

99050024108000, 99050024108000

Applying for public appointment and swearing in as an expert or surveyor

Heruntergeladen am 03.07.2025

<https://fimportal.de/xzufi-services/121345985/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99050024108000, 99050024108000
Leistungsbezeichnung I	Applying for public appointment and swearing in as an expert or surveyor
Leistungsbezeichnung II	Applying for public appointment and swearing in as an expert or surveyor
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Öffentliche Bestellung und Vereidigung (108)

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SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Befähigungs- und Sachkundenachweise (2010200)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	30.11.2021
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Energy
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_36.html https://www.gesetze-im-internet.de/gewo/_36a.html
Teaser	You would like to be publicly appointed and sworn in as an expert? Then you can apply for this at the appointing body responsible for you.
Volltext	<p>When you apply for the public appointment and swearing in as an expert at the competent body, you must prove that you have the necessary qualifications.</p> <p>The competent body can be, for example, a chamber of industry and commerce, a chamber of crafts, a chamber of agriculture, a chamber of engineers or architects, but also a public authority.</p> <p>It is possible that the competent body limits the content of your appointment (for example, to a specialized field), sets a time limit or imposes conditions (for example, the requirement to regularly attend training courses).</p> <p>The public appointment and swearing-in of experts confirms in business transactions the existence of a special professional qualification and personal suitability as an expert for a defined subject area. As a publicly appointed and sworn expert, you will be preferred for the preparation of</p> <ul style="list-style-type: none"> • you are preferred for the preparation of judicial expert opinions and have to comply with corresponding expert orders,

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- you have to accept private appraisal orders within the scope of your capacities,
- you are partly assigned to fields of activity which are closed to other experts (so-called "reserved tasks", e.g. safety inspections of plants requiring approval according to the Federal Immission Control Act).

Erforderliche Unterlagen

- Description of the services you offer and the (delimitable) field of expertise
- Curriculum vitae with a description of your professional career
- Evidence of your special qualifications in the above-mentioned field (certificates, diplomas, seminar certificates, employment certificates, other documents, etc.)
- If applicable, list of references, such as persons (with address) who can provide information on your special knowledge
- several (usually 3 to 5) certificates prepared by yourself You should deal with problems in the field you are interested in and give solutions. The expert opinions must be comprehensible and include required documents such as drawings, sketches, plans and photos.
- Proof of further training, if applicable
- Declaration on the assumption of fees and costs
- in the case of employees and civil servants: declaration of exemption from work
- Certificate of good conduct
- extract from the commercial register
- current certificate in tax matters (formerly tax clearance certificate) from the responsible tax office in the original

Voraussetzungen

Your application for public appointment and swearing in as an expert is subject to the following requirements:

- There must be a general need for expert services in the subject area you have named. In this context, it is irrelevant how many experts already exist for the subject area in question. The only thing that matters is whether the subject area is of general importance. If it is a subject area for which experts have already been appointed in the past, the general need was already

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affirmed at that time and is therefore to be assumed.

- You must provide evidence of your special expertise in the field you have been appointed for. This means that you must have above-average knowledge, experience and skills in the relevant field. In addition to evidence in the form of documents to be provided by you (certificates, expert reports prepared by yourself, references, etc.), you may also be required to take an examination before an independent panel of experts.
- Finally, you must have the required personal suitability. Your personal suitability can be assumed if you can guarantee that you will provide your expert services impartially, independently, objectively and in a manner that is comprehensible to the client. There must also be no doubts about your personal reliability and integrity. This presupposes that you have behaved in a legally compliant manner up to now and that you live in orderly economic circumstances.

Kosten

The costs are based on the administrative fee regulations of the state or on the fee statutes of the bodies responsible under state law.

Verfahrensablauf

You can submit the application for public appointment and swearing in as an expert informally or using a form provided online or by e-mail or post.

- You can find the application form on the website of the authority responsible for you in your municipality.
- Submit the application form or the informal application for public appointment and swearing in as an expert together with the required documents/evidence by mail or e-mail.
- As a rule, the competent authority will decide on your application on the basis of the evidence you have submitted. Depending on the jurisdiction, an examination date may also be scheduled before an independent expert panel, which will inquire about and evaluate your expertise.
- You can also submit the application form online.
- The competent body will decide on your application and notify you of its decision.

Bearbeitungsdauer

The responsible office will process your application as soon as possible. If an examination date is held,

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	processing can only take place after it has been completed.
Frist	Only after you have been publicly appointed and sworn in may you call yourself a publicly appointed and sworn expert or a publicly appointed and sworn expert in legal and business dealings.
weiterführende Informationen	https://svv.ihk.de/content/home/home.ihk
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Experts Public appointment and swearing in • Experts in the field of economics including mining, deep-sea and coastal fishing and/or agriculture and forestry including horticulture and viticulture can be publicly appointed and sworn in upon application. • Definition of expert or expert witness: A person who possesses above-average knowledge, skills and experience in a definable field of expertise, which have been verifiably acquired in a completed vocational training and, who offers this special expertise to all in the form of expert services. • Requirements for public appointment: general need for expert services for a specific subject area (needs test/discretionary scope). Special expertise (scope for assessment, fully reviewable by the courts). Prerequisite Proof of above-average knowledge, experience and skills in a specific, definable subject area and the ability to process a concrete dispute in the form of an expert opinion in a comprehensible, verifiable, understandable and result-oriented manner. Personal suitability (scope for assessment, fully reviewable by the courts). The required reliability must be given. The Expert must guarantee impartiality, independence, objectivity and compliance with his or her special duties as a publicly appointed Expert for the duration of his or her appointment. • Consequence of public appointment and swearing in e.g.: certification of a special qualification preferential commissioning for the preparation of judicial expert opinions obligation to comply with court orders for expert opinions special inspection and expert opinion

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	<p>responsibilities (so-called reserved tasks) in some subject areas (e.g. safety inspection of a plant requiring a permit).</p> <ul style="list-style-type: none"> • The appointment may be limited in content, limited in time or subject to conditions.
Ansprechpunkt	
Zuständige Stelle	Depends on the respective national law.
Formulare	<p>Forms: yes (if offered)</p> <p>Written form required: no</p> <p>Online procedure possible: yes</p> <p>Personal appearance required:</p> <ul style="list-style-type: none"> • When conducting an examination before a panel of experts: yes
Ursprungsportal	<p>Öffentliche Bestellung und Vereidigung als Sachverständige oder Sachverständiger beantragen, Applying for public appointment and swearing in as an expert or surveyor</p>