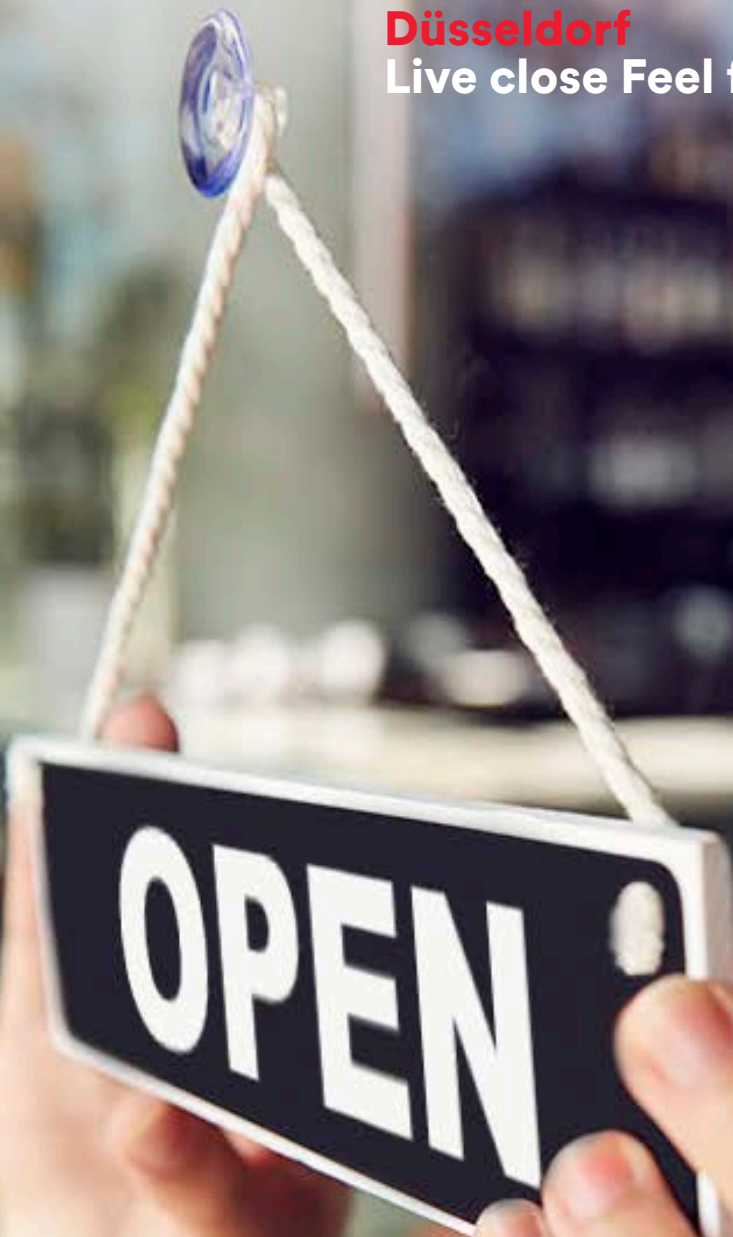


Guidelines for company founders  
with non-German citizenship

# My own. business

**Düsseldorf**  
Live close Feel free



# Content

## 1 Residence law requirements

- Citizens from EU Member States ... 4
- Citizens from a non-EU country... 4

## 2 Proof of qualification

- Recognition from industry and commerce... 5
- Recognition in the trade ... 5

## 3 Language skills and orientation

- Language courses ... 6
- Integration courses ... 6

## 4 Advice and help with the business plan

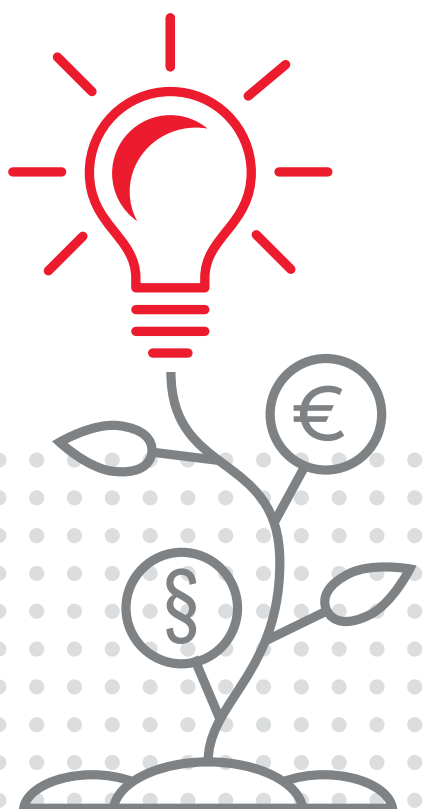
- Offers and services of the Office of Economic Development ... 7
- Financing ...8
- Choice of legal form ...9
- Employees and salaried employees ...9

## 5 Business registration and tax issues

- Business registration ...10
- Tax registration ...10

## 6 Insurance and care

- Health insurance ...11
- Accident insurance for occupational accidents for employees ... 11
- Pension ...11





# Welcome to Düsseldorf



People with a migration background are among the most dynamic company founders in Germany. They make an important contribution to economic development in Germany in the various industries and create many jobs in the process.

Anyone wanting to start a company not only needs a good idea and a lot of commitment, but also a good knowledge of the formal framework conditions of the market, the language and the peculiarities of the country. Often too much trust is placed in well-intentioned advice from private circles, family members, relatives or friends. However, intensive information and advice from experts is the best prerequisite for the success of a new business.

With this brochure, the State capital Düsseldorf offers an overview of the first steps specifically for foreign founders. In doing so, it deals, for example, with questions of the right of residence and the recognition of professional qualifications acquired abroad. You can also use the extensive advisory services offered by the Gründungsnetzwerk Düsseldorf and its experts. They

will accompany and support you on your way through the various institutions.

This brochure is aimed specifically at traditional company founders. For start-ups, i.e. such company beginnings with a digital and scalable business model, you will find further specific information in German and English on the website: [startup-city.de](http://startup-city.de).

I wish you every success in implementing your plans

Yours

A handwritten signature in blue ink, appearing to read 'Stephan Keller'. The signature is fluid and cursive.

**Dr. Stephan Keller**  
Mayor

