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Ausnahmebewilligung zur Eintragung in die Handwerksrolle nach § 9 HwO Abs. 1 HwO Erteilung

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Modul	Sachverhalt
Leistungsschlüssel	99058065001000
Leistungsbezeichnung I	Ausnahmebewilligung zur Eintragung in die Handwerksrolle nach § 9 HwO Abs. 1 HwO Erteilung
Leistungsbezeichnung II	Apply for exemption permit for persons from the EU/EEA foreign countries and Switzerland for registration in the register of craftsmen
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Bremen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	Register of Craftsmen, Handicrafts Register
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

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SDG-Informationsbereich	
Lagen Portalverbund	Befähigungs- und Sachkundenachweise (2010200), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	05.10.2022
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/hwo/_9.html
Teaser	Are you from a foreign country in the EU/EEA or Switzerland and would like to practice a craft subject to licensing in Germany? Then you can have your professional experience and training certificates recognized in Germany under certain conditions.
Volltext	<p>Registration in the register of skilled crafts is necessary if you want to operate a craft subject to licensing on a self-employed basis in Germany. This also applies if</p> <ul style="list-style-type: none"> • you want to practice a significant part of a craft subject to licensing on a self-employed basis. • you want to practice several crafts subject to licensing on a self-employed basis. In this case, you need to be entered in the register of skilled crafts for each skilled craft that is subject to registration. <p>Registration in the register of skilled crafts is possible for</p> <ul style="list-style-type: none"> • natural or legal persons and • partnerships with legal capacity. <p>In addition to the business, the management of the business is also recorded in the register of skilled crafts. The management of a craft enterprise must have the professional requirements (proof of qualification) for the practice of the craft subject to licensing. Both owners of a craft enterprise and employed persons can be considered as company management. The proof of qualification can be provided by a master craftsman's certificate for the</p>

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respective craft, but also an equivalent domestic or foreign professional qualification. For nationals of the EU, the EEA and Switzerland, special recognition regulations exist in this respect within the framework of a procedure for the granting of an exemption permit.

In principle, you can obtain the exemption permit by having your training certificates and/or professional experience recognized. The periods of professional experience to be proven may be shortened by proof of training in the skilled trades.

Recognition of professional experience: When professional experience is recognized, it is necessary to prove that at least essential activities of the trade have been performed over certain periods of time. For example, at least six years of uninterrupted full-time work as a self-employed person or self-employed person or person in charge of a business or business within the last ten years may be sufficient. Recognition of practical professional experience is not considered if the pursuit of an occupation in a health care craft (optician, hearing aid acoustician, orthopedic technician, orthopedic shoemaker, dental technician) is sought.

Recognition of formal professional qualifications: Recognition of formal professional qualifications documented by training or qualification certificates can be considered for all craft professions subject to licensing. The prerequisite is the acquisition of a corresponding qualification in an EU/EEA member state or Switzerland. In detail, the recognition regulations differentiate according to whether the profession or at least the training in the country of origin is also regulated or not. If the training content differs from that of the domestic reference qualification (master craftsman's diploma) or if the profession in the country of origin does not include essential activities that are the subject of the profession in Germany, the applicant may choose to participate in an adaptation course or take an aptitude test.

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Note: Alternatively, professional qualifications can also be recognized on the basis of an equivalence determination. This procedure is governed by Section 50c of the Crafts and Trades Code (HwO) and applies irrespective of any nationality requirement and to all professional qualifications, regardless of where they were acquired.

Erforderliche Unterlagen

- Application for exemption from registration in the register of craftsmen
- Evidence of professional experience and/or educational qualification

Voraussetzungen

- You must be a citizen or national of a member state of the European Union, the European Economic Area or Switzerland.
- Recognition of professional experience: You must provide evidence of one of the following requirements regarding your professional experience, taking any training into account: You have been active for at least 6 years without interruption as a self-employed person or self-employed person or as a person responsible for a business or business. You have not terminated your activity more than 10 years before submitting your application. You have worked for at least 3 years without interruption as a self-employed person or as a person responsible for an enterprise or as a person responsible for an enterprise. You have previously completed at least three years of training in the craft. You have worked continuously for at least 4 years as a self-employed person or as a person responsible for an enterprise or as a person responsible for an enterprise. You have previously completed at least two years of training in the craft. You have worked continuously for at least 3 years as a self-employed person and at least 5 years as an employee. You have not stopped working for more than 10 years before applying. You have worked continuously for at least 5 years in a managerial position in a company. Of these 5 years, your work has been characterized by technical tasks and responsibility for at least one department of the company for at least 3 years. You have also completed at least 3 years of training in the craft.
- Recognition of formal professional qualifications: Recognition of formal occupational qualifications

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documented by training or qualification certificates is eligible for all craft occupations subject to licensing. The prerequisite is the acquisition of a corresponding qualification in an EU/EEA member state or Switzerland. In detail, the recognition regulations differentiate according to whether the profession or at least the training in the country of origin is also regulated or not. If the training content differs from that of the domestic reference qualification (master craftsman's diploma) or if the profession in the country of origin does not include essential activities that are the subject of the profession in Germany, the applicant may choose to participate in an adaptation course or take an aptitude test.

Kosten

The specific fee results from the fee schedule of the Chamber of Crafts, which is available on the Chamber's website.

Verfahrensablauf

You must submit your application for an exemption permit and for entry in the register of skilled crafts electronically via the online procedure or in writing to your local Chamber of Skilled Crafts. Online application is also offered via administrative portals. In detail, there are the following procedural steps:

1. application

- Go to the website of your local Chamber of Skilled Crafts and download the application forms for the granting of an exemption permit and for entry in the register of skilled crafts. You are also welcome to contact your Chamber of Crafts directly and have the necessary documents sent to you.
- Fill out the forms completely and send them together with the required documents to your responsible Chamber of Skilled Crafts.
- Alternatively, an online application via administrative portals is possible.

2. carrying out the administrative procedure for issuing an exemption permit

In the procedure for issuing an exemption permit, it is checked whether the following criteria are met:

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- Existence of an exceptional reason (reason why taking a master craftsman's examination appears to be an undue hardship, such as family reasons, advanced age or a special opportunity to take over a business).
- Proof of the necessary knowledge and skills (the extent of the proof depends on the previous qualification and on whether the exemption is applied for the entire craft or only for a partial area).

3. Decision on application

If the legal requirements are met, you will be granted an exemption. On this basis, you can then be entered in the register of skilled crafts. The exemption permit can be issued for an unlimited period or for a limited period. A time limit applies in particular if the grant is linked to the requirement to pass the master craftsman's examination within a certain period of time.

4. Registration in the Register of Crafts

On the basis of a granted exemption, the registration in the register of skilled crafts can be carried out. Together with the notification of registration, the company receives the so-called craftsman's card (Section 10 (2) HwO).

Bearbeitungsdauer

Frist

You can only practice a craft that is subject to licensing if you are entered in the register of crafts. An exemption permit must therefore be applied for in good time.

weiterführende Informationen

https://www.gesetze-im-internet.de/hwo/anlage_a.html
<https://www.hwk-bremen.de/uber-uns/rechtsgrundlagen>
<https://www.hwk-bremen.de/datenschutz>

Hinweise

If the professional qualification was acquired outside the EU, the European Economic Area or Switzerland, but has already been recognized in one of these countries and the profession has been practiced full-time for at least three years thereafter, you can

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	also apply for an exemption permit for entry in the register of skilled crafts.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Serviceportal der Freien Hansestadt Bremen, Service portal of the Free Hanseatic City of Bremen