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Gastronomic trade - apply for a deputy's permit

If you wish to operate your gastronomy trade requiring a licence through a deputy, you require a deputy licence. This is issued to the licence owner of the restaurant for a specific person who is to act as a deputy and can be issued for a limited period of time.

Procedure:

1. If you wish to operate a gastronomy trade requiring a licence (with serving alcohol) as a deputy, you must apply for a deputy licence before starting the activity. The application can be submitted online. Please complete the application in full, upload the required documents and submit it.
2. The responsible authority will check your details and documents and request any missing documents. You will receive instructions on the further procedure and will be informed of the processing status by e-mail.
3. If all requirements are met and the necessary documents have been submitted, you will receive a fee notice and the permit by post. If not all requirements or necessary documents have been met, your application will be rejected and a fee will be charged. In this case, you can find the reason for the rejection in the notification from the responsible authority.

Prerequisites

- **Gastronomy permit of the proprietor**
The restaurant owner must have a valid gastronomy permit or apply for one in due time.
- **Personal reliability**
The reliability is checked on the basis of various proofs. For this purpose, the applicant must provide information from the Federal Central Register (certificate of good conduct) and information from the Central Trade Register.
- **Expertise of the deputy**
Proof of undergone training regarding relevant knowledge about food safety regulations.

Documents required

- **Application for a gastronomic deputy permit**
Possible online or informally in writing to the responsible public order office.
- **Gastronomy permit of the proprietor**
(<https://service.berlin.de/dienstleistung/327483/en/>)
A valid gastronomy permit must be available or must have been applied for at the same time.
- **Identity document of the permit holder and the deputy permit holder**
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

- **Certificate of good conduct for submission to an authority for the deputy.**
(<https://service.berlin.de/dienstleistung/120926/>)
To check personal reliability, information from the Federal Central Criminal Register (certificate of good conduct) is required for submission to an authority (document type O).
The information must not be older than three months.
- **Extract from the Central Business Register for submission to a public authority for the deputy**
(<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.
- **Certificate of expertise of the deputy**
(<https://service.berlin.de/dienstleistung/330174/en/>)
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).

Fees

- EUR 17.00 to EUR 187.50 per expense for an unlimited permit
- EUR 17.00 to EUR 62.50 per expense for a temporary licence

Legal basis

- **Gastronomy Act (Gaststättengesetz - GastG) § 9 deputy permit**
(https://www.gesetze-im-internet.de/gastg/_9.html)
- **Gastronomy Act (Gaststättengesetz - GastG) § 4 sec. 1 and 4 reasons for refusal**
(https://www.gesetze-im-internet.de/gastg/_4.html)
- **Gastronomy Act (Gaststättengesetz - GastG) § 8 expiry of the permit**
(https://www.gesetze-im-internet.de/gastg/_8.html)
- **Berlin Gastronomy Ordinance (GastV)**
(<https://gesetze.berlin.de/bsbe/document/jlr-GastVBErahmen/part/X>)
- **Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))**
(<https://gesetze.berlin.de/bsbe/?aiz=1&docId=jlr-VwGebOBE2009rahmen&query=JURISLINK%3A%22VwGebO+BE%22>)

More information

- **Berliner Gastromat - Questions and answers on the subject of catering (IHK Berlin)**
(<https://www.ihk.de/berlin/service-und-beratung/recht-und-steuern/gewerberecht/berliner-gastromat-3538458>)
- **Gastronomic trade - register for the certificate of instruction (service)**
(<https://service.berlin.de/dienstleistung/330174/en/>)

Average time to process request

<https://www.ea.berlin.de/intelliform/forms/eu-dlr-ng/gewerbe/Gastst%c3%a4ttenerlaubnisse/index>

Notes on responsibility

The application for a deputy permit must be submitted to the public order office in whose district your business premises are situated.