# 1

## Residence law requirements



**Anyone in Germany can found a company. For foreign founders, depending on their nationality and professional qualifications, certain requirements apply to their new business.**

The Residence Act or the Freedom of Movement Act/EU regulate which requirements must be met to stay in Germany and to be self-employed.

As a rule, this application must be submitted to the responsible German diplomatic mission in your home country. Foreigners who are already in Germany and who have a residence permit for a different purpose can apply to the immigration authorities for permission to work as a self-employed person.



### Citizens of the European Union (EU)

Freedom of movement and freedom of trade apply within the EU Member States as well as the EEA States and Switzerland. This means that EU citizens do not need a residence permit if they want to settle in another Member State and start a business.

### Citizens from a non-EU country

Citizens from a non-EU country can apply for a residence permit for self-employment if there is an economic interest or a regional need, the activity can be expected to have positive effects on the economy and the financing of the implementation is secured.

**Check your residence status and get advice from the local immigration authorities!**

**Office for Migration and Integration  
Dept. Municipal Immigration Office  
Erkrather Strasse 377, 40231 Düsseldorf**

Appointments via the Service Point:  
Telephone 0211 89-21020 or online at  
**[www.duesseldorf.de/auslaenderamt](http://www.duesseldorf.de/auslaenderamt)**

# 2

## Proof of qualification



**In order to be able to set up your own company in Germany, it is necessary in many professions to have your professional qualification that you acquired abroad recognized.**

This recognition applies especially to the so-called *regulated professions* such as the skilled trades, medical or nursing professions that require a license. Here it must be checked whether the training qualifications are equivalent. The content and duration of the training as well as the professional experience gained are taken into account.

### Recognition from industry and commerce

For advising and checking whether foreign professional qualifications are equivalent to German IHK professional qualifications, the IHK Düsseldorf and the *IHK Foreign Skills Approval* (IHK FOSA) are responsible. The IHK FOSA is the nationwide competence center of German chambers of industry and commerce for determining the equivalence of foreign professional qualifications.

