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Trade - apply for continuation by a deputy

If your licence to operate a trade requiring a permit has been revoked due to unreliability, the competent authority may, upon your application, allow you to continue the trade operation through a deputy who offers the guarantee of proper management of the trade operation. The deputy is required to have the necessary qualifications for the trade in concerned. The permit may be granted for a limited period of time and subject to additional conditions.

Prerequisites

- **Trade prohibition**
Legally binding trade prohibition or trade ban with order of immediate enforcement
- **If applicable, personal reliability of the deputy person in the case of trades requiring a licence or supervision.**
In the case of trades requiring a licence or supervision, the person authorised to continue the trade or the deputy must be personally reliable and prove this with appropriate current evidence from the Federal Central Register and the Central Trade Register.
- **Compliance with the respective prescribed requirements of the activity**

Documents required

- **Application for permission to continue the business by a substitute person**
The application can be made in writing or electronically (e.g. by e-mail). It must contain details of the person submitting the application and the deputy.
- **Identity 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
- **If applicable, certificate of good conduct for submission to an authority of the deputy person**
(<https://service.berlin.de/dienstleistung/120926/>)
To verify personal reliability, an extract from the Federal Central Register (certificate of good conduct) is required for submission to an authority (document type O).
The information must not be older than three months.
- **If applicable, extract from the central business register for submission to an authority of the deputy person**
(<https://service.berlin.de/dienstleistung/327835/>)
To verify personal reliability, information from the central business register is required for submission to an authority (document type 9).
The information must not be older than three months.

Fees

100.00 to 500.00 euros per expense

Legal basis

- **Trade Regulation (Gewerbeordnung or GewO) § 35 sec. 2**
(https://www.gesetze-im-internet.de/gewo/__35.html)
- **Trade Regulation (Gewerbeordnung or GewO) § 45**
(https://www.gesetze-im-internet.de/gewo/__45.html)
- **Administrative Fee Regulations (VGebO)**
(<https://gesetze.berlin.de/bsbe/document/jlr-VwGebOBE2009rahmen>)

More information

- **Information on data protection (district offices of the state of Berlin)**
(https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberec ht/_assets/winr_105_merkblatt_dsgvo.pdf)

Notes on responsibility

The application must be submitted to the regulatory office responsible for the place of business.