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Crafts - Granting of an exemption permit for registration in the register of craftsmen as EU/EEA citizens or Swiss nationals

If you are a citizen of the EU, the EEA or Switzerland and want to carry on a craft requiring a licence in Germany as a standing trade (i.e. with a branch in Germany) without having successfully passed a German master craftsman's examination or an examination equivalent to it, you need an exemption permit.

With a granted exemption, you meet the requirements for registration in the register of craftsmen for a craft requiring authorisation (see Further information). However, a granted exemption permit does not entitle you to hold the title of master craftsman or to train in the craft concerned.

The exemption can be limited to a partial activity of a craft.

Exceptions to the exemption permit are:

- Chimney sweeps
- Optician
- Audiologist
- Orthopedic shoemaker
- Orthopedic technician
- Dental technician.

There is an obligation to register in the Register of Craftsmen only in connection with establishment, not in the case of cross-border provision of services without establishment in Germany (see further information).

Prerequisites

• Nationality of the EU or EEA or Switzerland

You are a citizen of a member state of the European Union (EU) or another state party to the Agreement on the European Economic Area (EEA) or Switzerland

• Work experience

As work experience you can:

- 1. provide evidence of at least six years of uninterrupted activity as a self-employed person or as a manager of a business. The activity must not have ended more than 10 years before the date of application.

or

- 2. provide evidence of at least three years' continuous activity as a self-employed person or as a manager of an undertaking after having received at least three years' training in the profession concerned

or

- 3. provide evidence of at least four years of uninterrupted activity as a self-employed person or as a manager of an undertaking, provided that the activity in question was preceded by at least two years' training. The activity must not have ended more than 10 years before the date

of application.

or

- 4. provide evidence of at least three years' continuous activity as a self-employed person and at least five years' activity as an employed person

or

- 5. provide evidence of at least five years' continuous senior management experience, including at least three years in an activity involving technical duties and responsibility for at least one department of the company, after having received at least three years' training in the profession in question. This rule does not apply to the hairdressing sector.

- **Activity in a craft requiring a licence**

(https://www.gesetze-im-internet.de/hwo/anlage_a.html)

The activity for which the exemption permit is applied for includes a significant activity of a craft requiring authorisation in Annex A to the Crafts Code.

However, the exemption permit may be granted **not** for the following crafts and trades requiring authorisation:

- Optician
- Hearing Aid Acoustician
- Orthopaedic technician
- Orthopaedic shoemaker
- Dental technician
- Chimney sweep.

Documents required

- **Application for a derogation**

(<https://www.hwk-berlin.de/downloads/antrag-91,138.pdf>)

- **Identity document**

Presentation of identity card or passport with confirmation of registration or residence permit or other comparable identity documents

- **EU-Certificate**

(<https://www.hwk-berlin.de/downloads/zustaendigen-stelle-91,144.pdf>)

The activity carried out must be certified by an EU certificate (on the nature and duration of the activity) issued by the competent authority in the country of origin.

Forms

- **Application for a derogation**

(<https://www.hwk-berlin.de/downloads/antrag-91,138.pdf>)

Fees

EUR 280,00

Legal basis

- **Crafts Code (Handwerksordnung or HWO) § 9 sec. 1 No. 1**

(https://www.gesetze-im-internet.de/hwo/_9.html)

- **Crafts requiring a licence in Annex A of the HwO**
(http://www.gesetze-im-internet.de/hwo/anlage_a.html)
- **Fee schedule of the Berlin Chamber of Crafts**
(<https://www.hwk-berlin.de/downloads/gebuehrenordnung-91,150.pdf>)
- **List of fees of the Berlin Chamber of Crafts**
(<https://www.hwk-berlin.de/downloads/gebuehrenverzeichnis-91,151.pdf>)

More information

- **Information on exercising handicrafts in Berlin**
(<https://www.hwk-berlin.de/91,0,187.html>)
- **Leaflet on § 9 (1) No. 1 of the Crafts Code**
(<https://www.hwk-berlin.de/downloads/merkblatt-zu-9-abs-1-nr-1-der-handwerksordnung-91,143.pdf>)
- **List of the competent authority for the required EU certificate of the State of origin**
(<https://www.hwk-berlin.de/downloads/zustaendigen-stelle-91,144.pdf>)
- **Entry in the craft register**
(<https://service.berlin.de/dienstleistung/329439/en>)
- **Approval for providing temporary cross-border services in the area of crafts requiring approval**
(<https://service.berlin.de/dienstleistung/302439/en>)

Hinweise zur Zuständigkeit

The exemption permit must be submitted to the Chamber of Crafts responsible for the main commercial establishment. If this is not yet known, the registration can also be applied for at the Chamber of Crafts responsible for the applicant's place of residence.

Note:

Once you have received the exemption permit, you can be entered in the register of craftsmen or you can take up a job as a technical manager or technical manager in another company.