Information: [www.ihk-fosa.de](http://www.ihk-fosa.de)

All persons who have acquired a State-recognized foreign professional qualification and would like to work in this profession in Germany are eligible to apply for verification.

### Chamber of Commerce and Industry in Düsseldorf

Contact: Cathleen Göpfert  
Telephone: 0211 35 57-437  
[cathleen.goepfert@duesseldorf.ihk.de](mailto:cathleen.goepfert@duesseldorf.ihk.de)

### Recognition in the trade

Foreign professional qualifications can be recognized as equivalent to the German journeyman and master craftsman's examinations. Anyone who has a professional qualification that is considered to be equal to the German *Master's examination* can independently practice a trade that requires a license. Anyone who has a professional qualification that corresponds to a *certificate of apprenticeship*, receives a certificate of equivalence and can therefore be admitted to the master craftsman's examination. The local Chamber of Crafts decides whether foreign professional qualifications are equivalent to German qualifications.



### Chamber of Crafts Düsseldorf

[anerkennung@hwk-duesseldorf.de](mailto:anerkennung@hwk-duesseldorf.de)

Further information on the recognition of foreign professional qualifications can be found on the website of the Federal Ministry of Education and Research: [www.anerkennung-in-deutschland.de](http://www.anerkennung-in-deutschland.de)



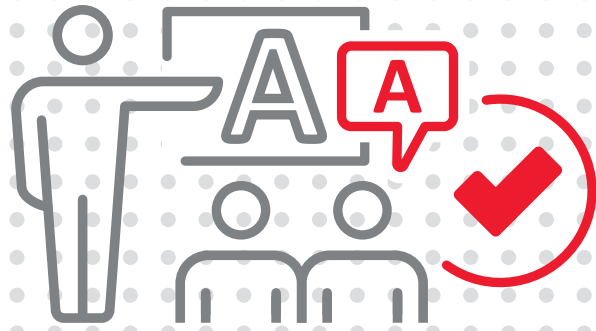
### Citizens of the European Union (EU)

Citizens from the EU enjoy the freedom of establishment and the freedom to provide services. Whoever wants to settle down *permanently* in Germany and start a business, must have their qualifications recognized.



# 3

## Language skills and orientation



**The command of the German language is not absolutely necessary for the founding of a company. However, in order to run and manage it according to German law, this is very beneficial.**



A good knowledge of the German language will make it easier for you to set up a company. Although it is not absolutely necessary, it is important if you want to run and manage a company professionally in accordance with current law. Without knowledge of German, it is difficult to get important information, to know the industry or to apply for a loan.

**Examine yourself critically whether your knowledge of the German language is sufficient. If not: Attend a language course.**

### Language courses

A wide variety of providers offer language courses in Düsseldorf. They will be happy to advise you on the offer and place you in a suitable language course.

Examples of providers are:

#### **Volkshochschule Düsseldorf (Adult education center)**

**[vhs.duesseldorf.de](http://vhs.duesseldorf.de)**

#### **Goethe Institute Düsseldorf**

**[www.goethe.de](http://www.goethe.de)**

Should you require further advice, you can use the *Migration advice for adults* of charitable associations.

You can find an overview of the migra-

tion and integration advice centers on the website of the Office for Migration and Integration.

The city brochure *Living in Düsseldorf - Guide to Integration* contains valuable information and contact addresses for newcomers to help them find their way around and integrate in their new home in Düsseldorf.

#### **Office for Migration and Integration of the State capital Düsseldorf**

**[www.duesseldorf.de/](http://www.duesseldorf.de/)**

***amt-fuer-migration-und-integration***

> *Migration and integration advice centers*  
or

> *Integration guide (PDF download)*

### Integration courses

#### **Federal Office for Migration and Refugees (BAMF)**

The Federal Office for Migration and Refugees offers an overview of all integration course providers that are recognized in Düsseldorf. It can be reached at

**[www.bamf.de](http://www.bamf.de)**

The Federal Office for Migration and Refugees also offers a point of contact for general questions about integration courses. The service can be reached at

**Telephone 0911 943-0**

# 4

## From business plan to business start-up



**Anyone who wants to start a company needs a promising business idea. In addition, the project should be based on a business plan that shows how this idea can be implemented.**

Your business plan should include all factors that could be important for success or failure. The more thought-out and detailed the planning, the greater the chance that your project will lead to the desired success. A meaningful business plan is also a prerequisite for convincing your financiers that your planned company will generate enough sales to pay back the money borrowed.

