul>

## Modul

## Sachverhalt

- the acquisition including conversion or repair of buildings, insofar as they make a necessary new building or extension superfluous.

Recipients of state allocations under Art. 10 BayFAG are exclusively municipalities and municipal special-purpose associations, but not independent municipal companies under public law or municipal companies in the legal forms of private law.

The basis for state funding is not the total costs, but the eligible expenditure. Eligible expenditure is determined in accordance with No. 5.2 of the Allocation Guidelines (FAZR).

The eligibility requirements for a general refurbishment in accordance with No. 2.1.3 FAZR do not apply to theater construction measures.

Expenditure for building maintenance and for repairs due to inadequate building maintenance cannot be funded.

## Erforderliche Unterlagen

- Construction documents according to VV No. 4 of Annex 4a to Art. 44 BayHO, unless the submission according to VV No. 4.6 of Annex 4a to Art. 44 BayHO can be waived
  - Decision of the responsible municipal body to carry out the project or to participate in the measure of another sponsor
  - Applications for and commitments of allocations by third parties
  - Evidence that the requirements have been met

## Voraussetzungen

Eligible investments are

- for municipal theater and concert hall buildings if municipally supported professional theaters or orchestras are based there and receive operating cost subsidies or institutional grants from the State Ministry of Science and the Arts.
- for municipal cultural institutions of supra-regional importance at the seat of a district government that are also used as a theater or concert hall, provided the municipality does not have a theater and concert hall building funded under Art. 10 BayFAG, as well as
- for municipal theater and concert hall buildings if they are used for year-round professional performances with at least 100 theater or concert performances on a regular basis and the municipality

## Modul

## Sachverhalt

does not have a theater or concert hall building that is funded under Art. 10 BayFAG or is state-owned. European state aid law must be observed. In particular, reference is made to Regulation (EU) No. 651/2014. The following conditions apply to the granting of allocations for eligible measures:

- The overall financing must be secured. The municipality must be in a position to raise the necessary own funds and also to finance the expected follow-up costs in the future.
- As a rule, the planning documents must be professionally reviewed before the start of a construction project.
- The measure must not have been started yet.
- A subsidized construction project must be used for the purpose for which it was allocated for at least 25 years.
- The measure must be cost-effective.
- Direct contracts are only permitted in accordance with the procurement principles applicable to local authorities.
- Allocations are only granted for projects with eligible expenditure of more than €100,000. The generally applicable de minimis limit of €100,000 is reduced to €25,000 for measures to implement accessibility/inclusion and measures caused by natural disasters.

## Kosten

### Verfahrensablauf

Allocation applications must be submitted to the State Ministry of Finance and Home Affairs via the governments. After consulting the State Ministry for Science and the Arts and the State Ministry for Housing, Construction and Transport, the State Ministry decides on the basic eligibility of the project applied for. The approval procedure and the technical examination are the responsibility of the governments. The governments decide on applications for approval for an early start of construction with the approval of the State Ministry of Finance and Home Affairs.

### Bearbeitungsdauer

### Frist

Applications for allocations must be submitted in a

Modul	Sachverhalt
	single copy within the deadline set by the competent government.
weiterführende Informationen	
Hinweise	Construction work may only begin after a corresponding approval notice has been issued or after prior approval for early commencement of the measure.
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal