

Protection of prostitutes - Permission to operate a prostitution business

According to the Prostitution Protection Act, the operation of a prostitution business is subject to a permit.

Competent Department

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

Basic information

A permit under the Prostitution Protection Act is required to operate a prostitution trade.

A prostitution trade is operated by anyone who commercially offers services in connection with the provision of sexual services by at least one other person or provides premises for this purpose, in that he/she

1. operates a prostitution establishment
2. provides a prostitution vehicle
3. organizes or conducts a prostitution event, or
4. operates a prostitution agency.

Residential prostitution is also covered by the Prostitution Protection Act and requires a license if another person (e.g. main tenant) derives economic benefit from the prostitution activities of others.

Anyone wishing to operate a prostitution business through a person acting as a proxy requires a proxy permit.

Requirements

Permission will only be granted if the requirements for the respective form of operation are met and the operator(s), their deputies and the persons employed to manage or supervise the operation have the necessary reliability.

A central point here is the operating concept to be submitted with the application documents. The operating concept must describe in detail the essential characteristics of the business and the precautions taken to comply with the obligations under the

Prostitution Protection Act. This includes, for example, a description of

- the typical organizational procedures as well as the general conditions which the operator(s) create for the provision of sexual services,
- of the measures taken to ensure that no persons are employed in the prostitution business for the provision of sexual services who a) are under 18 years of age or b) are a person under 21 years of age who is a victim of a trafficking crime and who is induced by third parties to enter or continue prostitution,
- of the measures taken to reduce the risk of transmission of sexually transmitted infections,
- of the other measures taken to protect the health interests of prostitutes and third parties,
- measures to ensure the safety of prostitutes
- and
- measures to prevent the presence of persons under 18 years of age.

In prostitution establishments, it must be ensured, at a minimum, that the premises used for sexual services are

- are not visible from the outside
- have an appropriate emergency call system
- the doors can be opened from the inside at any time
- are not intended for use as living or sleeping quarters
- are adequately equipped with sanitary facilities
- have suitable recreation and break rooms
- have individually lockable storage facilities for personal belongings

What documents do I need?

- completed application form
- Operating concept

This must describe the essential characteristics of the business and the precautions taken to comply with the obligations. Further details are regulated by § 16 of the Prostitution Protection Act.

- 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 good conduct in document type OG (for submission to an authority)
(to be applied for at the local registration office responsible for your residence)
- Information from the central trade register in document type 9

This can be applied for via the trade registration office. The Senator for Economics, Ports and Transformation -Commercial Affairs-, Katharinenklosterhof 3, 28195 Bremen should be specified as the recipient when applying.

If a legal entity is planned as the operator, information for this legal entity and the entire management is required.

- 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.

- Information from the insolvency court as to whether proceedings have been opened

(to be applied for at the district court of the place of residence)

- 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 for a prostitution business, your submitted business concept and 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 inquiries.

The prostitution business may not be started before the permit has been issued. Operating a prostitution business without the required permit is an administrative offense that can be punished with a fine of up to €50,000.

Legal bases

- [Kostenverordnung der Wirtschaftsverwaltung \(WKostV\)](#)
- [Prostituiertenschutzgesetz \(ProstSchG\)](#)

What are the costs?

250,00 EUR up to EUR 25,000.00. The exact amount of the fee is determined on a case-by-case basis depending on the expense.