Your business plan should include and describe these central components:

- Founder profile
- Business idea (service program, target group, profit expectation)
- Assessment of the market, location and competition
- Marketing strategy
- Organizational and staff planning
- Requirements planning of premises, technical equipment, vehicle fleet, etc.
- Capital requirements and financing planning
- Profitability forecast
- Economic viability
- Liquidity planning

There are a number of offices that can help you draw up your business plan, many of which are free of charge. The Düsseldorf Chamber of Crafts and the Düsseldorf Chamber of Commerce and Industry offer advice on drawing up your business plan.

**[www.duesseldorf.ihk.de/existenzgruendung](http://www.duesseldorf.ihk.de/existenzgruendung)**

**[www.hwk-duesseldorf.de](http://www.hwk-duesseldorf.de)**

### Offers and service of the Office of Economic Development

The Office of Economic Development Düsseldorf is also the central point of contact for foreign companies and founders who want to invest in Düsseldorf or start their own business.

### Seminars for founders

The Office of Economic Development regularly offers seminars for foreign founders *in English*. Topics are fundamental aspects of founding a company, employment and residence law, finances and taxes. Successful new entrepreneurs describe their experiences and give tips. Dates and registration at

**[www.duesseldorf.de/business](http://www.duesseldorf.de/business)**





### Start-up support

Are you a start-up with an innovative, technological problem-solving idea and a scalable business model, do you have questions on topics such as Pitch deck, *Business model canvas* (BMC), VC or are you looking for access to the Düsseldorf startup ecosystem? Then the portal of the startup unit will help you with economic development at [startup-city.de](http://startup-city.de)

### Expat Service Desk

The Expat Service Desk acts as the first official contact point for companies and their international employees and provides advice on living and working in the region. The Service point is supported by the business development agencies of the State capital Düsseldorf and the Mettmann district as well as the Düsseldorf Chamber of Commerce and Industry.

#### **Expat Service Desk**

Ernst-Schneider-Platz 1, 40212 Düsseldorf  
[www.expatservicedesk.de](http://www.expatservicedesk.de)  
[info@expatservicedesk.de](mailto:info@expatservicedesk.de)  
Hotline: 0211 5441 5740

### Financing

If you want to start a company, you usually first have to invest money in your project. You can determine how much you have to invest using a capital requirement plan. A capital requirement plan is part of every business plan, regardless of whether you finance your project solely from your savings or with the help of loans. If you do not plan exactly, you run the risk of not having enough money in the end. First arrange a conversation with your bank and get advice there.

Founders with small loan needs in particular often have problems with financing through their banks. In order to make it eas-

ier for you to start your own business, with the 75 starter centers NRW.BANK offers the *NRW.Micro loan* of up to 50,000 Euros.

Further information on the financing of start-ups is available from:

#### **Starter center NRW**

[www.startercenter.nrw/de/finanzieren](http://www.startercenter.nrw/de/finanzieren)

#### **Ministry of Economy, Innovation, Digitization and Energy of the State of North Rhine-Westphalia**

[www.gruenden.nrw/finanzierung](http://www.gruenden.nrw/finanzierung)

#### **KfW Banking group**

[www.kfw.de](http://www.kfw.de)

### Choice of legal form

The legal form regulates important questions about ownership, risk distribution and liability. At the same time, the legal form of a company has an impact on the bureaucratic effort – both for the establishment and the accounting obligations and the tax burden. Examples of possible legal forms are:

#### **The Gesellschaft mit beschränkter Haftung (GmbH)**

The GmbH is the best known and most important form of corporation. This type of company is characterized by a required initial capital of 25,000 Euro and the limitation of liability to the capital brought in by the shareholders.

#### **The Unternehmergesellschaft (UG)**

The limited liability Unternehmergesellschaft colloquially also known as the *Mini GmbH* and *One Euro GmbH* - was introduced in Germany as a start-up-friendly variant of the conventional GmbH.

