

## Restaurant Trade - licence

You are considered to be operating a restaurant if you are regularly  
- offering beverages or prepared food for consumption on site on a commercial basis and from fixed premises and if those premises are open to the public or to a particular group of people.

You always require a licence, if alcoholic beverages are served.

Exceptions:

You do not require a license, if you serve:

- \* non-alcoholic beverages
- \* free samples
- \* prepared food or
- \* beverages and prepared food to guests staying in an associated lodging establishment.

Approval is granted for a particular type of business (e. g. public house, discotheque, takeaway food outlet) and it shall apply only for the business premises. Planning permission may be required.

Permission is also required for any expansion of the restaurant or changes to the premises.

In the case of business partnerships (e. g. GbR, OHG, KG), each managing partners is considered a business person. In the case of legal entities (GmbH, UG or AG) permission is granted to the company.

If you intend to take over an existing restaurant that requires licensing from another person, preliminary revocable permission (usually for a duration of three months) may be granted until a definite restaurant licence is granted. This type of permit allows for a business to be taken over at short notice.

Approval of representation should be applied for, if you intend for a representative to manage the restaurant, if they are going to act on behalf of the business towards authorities and institutions. The representative must meet the same criteria as yourself, with regard to personal reliability and suitability.

### Prerequisites

- Personal reliability

Reliability is verified based on various documents. The applicant must submit an excerpt from the Federal Central Criminal Register (certificate of good conduct) and an excerpt from the Commercial Central Register.

- Expertise

Proof of undergone training regarding relevant knowledge about food safety regulations.

Suitability of premises and location

The premises used for the restaurant must be suitable for the intended type and extent of use.

## Documents required

Certificate of good conduct

Certificate of good conduct from the German Federal Central Criminal Register for presentation to an authority (certificate type 0). The certificate must be applied for in the municipality of residence (in the case of Berlin at any Citizens' Office) for presentation to an authority. This means that it will be sent directly to the competent Public Order Office for the place of business. The certificates must be no older than three months. They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/120926/>

Excerpt from the Commercial Central Register - natural entity

Statement from the Commercial Central Register for natural entities, for presentation to an authority (certificate type 9). The certificate must be applied for in the municipality of residence (in the case of Berlin at any Citizens' Office) for presentation to an authority. This means that it will be sent directly to the competent Public Order Office for the place of business. The certificates must be no older than three months. They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/327835/>

Excerpt from the Commercial Central Register - legal entity

Statement from the Commercial Central Register for legal entities, for presentation to an authority (certificate type 9). The statement must be applied for with the competent Public Order Office for the place of business. They can also be applied [<https://www.fuehrungszeugnis.bund.de/>] for with the Federal Office of Justice.

<https://service.berlin.de/dienstleistung/327835/>

Up to date excerpt from the Trade Register

Registered companies are required to submit an up to date excerpt from the Trade Register when applying. Legal entities that are in the process of being established (GmbH, AG) are required to submit their partnership agreement or statutes.

[https://www.handelsregister.de/rp\\_web/welcome.do;jsessionid=2A22D37A1C112D6FB89E72AAA6F66A80-n1.tc032n01](https://www.handelsregister.de/rp_web/welcome.do;jsessionid=2A22D37A1C112D6FB89E72AAA6F66A80-n1.tc032n01)

Training course for the restaurant trade pursuant to § 4 of the Restaurant Code (GastG)

Certificate from a CCI for participation in a training course for the restaurant trade or a similar qualification (to be confirmed by the CCI).

<https://www.ihk-berlin.de/blob/bihk24/produktmarken/branchen/Tourismus/d>

[downloads/2272092/fbd46a790420e294df4aa10c72a510f7/MerkblattGaststaettenunterrichtung-data.pdf](https://www.berlin.de/downloads/2272092/fbd46a790420e294df4aa10c72a510f7/MerkblattGaststaettenunterrichtung-data.pdf)

Personal document

Identity card or other official identification document containing a photograph (not required for electronic applications).  
Residence permit, if the applicant is not an EU national

Purchasing or rental contract

Proof of actual disposal of the premises.

