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Auctioning business- apply for a licence

Anyone arranging for commercial auctioning of:

third party movable objects
third party real estate or
third party rights

requires permission from the competent authority.

The auctioneer must not bid in the auctions on their own behalf or have a third party do so on their behalf or buy any auction items that are entrusted to them or auction goods that are part of the product range of their commercial business, unless this is a customary procedure.

Permission is not required for:

online auctions
Vsales arranged by official brokers pursuant to legal provisions or by publicly appointed trade brokers,
auctions arranged by authorities or by public officials,
auctions in which the circle of bidders is limited to individuals wishing to purchase the type of goods offered for their businesses.

In the case of business partnerships (e. g. GbR, OHG, KG), each managing partners is considered a business person. In the case of legal entities (e. G. GmbH, UG or AG) permission is granted to the legal entity.

Particularly competent auctioneers - with the exception of legal entities - may be publicly appointed by the responsible authority (in Berlin: Senate Administration for the Economy, Energy and Enterprises, department II E 2).

Prerequisites

- **Personal reliability**
Reliability is verified based on various documents. The applicant must submit an excerpt from the Federal Central Criminal Register (certificate of good conduct) and an excerpt from the Commercial Central Register.
- **Orderly financial circumstances**
It is checked whether the applicant has debts (private or public) or whether insolvency proceedings are known.
- **For online applications: registration/login via BundID**

Documents required

- **Application for a permit (auctioneer permit)**
Online possible or you can use the form
- **Identity document**
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**

(<https://service.berlin.de/dienstleistung/120926/>)

To verify personal reliability, information from the Federal Central Register (certificate of good conduct) is required for submission to an authority (document type O).

The information must not be older than three months.

- **Excerpt from the Commercial Central Register - natural entity**

(<https://service.berlin.de/dienstleistung/327835/>)

Information from the central trade register for natural persons for submission to an authority (document type 9). The information must not be older than three months.

- **Excerpt from the Commercial Central Register - legal entity**

(<https://service.berlin.de/dienstleistung/327835/>)

Information from the central trade register for legal entities for submission to an authority (document type 9). The information must not be older than three months.

- **Information from the debtors' register (Central Enforcement Portal)**

(<https://service.berlin.de/dienstleistung/327028/>)

Information regarding entries must be requested [online](#) from the central enforcement centre for the respective federal state.

- **Information from the insolvency register**

(<https://service.berlin.de/dienstleistung/327527/>)

- **Two certificates** are required for initiating insolvency proceedings for natural persons who are residents of Berlin. The first certificate for consumer insolvency proceedings must be applied for with the local court responsible for your place of residence, and the second one for regular insolvency proceedings is available from the District Court Charlottenburg Amtsgerichtsplatz 1, 14057 Berlin.
- The District Court Charlottenburg, Amtsgerichtsplatz 1, 14057 Berlin is responsible for insolvency proceedings for legal entities and private trade companies based in Berlin.
- Applicants residing / operating outside of Berlin please inform themselves about the respective responsibilities of the insolvency courts via the central place and court directory.

- **Up-to-date excerpt from the Trade Register**

(https://www.handelsregister.de/rp_web/welcome.xhtml)

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.

Forms

- **Application for a permit (auctioneer permit)**

(https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/winnr-250-gewo_versteigerer_antrag_09_2022.pdf)

Fees

- EUR 100 to 1.200, depending on the administrative effort

Legal basis

- **Trade regulations - Gewerbeordnung (GewO) § 34b**
(https://www.gesetze-im-internet.de/gewo/_34b.html)
- **Auction regulation - Versteigererverordnung (VerstV)**
(https://www.gesetze-im-internet.de/verstv_2003/)

Average time to process request

1 month

More information

- **Informationen zu Versteigerungen / Auktionen (IHK Berlin)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/2271516/ba02cfd11aa887ae7ea0c65b2cbadc13/versteigerererlaubnis-data.pdf>)
- **Merkblatt Öffentliche Bestellung als Versteigerer nach § 34b GewO (IHK Berlin)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/2271518/6b2bedbee574a30757a7bf86f400f0b8/oeffentliche-bestellung-als-versteigerer-data.pdf>)
- **Informationen zu Berliner Auktionshäuser und Versteigerer (IHK Berlin)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/2271522/9a787260ca13268a820cd9ff204acaa2/berliner-auktionshaeuser-und-versteigerer-data.pdf>)
- **Insolvency announcements online (Justizportal der Länder)**
(<https://neu.insolvenzbekanntmachungen.de/ap/>)
- **Ermittlung des zuständigen Gerichts (zentrales Orts- und Gerichtsverzeichnis)**
(<https://www.justizadressen.nrw.de/de/justiz/suche>)
- **Information on data protection (Ordnungsämter des Landes Berlin)**
(https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberech/ht/_assets/winr_105_merkblatt_dsgvo.pdf)

Average time to process request

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

Hinweise zur Zuständigkeit

The permit must be applied for at the public order office responsible for the place of business. If a place of business is not yet known, the permit can also be applied for at the public order office responsible for the applicant's place of residence.