

Gastronomic trade - request permission for a special reason

If you wish to serve alcoholic drinks commercially on a temporary basis as part of a special event that is open to everyone or a certain group of people, you must apply for a permit in accordance with the Gastronomy Act.

The condition is always that there is a special event. This can be, for example:

- * street festivals (e.g. folk festivals or funfairs).
 - * christmas markets
 - * sports events
 - * company anniversaries
- or similar events.

Permission is granted under simplified conditions.

However, it is only valid provisionally and is limited in time for the duration and location of the event.

If, on the other hand, you wish to run a gastronomic business serving alcohol on a permanent basis, you generally need a permit for the gastronomic trade (see "More Information").

A permit is also required in Berlin if you are in possession of a itinerant trade permit.

Independently of the permit discussed here and depending on your offer, you may have to fulfil further registration and permit obligations, for example according to the trade regulations.

Prerequisites

- Personal reliability
Reliability is checked on the basis of various forms of evidence. The applicant must provide information from the Federal Central Register (certificate of good conduct) and information from the Central Trade Register.
- Expert knowledge
Proof of undergone training regarding relevant knowledge about food safety regulations is only required, if the catering activities are performed regularly and sustained on particular occasions.

Documents required

- Application for a permit
- Identity document
Identity card or other official identification document containing a

photograph.

Residence permit, if the applicant is not an EU national

- If necessary, certificate of good conduct for submission to an authority
To verify personal reliability, information from the Federal Central Register (certificate of good conduct) is required for submission to an authority (document type O).
The information must be applied for at the municipality of residence (in Berlin at every citizens' office) for submission to an authority, i.e. it is sent directly to the public order office responsible for the place of business. The information must not be older than three months. The Federal Ministry of Justice also offers an online application procedure. (see "More information")

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

- If necessary, information from the Central Trade Register for submission to an authority
To verify personal reliability, information from the central business register for natural persons is required for submission to an authority (document type 9).
As a private individual, the information must be applied for at the municipality of residence (in Berlin at every citizens' office) for submission to an authority, i.e. it is sent directly to the public order office responsible for the place of business.
Legal entities with their place of business in Berlin apply for it at their competent public order office.
The information must not be older than three months. The Federal Ministry of Justice also offers an online application procedure. (see "More information")

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

- If necessary, training course for the gastronomic business according to § 4 GastG
Certificate from a Chamber of Commerce and Industry (Industrie- und Handelskammer, or IHK) for participation in a training course for the gastronomic business or a similar qualification (to be confirmed by the IHK) is required if applications are submitted repeatedly.

<https://service.berlin.de/dienstleistung/330174/en/>

- If necessary, current excerpt from the commercial 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

Forms

- Application for a permit
https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/mdb-f127281-wi523_gestattung_antrag.pdf

Fees

EUR 55.10 to EUR 869.20 depending on effort

Legal basis

- Gastronomy Act (Gaststättengesetz - GastG) § 12
https://www.gesetze-im-internet.de/gastg/__12.html
- Gastronomy Act (Gaststättengesetz - GastG) § 4
https://www.gesetze-im-internet.de/gastg/__4.html
- Berlin Gastronomic Business Regulation (Gaststättenverordnung Berlin - GastV)
<https://gesetze.berlin.de/jportal/?quelle=jlink&query=GastV+BE&phtml=bsbeprod.phtml&max=true>
- Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))
<https://gesetze.berlin.de/perma?d=jlr-VwGebOBE2009V11Anlage>

Average time to process request

approx. 2 weeks

More information

- Berlin Gastronomat - questions and answers regarding the gastronomic business
<https://www.ihk-berlin.de/service-und-beratung/recht-und-steuern/gewerberecht/berliner-gastromat-3538458>
- Information by IHK Berlin for starting a restaurant trade
<https://www.ihk-berlin.de/service-und-beratung/existenzgruendung/informationsangebote/brancheninformation/gastronomie-mit-alkohol-2279262>
- Information by IHK Berlin regarding the handling of food products
<https://www.ihk-berlin.de/service-und-beratung/recht-und-steuern/gewerberecht/lebensmittelrecht-und-produktkennzeichnung/lebensmittelhygieneverordnung-2265336>
- Apply for certificate of good conduct and central business register online - BfJ
https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/Buergerdienste_node.html
- Information by Chamber of Industry and Commerce Berlin regarding the training course for the restaurant trade
https://www.ihk-berlin.de/pruefungen_lehrgaenge/unterrichtungen/gaststaetternununterrichtung/2265134
- Gastronomic trade - register for the certificate of instruction
<https://service.berlin.de/dienstleistung/330174/en/>
- Gastronomic trade - apply for permit
<https://service.berlin.de/dienstleistung/327483/en/>
- Information about privacy

https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/merkblatt-dsgv.pdf

Responsible authorities

The application for permission must be submitted in due time (at least 2 weeks in advance) to the public order office responsible for the location of the event.

PDF downloaded on 25.10.2021