

99050036005000, 99050036005000

Auctioneer business permit application

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/744009/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99050036005000, 99050036005000
Leistungsbezeichnung I	Auctioneer business permit application
Leistungsbezeichnung II	Auctioneer trade - apply for permission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Erlaubnis (005)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten), Erlangung von Lizenzen, Genehmigungen oder Zulassungen im

Modul	Sachverhalt
	Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.11.2021
Fachlich freigegeben durch	Thuringian Ministry for Economy, Science and Digital Society
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_34b.html https://www.gesetze-im-internet.de/gewo/_14.html https://www.gesetze-im-internet.de/verstv_2003/index.html https://www.gesetze-im-internet.de/gewo/_34b.html
Teaser	If you want to auction off third-party movable property, land or rights on a commercial basis, you need a permit.
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. The permit may be subject to conditions if this is necessary to protect the general public, the client or the bidders.</p> <p>In the case of partnerships (e.g. OHG, KG), the trader is any managing partner. In the case of legal entities (e.g. GmbH, AG), the permission of the legal entity is granted.</p> <p>As an auctioneer, you may not:</p> <ul style="list-style-type: none"> • bid at your auctions yourself or through another person for yourself or buy auctioned items entrusted to you, • allow relatives or your employees to bid at your auctions or to purchase auctioned items entrusted to you, • bid for another person at your auctions or purchase auctioned goods entrusted to you, unless the other

Modul

Sachverhalt

person has made a written bid,

- auction movable items from the range of goods that you carry in your commercial business if this is not customary,
- auction items on which you have a lien or if they belong to the goods that you offer in open sales outlets and that are unused or whose intended use consists in their consumption (consumer goods).

Erforderliche Unterlagen

- Identity card or comparable identification document (copy)
- Non-EU citizens: residence permit (copy)
- Proof of the legal form of the company Registered office in Germany: Extract from the commercial register for a registered company If applicable, a copy of the articles of association (e.g. for a civil law partnership (GbR)) Registered office abroad: documents from this country proving the legal form
- Proof of personal reliability Residence in Germany: Certificate of good conduct Extract from the central trade register for natural persons and, if applicable, legal entities Residence abroad: Documents from your home country proving that you have the personal reliability to perform the desired service In individual cases, the authorities may request further documents that are suitable for making a statement about your personal reliability as an applicant.
- Proof of orderly financial circumstances Residence in Germany: Extract from the debtor register Certificate from the insolvency court Certificate from the tax office in tax matters Residence abroad: Documents from your home country proving that you live in orderly financial circumstances

Voraussetzungen

Prerequisites are

- personal reliability and
- orderly financial circumstances.

You will not receive a permit if

- Facts justify the assumption that you, as the applicant, do not possess the reliability required for commercial operations. As a rule, you do not have the necessary reliability if you have been convicted of a

Modul
Sachverhalt

crime or of theft, embezzlement, extortion, fraud, breach of trust, money laundering, forgery of documents, receiving stolen goods, usury or an offense against the Unfair Competition Act in the five years prior to submitting the application and have been sentenced to imprisonment.

- you as the applicant are living in disorderly financial circumstances. This is usually the case if insolvency proceedings have been opened against your assets or if you are entered in the register kept by the insolvency court or the enforcement court.

Kosten

Depending on the case, the fees can range from 50.00 to 1,500.00 euros.

Verfahrensablauf

You must apply for a permit for auctions in writing or in person at the competent authority.

After the examination, you will either receive the permit or a rejection notice. A permit may be subject to certain conditions. The subsequent inclusion, amendment and addition of conditions is also permitted.

Bearbeitungsdauer
Frist

3 Monat(e)

You must apply for the permit before starting your business. You are only entitled to exercise the trade after the permit has been issued.

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

Modul

Sachverhalt

requirements of the Auctioneers Ordinance when carrying out your business. For example, you must

- prepare a list of the items to be auctioned no later than two weeks before the auction, in which the auctioned items of each client must be uniformly identified
- notify the competent authority and the Chamber of Industry and Commerce in whose district the auction is to take place in writing of each auction at least two weeks before the planned auction date, stating the place and time of the auction and the type of goods to be auctioned
- provide the opportunity to inspect the goods to be auctioned for at least two hours
- keep a record of each auction order and its execution

Upon application, auctioneers with special expertise, with the exception of legal entities, may be publicly appointed and sworn in by the competent authority. As a publicly appointed auctioneer, you must take an oath that you will perform your duties conscientiously and impartially.

Retailers and manufacturers of goods may only sell goods that they carry in their business operations at retail to the end consumer by way of auction as the holder of an auctioneer's license or through an auctioneer appointed by them.

Rechtsbehelf

Kurztext

- Anyone wishing to operate commercially as an auctioneer requires a permit from the competent authority.
- Certain requirements must be met
- Costs are incurred.
- Responsible: the trade authority responsible for the place of business

Ansprechpunkt

Please contact the relevant trade authority.

Zuständige Stelle

Formulare

Modul	Sachverhalt
Ursprungsportal	Versteigerergewerbe Erlaubnis beantragen, Auctioneer business permit application