

Guarding trade - apply for a permit

According to § 34a of the Trade, Commerce and Industry Regulation Act (Gewerbeordnung), the operation of a security guarding business is subject to a permit.

Competent Department

- [5.02 Gewerbeangelegenheiten - Die Senatorin für Wirtschaft, Häfen und Transformation](#)

Basic information

A permit pursuant to Section 34a of the Trade, Commerce and Industry Regulation Act entitles the holder to operate a security guarding business.

Who wants to guard commercially life or property of strangers (guarding trade), is obligated in accordance with § 34a exp. 1 p. 1 of the trade regulation to catch up a permission of the responsible authority.

The term "guarding" as defined in Section 34a of the Trade, Commerce and Industry Regulation Act refers to activities aimed at protecting the life or property of third parties from interference by third parties. Guarding requires the active attention of a person (guard), e.g. through supervision or checks.

The guarding trade has a broad spectrum of fields of activity. It ranges from conventional building surveillance to event services, the execution of money and value transports, personal protection and the guarding of industrial plants.

The mere surveillance (e.g. by means of security equipment of a technical nature), an observation or investigation activity (e.g. detective agencies) or a mere provision of space (e.g. a safe deposit box) do not constitute guarding requiring a permit.

Requirements

A permit can only be issued if reliability can be proven on the basis of various forms of evidence. At least one unrestricted report from the Federal Central Register and one report from the Central Commercial Register as well as a statement from the state police authority responsible for the place of residence, a central police station or the responsible state criminal investigation office will be obtained.

The applicant must be in good financial standing. To prove this, a clearance certificate from the tax office of the place of residence for the last 5 years must be submitted, as well as a certificate or confirmation from the insolvency court and compulsory execution court for the last 5 years.

Furthermore, one must have a proof of the successfully passed expert examination before a chamber of commerce or a comparable recognized professional qualification and a proof of a professional liability insurance for the business operation.

What documents do I need?

- Application for a permit pursuant to § 34a of the Trade, Commerce and Industry Regulation Act (Gewerbeordnung)

You will find the application form on the top right of this page under Further Information.

- Personal document

Identity card or other official identification document with photograph. Residence permit if the applicant is not a national of an EU country.

- Certificate of competence

IHK certificate of professional competence or another comparable recognised professional qualification.

- Certificate in tax matters of the tax office

(to be applied for at the tax office of the place of residence)

- Extract from the list of debtors of the enforcement court

The debtors' register can only be inspected online at www.vollstreckungsportal.de. Registration is necessary here. You will then receive a PIN by post, which you can use to start your search. The result of your query must be printed out and enclosed with your application.

- Professional liability insurance

The professional indemnity insurance must be taken out with an insurance company licensed to do business in Germany. The minimum insurance sum per loss event is 1,000,000 euros for personal injury, 250,000 euros for property damage, 15,000 euros for the loss of guarded property and 12,500 euros for pure financial loss.

- Important note for legal entities

The extract from the Central Business Register, the certificate in tax matters, the extract from the debtors' register and the information from the insolvency court must be submitted both for the legal entity (e.g. GmbH, AG) and for the persons authorised to represent it by law, the articles of association or the partnership agreement (e.g. management, board of directors).

In addition, an extract from the commercial register must be submitted.

Procedure

After you have submitted a written application for a permit in accordance with § 34a of the German Trade, Commerce and Industry Regulation Act (Gewerbeordnung), your submitted proof of expertise and professional liability insurance as well as your reliability under trade law will be checked on the basis of the information you have provided, the documents you have submitted and other official queries.

Operating a security guard business without the required permit is an administrative offense that can be punished with a fine of up to EUR 5,000.

Legal bases

- [Kostenverordnung der Wirtschaftsverwaltung \(WKostV\)](#)
- [§ 34a Gewerbeordnung](#)
- [Verordnung über das Bewachungsbewerbe \(BewachV\)](#)

What are the costs?

435,00 EUR up to EUR 1,920.00. The exact amount of the fee is determined on a case-by-case basis depending on the expense.