

## Business - Notification of cross-border provision of services

1. You are a citizen of an EU or EEA member state  
and
2. you are a legal resident in your home country,  
and
3. you legally carry out commercial services in your home country?

Legal establishment requires that you actually offer independent commercial services for an indefinite period and from permanent premises in your home country.

You would like to carry out these commercial services in Berlin,

1. temporarily or occasionally, but not permanently,
2. across borders, i. e. from your registered offices in your home country, without establishing a new branch in Berlin?  
And
3. the activities are subject to regulations in Germany?

Regulations apply for all services for which an official permit or a certificate of competence / evidence of appropriate training is required in Germany.

This applies in particular within the scope of:

- \* the Weapons Act,
- \* the Explosives Act,
- \* the German Hunting Law,
- \* the Weapons Testing Act, and
- \* the security trade

If all of the conditions indicated above apply to you, you must notify the competent Public Order Office before providing such services in Berlin.

Notification is not required, if no regulations apply for provision of the commercial services in Germany.

Within the framework of European fundamental freedoms (in particular the freedom to provide services), all EU citizens have the right to freely provide their services across borders within the European Single Market, without prior notification.

Notification of the provision of temporary international services in a regulated trade can be provided in writing or electronically.

Alle zwölf Monate seit der letzten Anzeige ist die The notification must be re-submitted every twelve months without particular formal requirements, for as

long as the service provider intends to continue providing cross-border services in a regulated trade.

The notification duty applies also for employees, provided that a certificate of competence / evidence of appropriate training is required for those staff members.

The activities may be taken up as soon as the notification has been submitted, if no review of the professional qualification is required. This information will be provided in the confirmation of receipt from the competent Public Order Office, which you will receive within one month.

## Prerequisites

- Citizenship in an EU / EEA state**  
The applicant is a citizen of a member state of the European Union or of a state which is party to the Agreement on the European Economic Area (EEA).
- Temporary or occasional provision of services in Berlin**  
The commercial activities will only be performed in Berlin temporarily and occasionally, but not permanently.
- Legal residence in the EU / EEA home country**  
The applicant is legally established in their EU / EEA home country to exercise the trade and is performing the cross-border activities in Berlin without establishing a local branch.
- Independent commercial activities, or as an employee**  
In the context of independent commercial activities that are regulated in Germany.  
As an employee, provided that a certificate of competence / evidence of appropriate training is required.

## Documents required

- Evidence of EU / EEA citizenship**  
Identity card or other official identification document containing a photograph (not required for electronic applications).
- Evidence of legal establishment in the EU / EEA member state**  
Evidence of legal establishment for performing the intended activities in a member state of the European Union or of the Agreement on the European Economic Area (EEA).
- Evidence that the activity is performed legally in the EU / EEA member state**  
Evidence that performance of the activities is not prohibited, including temporarily.
- Certificate of good standing from the EU / EEA home country**  
Evidence that no criminal record exists against the applicant in the EU / EEA

home country.

Only required for commercial activities within the scope of

- \* the Weapons Act,
- \* the Explosives Act,
- \* the German Hunting Law,
- \* the Weapons Testing Act, and
- \* the security trade.

Evidence of professional qualifications

- \* a.) Evidence of professional qualification, if particular qualifications are required for the commercial activities, also in the country of residence  
or
- \* b.) otherwise: evidence that the activities were carried out in the country of residence for at least 2 years within the past 10 years.

Evidence of insurance cover

Evidence of insurance cover or another type of individual or collective protection against professional liability, provided that such protection is also required for nationals performing the activities in question.

## Forms

- Notification of taking up or performing cross-border commercial services in a regulated profession pursuant to § 13a section 1 of the German Trade Regulations (GewO)

*[https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/\\_assets/winr-280\\_anzeige13a\\_gewo\\_02-2019.pdf](https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehende-s-gewerbe/_assets/winr-280_anzeige13a_gewo_02-2019.pdf)*

## Fees

EUR 5.00 to 5,000.00, depending on the administrative effort

## Legal basis

- Directive 2006/123/EG - Services Directive  
*<http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=celex:32006L0123>*
- Directive 2005/36/EG - Professional Qualification Recognition Directive  
*[http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv:OJ.L\\_.2005.255.01.0022.01.DEU](http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv:OJ.L_.2005.255.01.0022.01.DEU)*
- § 13a et seq. German Trade Regulations (Gewerbeordnung)  
*[https://www.gesetze-im-internet.de/gewo/\\_13a.html](https://www.gesetze-im-internet.de/gewo/_13a.html)*
- Freedom to provide services - Article 56 - 62 Treaty on the Functioning of the European Union (TFEU)  
*<https://dejure.org/gesetze/AEUV/56.html>*

## Average time to process request

approx. 1 month

## More information

- Single Point of Contact Berlin  
<https://www.berlin.de/ea/ueber-uns/>
- 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)
- Information regarding cross-border services in regulated trades  
<https://service.berlin.de/dienstleistung/302439/>

## Link to online processing

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

## Responsible authority

Notification must be submitted to the competent local Public Order Office of the district in which the services will be provided.

## Information on this location

### Ordnungsamt/Gewerbeamt Marzahn-Hellersdorf

#### Address

Premnitzer Straße 11  
12681 Berlin

#### Barrier-free access

This facility is fully accessible to wheelchairs.  
Handicapped parking space available.  
An elevator fully accessible to wheelchairs is available.  
A WC fully accessible to wheelchairs is available.

#### Opening hours

Monday: Vorsprachen nur nach Terminvereinbarung  
Tuesday: 09:00-12:00 Uhr

Thursday: 14:00-18:00 Uhr

## **Public transportation**

S-Bahn S7 Mehrower Allee  
Bus X69, 197 Mehrower Allee

## **Contact**

Telephone: (030) 115  
Informationen zum 115 Service-Center: <http://www.berlin.de/115/>  
Fax: (030) 90293-6605  
E-mail: [Gewerbe@ba-mh.berlin.de](mailto:Gewerbe@ba-mh.berlin.de)

## **Payment methods**

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

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