#### **The Personengesellschaft**

A partnership differs from a corporation in that the personal commitment of the share-



holders is largely in the foreground. In particular, the company is not liable for the liabilities, but rather the individual partners are generally personally and unlimitedly liable.

Partnerships include *Gesellschaft bürgerlichen Rechts* (GbR), the *offene Handelsgesellschaft* (OHG) and the *Kommanditgesellschaft* (KG).

### Self-employment/Liberal professions

The most important characteristic of a liberal profession is the close connection between personal training and professional independence. It is not always easy to determine which occupation actually belongs to the liberal professions and which does not. This is clearly regulated for the catalog professions such as doctors, lawyers, tax advisors, notaries, engineers, architects, physiotherapists or interpreters. They definitely belong to the liberal professions. In the case of artists, designers, IT and management consultants etc. the Tax office ultimately decides whether or not their activity is to be classified as liberal or commercial. Liberal professionals do not register at the trade office, but rather only at the Tax office.

### Sole proprietorship

There are also a number of sole proprietorships such as *small business owners* and *registered merchants* (e.K.).

If you have any questions about the choice of legal form, use the advice of the Düsseldorf Chamber of Industry and Commerce and the Düsseldorf Chamber of Crafts or contact a tax advisor or lawyer.

The website offers a very good overview of the various legal forms:

**[gruenderplattform.de](http://gruenderplattform.de)**

### Chamber of Commerce and Industry Düsseldorf

Ernst-Schneider-Platz 1, 40212 Düsseldorf

Contact: Marco Gerhards

Telephone: 0211 3557-242

[marco.gerhards@duesseldorf.ihk.de](mailto:marco.gerhards@duesseldorf.ihk.de)

### Chamber of Crafts Düsseldorf

Georg-Schulhoff-Platz 1, 40221 Düsseldorf

Contact: Tabea Schneider

Telephone: 0211 8795-333

[tabea.schneider@hwk-duesseldorf.de](mailto:tabea.schneider@hwk-duesseldorf.de)

### Employees and salaried staff

If you cannot or do not want to run the business you are about to set up on your own and you therefore need staff, there are a number of questions that need to be answered. You should therefore take advantage of the advisory services offered by the *Employment Agency Düsseldorf*. There, the Employer service will help you with the necessary formalities and find the right staff for you.

### Employment Agency Düsseldorf

#### Employer service

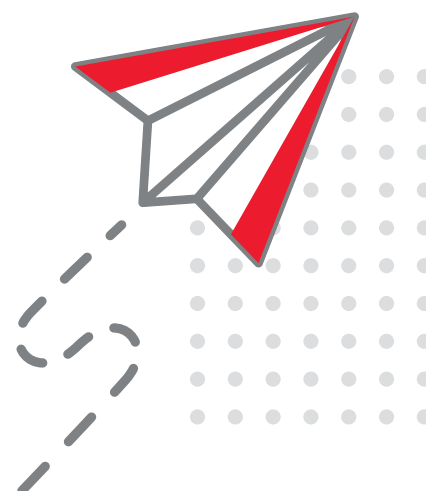
Grafenberger Allee 300, 40237 Düsseldorf

**[www.arbeitsagentur.de/vor-ort/](http://www.arbeitsagentur.de/vor-ort/duesseldorf/arbeitgeberservice)**

**[duesseldorf/arbeitgeberservice](http://duesseldorf.arbeitgeber@arbeitsagentur.de)**

[duesseldorf.arbeitgeber@arbeitsagentur.de](mailto:duesseldorf.arbeitgeber@arbeitsagentur.de)

Employer hotline: 0800 4555520



# 5

## Business registration and tax issues



The simplest form of founding a company in Düsseldorf is to register with the Regulatory office of the City of Düsseldorf. You should also register your business for tax purposes with the Tax office responsible for you as soon as possible.



### Business registration

You can register your trade in person or in writing at the Trade registration office of the Regulatory office of the City of Düsseldorf. If you register in person, you can usually take your *Business registration* straight away with you.

For certain businesses that require a permit, such as restaurants, real estate agents, property developers and craft businesses, a separate *business* license must be applied for in addition to *registration*. You can also obtain this permit from the Trade registration office.

