

Crafts - Entry in the register of craftsmen

Only natural and legal persons and partnerships entered in the register of craftsmen are permitted to operate a craft requiring a licence as a standing trade. A business enterprise is considered to be a craft that requires a licence if it is operated as a craft and if it fully encompasses a trade listed in Annex A of the Crafts Code (see legal basis) or if it carries out activities that are essential to that trade.

Prerequisites

Master Craftsman's Certificate

You will be entered in the Register of Craftsmen of the Chamber of Crafts if you or your business manager has successfully passed the master craftsman examination in a craft requiring approval:

- which corresponds to the craft to be practised, or
- in a trade which is related to this professional and technical trade and which requires approval.

Note: If these requirements are not satisfied, exceptions can be requested in certain cases.

Exceptions

The Handicrafts Code contains provisions according to which the notifying party or the management also:

*a.) as a graduate of universities and technical colleges (z. B. as a graduate engineer) with a German state or state-recognised examination equivalent to the master craftsman's examination (§ 7 Para. 2 HwO) can be entered in the register of craftsmen. The prerequisite is that the study or school focus of your examination corresponds to the craft to be registered.

*b.) with the right to exercise according to § 7a HwO: This is granted to anyone who can prove the knowledge and skills required for another craft subject to licensing in Annex A of the HwO or for essential activities of this craft.

*c.) with the right to exercise according to § 7b HwO: Experienced journeymen and women can become self-employed, provided they can show at least six years of practical work in the trade and at least four years of this in a leading position.

*d.) with exceptional permission §§ 8, 9 para. 1 No. 1 HwO: In exceptional cases, an exceptional permission is to be granted if the knowledge and skills necessary for the independent exercise of the craft requiring permission are proven. An exceptional case exists, for example, if taking a master craftsman's examination at the time of application or afterwards would mean an unreasonable burden.

*e.) for foreign applicants: When you take up a self-employed craft requiring authorisation from a branch in Berlin, you must be entered in the register of craftsmen. The terms and conditions of the Crafts Code shall also apply here. This applies to foreign companies from countries outside the European Economic Area, even in the case of short-term manual work (assembly work, work contract services). If you do not have a master craftsman's title or proof of an equivalent German examination or if you are not already registered in the register of craftsmen with another craft, there is the possibility, under certain conditions, of applying for an exemption permit in accordance with §§

8 or 9 para. 1 no. 1 HwO.

- Activity in craft trades requiring authorisation (Annex A of the Crafts Code)

https://www.gesetze-im-internet.de/hwo/anlage_a.html

Documents required

- Application for registration in the craft register
<https://www.hwk-berlin.de/downloads/antrag-auf-eintragung-in-die-handwerk-srolle-91,130.pdf>
- Identity document
Identity card or other official identification document containing a photograph.
Residence permit, if the applicant is not an EU national.
- Proof of qualifications
For example: master craftsman's certificate from a German Chamber of Crafts for the craft practised or declared to be related or a final certificate from a technical college or state- or state-recognised technical college for technology and for design (e.g. as Diplom-Ingenieur)
- if necessary, current extract from the commercial register
Registered companies are required to submit an up to date excerpt from the Trade Register when applying. Legal entities that are in the process of being established (GmbH, AG) are required to submit their partnership agreement or statutes.

https://www.handelsregister.de/rp_web/welcome.do
- if necessary, exceptional approval according to §§ 7a, 7b, 8, 9 para. 1 no. 1 HwO
Only required if you want to assert your entry in the handicraft role based on one of the exceptions listed there.

<https://www.hwk-berlin.de/downloads/antrag-91,138.pdf>
- If necessary, declaration by company management
Only required if you are not a Master Craftsman yourself but have employed an operations manager who is in charge of technical supervision.

<https://www.hwk-berlin.de/downloads/betriebsleitererklaerung-91,131.pdf>
- if necessary, further evidence for the plant manager
If you have employed a manager with the technical management of the company, please enclose the following documents with the manager's declaration:
 - * Employment contract with the craft manager
 - * Qualification certificate of the manager
 - * Registration of the plant manager with the statutory social insurance
 - * a statement from the craft manager whether he is otherwise employed or self-employed.
- if necessary, Declaration of Business Start-ups
Only for sole traders who register a business for the first time and
 - * at no earlier time

- * neither as a sole trader nor as a partner in a corporation
 - * a trade of any kind have registered.
- With the declaration, discounts on chamber fees are possible.