Floor plan

Floor plan of the premises intended for operation of the restaurant and staff areas (ideally on a 1:100 scale).

Application for a restaurant licence

[https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/\\_assets/mdb-f127280-wi500\\_gaststaettenantrag.pdf](https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f127280-wi500_gaststaettenantrag.pdf)

## Forms

Application for a restaurant licence

[https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/\\_assets/mdb-f127280-wi500\\_gaststaettenantrag.pdf](https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f127280-wi500_gaststaettenantrag.pdf)

## Fees

- EUR 100.00 to 1,500.00, depending on the administrative effort

## Legal basis

▪ Restaurant Code § 2 licence

[http://www.gesetze-im-internet.de/gastg/\\_\\_2.html](http://www.gesetze-im-internet.de/gastg/__2.html)

▪ Berlin Restaurant Trade Regulation (GastV)

<http://gesetze.berlin.de/jportal/?quelle=jlink&query=GastV+BE&psml=bsbeprod.psml&max=true&aiz=true>

▪ Restaurant Code § 9 representation permit

[http://www.gesetze-im-internet.de/gastg/\\_\\_9.html](http://www.gesetze-im-internet.de/gastg/__9.html)

▪ Restaurant Code § 11 preliminary permit and preliminary representation permit

[http://www.gesetze-im-internet.de/gastg/\\_\\_11.html](http://www.gesetze-im-internet.de/gastg/__11.html)

## Average time to process request

3 to 5 weeks

## More information

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#### Information by CCI Berlin

<https://www.ihk-berlin.de/service-und-beratung/existenzgruendung/informatio nsangebote/brancheninformatio n/gastronomie-mit-alkohol-2279262>

- Information by CCI Berlin regarding the handling of food products  
<https://www.ihk-berlin.de/service-und-beratung/recht-und-steuern/gewerbere cht/lebensmittelrecht-und-produktkennzeichnung/lebensmittelhygieneverordn ung-2265336>
- Berlin Gastromat - questions and answers regarding the restaurant trade  
<https://www.ihk-berlin.de/service-und-beratung/recht-und-steuern/gewerbere cht/berliner-gastromat-3538458>
- Information by CCI Berlin regarding the training course for the restaurant trade  
[https://www.ihk-berlin.de/pruefungen\\_lehrgaenge/unterrichtungen/gaststaette nunterrichtung/2265134](https://www.ihk-berlin.de/pruefungen_lehrgaenge/unterrichtungen/gaststaette nunterrichtung/2265134)
- Information about privacy  
[https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende s-gewerbe/\\_assets/merkblatt-dsgv.pdf](https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende s-gewerbe/_assets/merkblatt-dsgv.pdf)

### Link to online processing

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

### Responsible authority

The licence must be applied for with the competent Public Order Office for the place of business.

## Information on this location

### Single Point of Contact

#### Address

Martin-Luther-Str. 105  
10825 Berlin

#### Barrier-free access

This facility is fully accessible to wheelchairs.  
Handicapped parking space available.  
An elevator with limited accessibility to wheelchairs is available.

A wheelchair-accessible WC is available.

## **Opening hours**

Monday: by appointment only

Tuesday: by appointment only

Wednesday: by appointment only

Thursday: by appointment only

Friday: by appointment only

## **Public transportation**

S-Bahn Insbrucker Platz: S42, S41, S46, about 10 minutes walk

U-Bahn Rathaus Schöneberg: U4, about 3 minutes walk

Bus Rathaus Schöneberg: 104, M46, about 3 minutes walk

## **Contact**

Telephone: (030) 9013-7555

Fax: (030) 9013-7568

Internet: <http://www.berlin.de/ea/en/>

E-mail: [ea@senweb.berlin.de](mailto:ea@senweb.berlin.de)

## **Payment methods**

Payment cannot be made at this location.

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