

99050036005000, 99050036005000

Auctioneer license

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/106285272/L100010>

Modul	Sachverhalt
Leistungsschlüssel	99050036005000, 99050036005000
Leistungsbezeichnung I	Auctioneer license
Leistungsbezeichnung II	
Typisierung	2/3b - Bund: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Saarland
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Erlaubnis (005)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.05.2025
Fachlich freigegeben durch	Ministry of Economic Affairs, Innovation, Digital and Energy
Handlungsgrundlage	<ul style="list-style-type: none"> • § Section 34b of the Trade, Commerce and Industry Regulation Act (GewO) • Ordinance on Commercial Auctions (Auctioneers Ordinance - VerstV) • Ordinance on responsibilities for the implementation of the Trade Regulation Act (Trade Regulation Competence Ordinance - GewOZVO) • § Section 6b of the Trade Regulation Act (GewO) on the single point of contact
Teaser	If you wish to auction off third-party movable property, third-party land or third-party rights on a commercial basis, you require permission from the competent authority.
Volltext	<p>If you wish to auction off third-party movable property, third-party land or third-party rights on a commercial basis, you require permission from the competent authority. Permission may be subject to conditions (even retrospectively) if this is necessary to protect the general public or the client.</p> <p>Permission is not required for</p> <ol style="list-style-type: none"> 1. Internet auctions (Please note: If participants take part in on-site auctions online, a permit is required! The term "internet auctions" refers to those auctions that take place exclusively online), 2. sales that are carried out by brokers or authorized brokers in accordance with statutory regulations, 3. auctions conducted by public authorities or officials, or 4. auctions to which only persons who wish to bid for goods of the type offered for their business operations are admitted as bidders. <p>You have a legal claim to the granting of the requested</p>

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permit, provided there are no grounds for refusal within the meaning of Section 34b (4) No. 1 or No. 2 of the Trade, Commerce and Industry Regulation Act (GewO).

The license can be granted to natural and legal persons.

In the case of partnerships without their own legal personality (e.g. OHG, KG), a permit is required for each managing partner. This also applies to limited partners if they have management authority and are therefore to be regarded as traders.

In the case of legal entities (e.g. GmbH, AG), the permit is issued to the legal entity.

The permit is personal, i.e. you cannot transfer a permit in your name to another person, nor can another person transfer a permit in their name to you.

Erforderliche Unterlagen

Voraussetzungen

In order to be granted a permit, you must

1. be reliable. Reliability is checked on the basis of various documents. As a rule, you do not have the required reliability if you have been convicted of a crime or of theft, embezzlement, extortion, fraud, embezzlement, money laundering, forgery, receiving stolen goods, usury or an offense against the law against unfair competition in the five years prior to submitting the application and
2. can prove that their financial circumstances are in order. It is checked whether the applicant has debts (private or public) or whether insolvency proceedings are known.

Kosten

For permission to auction third-party movable property or third-party rights with the exception of rights equivalent to real property in accordance with Section 34b (1) GewO, a fee of 51-153 € is charged. A fee of € 102-511 is charged for permission to auction third-party properties or third-party rights equivalent to real property in accordance with Section 34b (1)

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GewO.

In the event of rejection:

If an application to carry out an official act is withdrawn before it is completed, up to 75 percent of the full fee is payable depending on the expenses already incurred (Section 9 (2) SaarlGebG).

The administrative fees are determined in accordance with the Law on the Levying of Administrative and User Fees in Saarland (SaarlGebG) in conjunction with the General Fee Schedule for Saarland (GebVerz) (here: number: 679).

You will receive a notification of fees.

Verfahrensablauf

- Permission for auctions must be applied for from the competent authority.
- The permit must be granted before the start of operations, so it is essential to submit the application in good time (several weeks before the intended start of operations).
- Once the application has been checked, you will receive a notification of fees.
- Once you have paid the fee, you will receive the notification. Either the permit or a rejection notice.
- The permit may be subject to certain conditions.
- Permit fiction after 3 months

If you have applied for a permit to work as an auctioneer, the permit is deemed to have been granted if the authority has not made a decision on your application within a period of three months after receipt of the complete documents (Section 42a (1) sentence 1 SVwVfG) (Section 6a (1) GewO).

Bearbeitungsdauer

There is no fixed processing time. Fictitious approval after 3 months If you have applied for a permit to work as an auctioneer, the permit is deemed to have been granted if the authority has not made a decision on your application within three months of receiving the complete documents (Section 42a (1) sentence 1 SVwVfG) (Section 6a (1) GewO).

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Frist

The permit must be issued before the start of operations, so it is essential to submit the application in good time (several weeks before the intended start of operations).

weiterführende Informationen

Hinweise

In addition to obtaining a permit, you must also register the business with the responsible municipality.

The authorities have rights of information and inspection vis-à-vis traders.

At the request of the authorities, the parties concerned must provide the information required to monitor business operations. Furthermore, the authorities are authorized to enter the business premises in order to carry out inspections and visits.

As an auctioneer, you are also subject to the provisions of the Auctioneers Ordinance (VerstV) when carrying out your business.

Rechtsbehelf

Kurztext

Permits for auctions must be applied for from the competent authority (here: municipalities).

The permit must be issued before the start of operations, so it is necessary to submit the application in good time (several weeks before the intended start of operations).

Once the application has been checked, you will receive a fee notice.

Once the fee has been paid, you will receive the notification. Either the permit or a rejection notice.

The permit may be subject to certain conditions.

Responsible authority: Towns & municipalities

Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	Cities & communities
Formulare	Forms: no Online procedure possible: yes Written form required: no Personal appearance required: no
Ursprungsportal	Versteigerergewerbe Erlaubnis, Auctioneer license