

Register a trade

A business registration is always necessary, if you start a self-employed business with a permanent place of business (in the so-called "standing trade"). This is the case for:

- # New establishment of a business/head office,
- # New establishment of a branch,
- # New establishment of a dependent branch,
- # Takeover of an existing business, e.g. by purchase, succession or lease,
- # Joining an existing partnership as a new managing partner, e.g. in the case of a GbR, KG or OHG,
- # Change of a business to another legal form (in the case of a change of legal form, the business deregistration under the old legal form and the business registration under the new legal form must be submitted),
- # Relocation of a business from another federal state to Berlin (in the event of relocation, a trade deregistration must be submitted to the trade authority of the previous municipality and a trade registration must be submitted to the public order office in Berlin).

The business registration must be made at the same time as the start of the business.

The obligation to notify exists only if it is a commercial activity.

What is a trade?

A trade is any activity that is not socially unvaluable, is intended to generate a profit, is intended to be permanent and is carried out independently in one's own name and for one's own account. It does not matter whether a profit is actually made.

The activities listed in section 6, paragraph 1, sentence 1 of the Trade Regulations (GewO) are exempt from the obligation to notify. (see "Further information").

Among others, the following are exempt:

- * primary production (agriculture, forestry, hunting and fishing)
- * liberal professions (including lawyers, notaries, tax advisors, auditors, doctors, scientific, artistic and literary activities)
- * education of children for remuneration
- * teaching
- * managing one's own property (e.g. an apartment building)
- * and generally prohibited or socially unvaluable activities (e.g. illegal gambling).

Some business activities are also subject to authorisation. Others are subject to supervision. Additional requirements then apply to them (see "Further information").

The competent authority also forwards the trade registration to other offices such as the tax office, the chamber of crafts or the chamber of industry and commerce, the registry court and the employers' liability insurance association. The purpose of registering a trade is to enable the competent authority to monitor the exercise of the trade and to conduct statistical surveys.

Prerequisites

- You want to run a business.
Traders are natural persons or legal entities (joint-stock company, limited liability company, registered cooperative or registered association, partnership limited by shares).
The following must be notified:
 - * Sole traders: the sole trader,
 - * Partnerships (e.g. OHG, GbR): the managing partners,
 - * KG: each personally liable partner, the limited partners of a KG only if they have management authority.
 - * Corporations (e.g. GmbH, AG): the legal representatives (managing directors, board of directors).

- The business registration must be done at the same time as the start of the business.
The obligation to notify exists only if it is a commercial activity.

Documents required

- Trade registration (Gewerbeanmeldung)
Possible online; or you can use the business registration form.

- Identity document
Identity card or other official identification document with photo (not required for electronic application). Residence permit if the applicant is not a national of an EU country.

- Up-to-date excerpt from the Trade Register
Registered companies are required to submit an up to date excerpt from the Trade Register.
Legal entities that are in the process of being established (GmbH, AG, UG) are required to submit a notarised copy of their partnership agreement or statutes as well as statements of approval by their associates.

- Declaration of consent of the shareholders
Only for business notifications of legal entities in the process of formation

- Supplement for authorised representatives
In the case of business registrations for legal entities with multiple representatives

Forms

- Trade registration (Gewerbeanmeldung)
https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f122630-gewa1_neutral.pdf
- Supplement to the application for authorised representatives
https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f122637-beiblatt_gesetzliche_vertreter.pdf
- Declaration of consent of the shareholders

https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f122639-anzeige_gewerbe_zustimmungserklaerung_gesellschafter.pdf

Fees

- *EUR 26.00 - per single person company, per associate for business partnerships
- *EUR 31.00 - legal entity with one legal representative
- *EUR 13.00 - for each additional representative of a legal entity
- *EUR 15.00 - business registration via electronic process (online processing)

Legal basis

- Trade Regulations (GewO) § 14 Sec. 1 - Duty of disclosure
https://www.gesetze-im-internet.de/gewo/__14.html
- Trade Regulations (GewO) § 15 - Acknowledgement of receipt
https://www.gesetze-im-internet.de/gewo/__15.html
- Trade Regulations (GewO) § 11 - Data processing
https://www.gesetze-im-internet.de/gewo/__11.html
- Trade Registration Ordinance (Gewerbeanzeigeverordnung or GewAnzV)
https://www.gesetze-im-internet.de/gewanzv_2014/
- Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))
<https://gesetze.berlin.de/perma?d=jlr-VwGebOBE2009V11Anlage>

More information

- Fact sheet Berlin Chamber of Commerce and Industry (Industrie- und Handelskammer or IHK) - business registration
<https://www.ihk-berlin.de/blueprint/servlet/resource/blob/2253230/6d787affb/ea21707479d49ceb65412f6/merkblatt-gewerbeanzeige-data.pdf>
- Fact sheet CCI Berlin - residence and employment of foreign nationals
<https://www.ihk-berlin.de/blueprint/servlet/resource/blob/2253222/70ba0d84480d826ee27c455924931bb5/merkblatt-aufenthalt-und-erwerbstaetigkeit-von-auslaendischen-staatsbuergern-data.pdf>
- Fact sheet CCI Berlin - companies and employees from other EU countries
<https://www.ihk-berlin.de/blueprint/servlet/resource/blob/2253224/00fac9d0099e692bf4feba2058942589/merkblatt-eu-osterweiterung-data.pdf>
- Information about privacy
https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/merkblatt-dsgv.pdf
- Trade Regulations (GewO) § 6 Sec. 1 - Scope of application
https://www.gesetze-im-internet.de/gewo/__6.html
- Trade - register a trade requiring supervision
<https://service.berlin.de/dienstleistung/148182/en/>
-

Overview - trades requiring a licence

<https://www.berlin.de/sen/wirtschaft/wirtschaft/wirtschaftsrecht/gewerberecht/artikel.87717.php>

Link to online processing

<https://www.berlin.de/ea/en/application/login-service-account-berlin/index.php/>

Responsible authority

The competent Public Order Office for the district in which the company's premises are located.

Information on this location

Ordnungsamt Friedrichshain-Kreuzberg Gewerbe

Address

Petersburger Straße 86 - 90
10247 Berlin

Barrier-free access

This facility is wheelchair accessible.
A wheelchair-accessible elevator is available.

Opening hours

Monday: 09:00-12:00 Uhr
Tuesday: 09:00-12:00 Uhr
Thursday: 14:00-17:00 Uhr

Changes in opening hours

Das Ordnungsamt weist ausdrücklich darauf hin, dass darüber hinaus telefonische Terminvereinbarungen auch zu anderen Zeiten getroffen werden können.

Public transportation

U-Bahn U 5: Frankfurter Tor
Tram Bersarinplatz

Contact

Telephone: (030) 90298 - 2246
Fax: (030) 90298 - 2445
E-mail: ordnungsamt@ba-fk.berlin.de

Payment methods

Payment only by debit card (Girocard) (with PIN) at this location.

PDF downloaded on 20.10.2021