<https://www.hwk-berlin.de/downloads/existenzgruendererklaerung-91,149.pdf>

Forms

- Application for registration in the craft register
<https://www.hwk-berlin.de/downloads/antrag-auf-eintragung-in-die-handwerk-rolle-91,130.pdf>
- if necessary, exemption permits according to §§ 7a, 7b, 8, 9 sect. 1 no. 1 HwO
<https://www.hwk-berlin.de/downloads/antrag-91,138.pdf>
- If necessary, declaration by company management
<https://www.hwk-berlin.de/downloads/betriebsleitererklaerung-91,131.pdf>
- if necessary, Declaration of Business Start-ups
<https://www.hwk-berlin.de/downloads/existenzgruendererklaerung-91,149.pdf>

Fees

The following fees are charged for the entry in the Register of Craftsmen:

- * With master craftsman's examination or other qualification: 80 EUR
- * With an equivalent examination: 140 EUR
- * With an exceptional permit: 105 EUR
- * With a right to exercise: 105 EUR
- * From legal entities and partnerships with the participation of a legal entity: 180 EUR
- * From other partnerships: 140 EUR, with more than two partners for each additional partner an additional half
- * With an employed works manager an additional 60 EUR
- * Changes in the Register of Craftsmen/issue of a replacement craftsman's card: 15 EUR
- * Exceptional permits and a right to exercise: (§§ 7a, 7b, 8, 9 HwO) 280 EUR

The current fees can be found in the scale of fees and charges of the Berlin Chamber of Crafts (see legal basis).

Legal basis

- § 6 paragraph 1 of the Crafts Code (HwO)
http://www.gesetze-im-internet.de/hwo/_6.html
- Crafts requiring a licence in Annex A of the HwO
http://www.gesetze-im-internet.de/hwo/anlage_a.html
- Fee schedule of the Berlin Chamber of Crafts

<https://www.hwk-berlin.de/downloads/gebuehrenordnung-91,150.pdf>

- Schedule of fees of the Berlin Chamber of Crafts
<https://www.hwk-berlin.de/downloads/gebuehrenverzeichnis-91,151.pdf>

More information

- Information on exercising handicrafts in Berlin
<https://www.hwk-berlin.de/betriebsfuehrung/handwerksausuebung/handwerksrolle/>
- Leaflet Registration in the Register of Craftsmen
<https://www.hwk-berlin.de/downloads/merkblatt-zur-eintragung-in-die-handwerksrolle-91,152.pdf>
- Leaflet on § 7a of the Crafts Code
<https://www.hwk-berlin.de/downloads/merkblatt-zu-7a-der-handwerksordnung-91,139.pdf>
- Leaflet on § 7b of the Crafts Code
<https://www.hwk-berlin.de/downloads/merkblatt-zu-7b-der-handwerksordnung-91,140.pdf>
- Leaflet Exemption Permit according to § 8 HwO
<https://www.hwk-berlin.de/downloads/merkblatt-zu-8-der-handwerksordnung-91,142.pdf>
- Leaflet Exemption Permit according to § 9 sect. 1 no. 1 HwO
<https://www.hwk-berlin.de/downloads/merkblatt-zu-9-abs-1-nr-1-der-handwerksordnung-91,143.pdf>
- Leaflet on operations as manager
<https://www.hwk-berlin.de/downloads/merkblatt-zur-betriebsleitertaetigkeit-91,132.pdf>

Responsible authorities

Registration in the register of craftsmen or an exception to this rule must be submitted to the Chamber of Crafts responsible for the main commercial establishment. If this is not yet known, the registration can also be applied for at the Chamber of Crafts responsible for the applicant's place of residence.

Link to online processing

<https://www.berlin.de/ea/en/application/login-service-account-berlin/>

PDF downloaded on 24.09.2020