

99050036005000

Auctioneer business, apply for permission

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/6000797-99050036005000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99050036005000
Leistungsbezeichnung I	Auctioneer business, apply for permission
Leistungsbezeichnung II	Auctioneer business, apply for permission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § 34b Gewerbeordnung (GewO) • Verordnung über gewerbsmäßige Versteigerungen (VerstV) • Sächsisches Kostenverzeichnis (SächsKVZ) – Nr. 46 Gewerberecht
Teaser	<p>If you wish to auction off movable property, land or rights belonging to third parties on a commercial basis, you must obtain a permit from the competent authority. The permit may be subject to conditions if this is necessary for the protection of the public, the client, or the bidders.</p>
Volltext	<p>Application for a permit according to § 34b Gewerbeordnung (GewO)</p> <p>If you wish to auction off movable property, land or rights belonging to third parties on a commercial basis, you must obtain a permit from the competent authority. The permit may be subject to conditions if this is necessary for the protection of the public, the client, or the bidders.</p> <p>Note: Even if you have been granted permission to conduct an auction business, you must notify the public order office (Ordnungsamt) in whose district the auction is to be held of the holding of each individual auction.</p> <p>The auctioneer is prohibited, among other things, from bidding for himself or for others at his auctions or from purchasing auctioned goods entrusted to him. He may also not do so through intermediaries. Furthermore, he may not auction goods on which he has a lien, which he regularly sells or which are unused and regularly on the market</p> <p>For certain types of auctions, it may be useful as an auctioneer to apply for the public appointment and</p>

Modul

Sachverhalt

swearing-in of particularly competent auctioneers.

Cross-Border Provision of Services

If you, as a trader, temporarily provide services on a self-employed basis from a branch in another EU member state or a contracting state of the European Economic Area (EEA), you do not require a licence in accordance with Section 34b (1) sentence 1 GewO. In addition, the prohibitions on auctioning pursuant to Section 34b (6) GewO (see above) do not apply.

Single Point of Contact (Einheitlicher Ansprechpartner)

For this procedure, you can use the service of the Single Point of Contact (Einheitlicher Ansprechpartner). They will guide you through the administrative procedure, take care of correspondence with all the offices responsible for your request and will be available to you as a competent advisor.

Erforderliche Unterlagen

Folgende Dokumente sind in der Regel vorzulegen:

- Certificate of good conduct
- Extract from the Central Trade Register
- Certificate in tax matters from the tax office
- Information from the insolvency court
- Identity document
- Extract from the debtor file of the local court
- Application for a permit according to § 34b GewO
- if the applicant is not a citizen of an EU member state: residence permit
- if the applicant is a legal entity: articles of association
- if the applicant is a company registered in the Commercial Register: extract from the Commercial Register

Voraussetzungen

- The permit shall not be issued if facts justify the assumption that the applicant does not possess the reliability required for the business operation.
- As a rule, the required reliability does not possess: anyone who, in the five years preceding the date of application, has been convicted by a final judgment of a custodial sentence for a crime such as theft, embezzlement, extortion, fraud, breach of trust,

Modul	Sachverhalt
	<p>forgery of documents, receiving stolen goods, usury or for an offense against the law against unfair competition</p> <ul style="list-style-type: none"> • If the applicant lives in disorderly financial circumstances, the regulatory authority will also deny him/her the permit. • This is usually the case if insolvency proceedings have been opened against the applicant's assets or the applicant is entered in the register to be kept by the insolvency court or the enforcement court.
Kosten	EUR 100,00 - EUR 600,00
Verfahrensablauf	The application must be submitted to the competent body.
Bearbeitungsdauer	<ul style="list-style-type: none"> • Application processing: usually within 3 weeks • Maximum processing time: 3 months
Frist	You must apply for the permit before starting the activity. Only after the permission is granted, you are entitled to practice the trade.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Objection
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	