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Shop opening hours - notify exceptions for special reasons

In Berlin, sales outlets may open around the clock (6 days/24 hours) from Monday to Saturday. On Sundays and public holidays, sales outlets must always be closed. Exceptions to this principle are regulated by the Berlin Shop Opening Act, for example for sales outlets that serve the needs of tourists, for Sundays and public holidays that are open for business or on the occasion of special events.

Exceptions are not possible for special Sundays and public holidays such as New Year's Day, 1 May, Good Friday, Easter Sunday, Whitsunday, Remembrance Day, Sunday of the Dead, 24 December if it falls on an Advent Sunday and public holidays in December and no more than a total of two Sundays and public holidays per month.

Procedure

1. If you wish to notify shop opening hours - exceptions for special reasons, you must do so at least two weeks in advance. You can submit the notification by post or online. Please complete the notification in full.
- 2 The competent authority will check your details and ask if anything is missing. You will receive instructions on the further procedure and will be informed of the status of your application by e-mail.
3. If all conditions are met and all documents have been submitted, you will receive a confirmation. If not all conditions are met or documents are missing, you will receive corresponding instructions from the competent authority.

Prerequisites

- **Points of sale for the needs of tourists**

Sales outlets that sell **exclusively** souvenirs, street maps, city maps, travel guides, tobacco products, consumables for film and photographic purposes, consumer goods for immediate consumption as well as food and beverages for immediate consumption for the needs of tourists may open on Sundays and public holidays from 1 p.m. to 8 p.m.. This exception only applies if a sales outlet also sells these goods **exclusively** for tourists on all other days of the week.

- **Points of sale with a special product range**

Sales outlets with a special product range such as flowers and plants, newspapers and magazines, bakery and confectionery products, milk and dairy products may open on Sundays and public holidays from 7 am to 4 pm.

- **Special points of sale**

Special sales outlets such as petrol stations, pharmacies or sales outlets at passenger railway stations, long-distance railway stations, commercial airports and coach terminals may be open on Sundays and public holidays.

- **Art and second-hand markets**

Art and second-hand markets may open on Sundays and public holidays from 7 a.m. to 6 p.m.

- **Sundays and public holidays open for business**

The federal state of Berlin may authorise the opening of shops throughout Berlin from 1 p.m. to 8 p.m. on a maximum of eight Sundays or public holidays per year. These dates are publicly announced in the official gazette.

- **Special event / occasion for opening on a Sunday / public holiday**

Sales outlets may also open on two additional Sundays or public holidays per year from 1 pm to 8 pm on the occasion of special events (e.g. a company anniversary or a street festival). The responsible public order office must be notified of this opening in text form two weeks in advance, stating the occasion.

- **Deadline: 2 weeks before start**

Please submit the notification 2 weeks in advance.

Documents required

- **Notification of intended opening on a Sunday / public holiday**

Online or submit the notification in writing by post.

For written notification:

- Informal notification, stating the reason two weeks in advance in text form
- Please use the sample form for the notification (see forms or online processing)

Forms

- **Template for notification of opening a shop on Sunday / a public holiday due to a special occasion**

(https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehendes-gewerbe/_assets/winr-660-berlladoeffg_anzeige-gemaess-6-2_10-2017.pdf)

Fees

none

Legal basis

- **Berlin Shop Opening Act (Berliner Ladenöffnungsgesetz - BerlLadÖffG) § 6 sec. 2**

(<https://gesetze.berlin.de/bsbe/document/jlr-L%C3%96GBEV2P6>)

- **Law on Sundays and Public Holidays (Gesetz- über Sonn- und Feiertage - FeiertGBE)**

(<https://gesetze.berlin.de/bsbe/document/jlr-FeiertGBErahmen>)

- **Holiday Protection Ordinance (Feiertagsschutz-Verordnung - FSchVO)**

(<https://gesetze.berlin.de/bsbe/document/jlr-FeiertVBErahmen>)

Average time to process request

Approx. 1 week

More information

- **Information on occupational health and safety (Senate Department for Labour)**
(<https://www.berlin.de/sen/arbeit/beschaeftigung/arbeitsschutz/>)
- **Information on shop opening hours in Berlin (Senate Department for Economics)**
(<https://www.berlin.de/sen/wirtschaft/branchen/handel/ladenoeffnungszeiten/ladenoeffnungszeiten-in-berlin-152543.php>)
- **Information on shop opening hours (CCI Berlin)**
(<https://www.ihk.de/berlin/service-und-beratung/recht-und-steuern/gewerberecht/ladenoeffnungszeiten-3770050>)
- **Note on data protection (Public order offices of the state of Berlin)**
(https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehendes-gewerbe/_assets/merkblatt-dsgv.pdf)

Average time to process request

<https://www.ea.berlin.de/intelliform/forms/eu-dlr-ng/gewerbe/besondere%20Ladenoeffnungszeiten/index>

Notes on responsibility

Applications for exception from the Berlin Shop Opening Act must be submitted to the competent Public Order Office for the sales outlet.