### Regulatory office of the City of Düsseldorf

#### Trade registration office

Worringer Strasse 111 , 40210 Düsseldorf  
[gewerbemeldestelle@duesseldorf.de](mailto:gewerbemeldestelle@duesseldorf.de)  
***service.duesseldorf.de***

Businesses in NRW can also be registered, de-registered completely digitally via the Wirtschafts-Service-Portal NRW:

***service.wirtschaft.nrw***

### Tax registration

Regardless of whether you have registered a trade or want to pursue a freelance activity: You have to register with the Tax office responsible for you. For this it is necessary

that you submit a questionnaire for tax registration. You will only receive a tax number for your company after it has been checked by the Tax office. Submit this questionnaire early because registration can take some time. You can get it from the Trade registration offices, your Tax office or in the form management system of the Federal Tax Administration at ***www.formulare-bfinv.de***.

Companies are obliged to submit monthly *advance sales tax returns*, and, if employing staff, also *payroll tax returns* in electronic form to the Tax office. In addition, there are annual declaration obligations. The Tax office in Düsseldorf responsible for you will be happy to help you with your questions:

### Tax office Düsseldorf-Nord

Hans-Böckler-Strasse 36,  
40476 Düsseldorf  
Telephone: 0211 4496-0

### Tax office Düsseldorf-Mitte

Kruppstrasse 110, 40227 Düsseldorf  
Telephone: 0211 7798-1780

The Financial administration of the State of North Rhine-Westphalia also offers a lot more information, including the brochure *Tax tips for business start-ups* as a free PDF download: ***www.finanzamt-nrw.de***

## Tax advice

For new founders, it can be very useful to hire a tax consultancy office for the mandatory tax returns. The Düsseldorf Chamber of Tax Advisors offers a search for experts

from your sector on its website.

## Chamber of Tax Advisors Düsseldorf

Telephone: 0211 66906-0

[www.stbk-duesseldorf.de](http://www.stbk-duesseldorf.de)

# 6

## Insurance and care



### Health insurance

Like all citizens, the self-employed are obliged to contract either a *statutory or private health insurance*. Anyone who was previously employed subject to social security contributions or was insured through a family member can choose between private health insurance and voluntary membership in statutory health insurance. The step into professional independence must be reported to the statutory health insurance (GKV) in any case. You can find an overview of all statutory health insurance companies in Germany at [www.gkv-spitzenverband.de](http://www.gkv-spitzenverband.de).

### Accident insurance for occupational accidents involving employees

In Germany, salaried employees are insured under the statutory accident insurance scheme through their employers. Which *trade association* is responsible for you and what needs to be observed can be found out by phone or online from the *German Statutory Accident Insurance (DGUV)*.

### German Statutory Accident Insurance (DGUV)

Hotline: +49 800 6050404

[www.dguv.de](http://www.dguv.de)

**Cover in the event of illness and a financial pension are important parts of the future planning of the company. Therefore, right at the beginning of the start-up you should make appropriate risk and retirement provisions.**

### Pension

Self-employed entrepreneurs should plan their pension in good time. The claims to the legal *pension insurance* that you acquired during your time as an employee are retained. Think about whether a further voluntary membership in the statutory pension insurance makes sense for you. The old-age pension from the statutory pension insurance normally only covers a basic provision for the self-employed. In order to be adequately protected in old age, you should still opt for a private pension.

### German Pension Insurance (DRV) Rhineland

#### Service center Düsseldorf

Königsallee 71, 40215 Düsseldorf

Telephone: +49 211 937-0

[www.deutsche-rentenversicherung.de](http://www.deutsche-rentenversicherung.de)



## Nationwide information offers

Welcome portal *Make it in Germany*  
of the Federal Ministry for Economic Affairs and Energy  
for professionals and founders from abroad  
**[www.make-it-in-germany.com](http://www.make-it-in-germany.com)**

Start-up portal of the  
Federal Ministry for Economic Affairs and Energy  
**[www.existenzgruender.de](http://www.existenzgruender.de)**



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Wirtschaftsförderung

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**[www.duesseldorf.de](http://www.duesseldorf.de)**

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