

99094002019001

# Legal services (pension advice) - registration, cancellation

Heruntergeladen am 31.05.2025

<https://fimportal.de/xzufi-services/6000336/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99094002019001
Leistungsbezeichnung I	Legal services (pension advice) - registration, cancellation
Leistungsbezeichnung II	Legal services (pension advice) - registration, cancellation
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § 13 [Rechtsdienstleistungsgesetz (RDG)](<a href="http://www.gesetze-im-internet.de/rdg/index.html">http://www.gesetze-im-internet.de/rdg/index.html</a>) – Registrierungsverfahren; Verordnungsermächtigung               <ul style="list-style-type: none"> <li>• § 16 RDG – Inhalt des Rechtsdienstleistungsregisters; Verordnungsermächtigung                   <ul style="list-style-type: none"> <li>• § 17 RDG – Löschung von Veröffentlichungen; Verordnungsermächtigung                       <ul style="list-style-type: none"> <li>• § 1 [Einführungsgesetz zum Rechtsdienstleistungsgesetz (RDGEG)](<a href="https://www.gesetze-im-internet.de/rdgeg/">https://www.gesetze-im-internet.de/rdgeg/</a>) – Erlaubnisinhaber nach dem Rechtsberatungsgesetz                           <ul style="list-style-type: none"> <li>• [Verordnung zum Rechtsdienstleistungsgesetz (RDV)](<a href="http://www.gesetze-im-internet.de/rdv/">http://www.gesetze-im-internet.de/rdv/</a>) – Einzelheiten zu den Registrierungs Voraussetzungen und dem Registrierungsverfahren                               <ul style="list-style-type: none"> <li>• [Gesetz über Kosten in Angelegenheiten der Justizverwaltung (Justizverwaltungskostengesetz, JVKostG), Kostenverzeichnis – Anlage (zu § 4 Absatz 1) Kostenverzeichnis](<a href="http://www.gesetze-im-internet.de/jvkostg/anlage.html">http://www.gesetze-im-internet.de/jvkostg/anlage.html</a>), Nr. 1110 bis 1112                                   <ul style="list-style-type: none"> <li>• § 29a [Sächsische Justizorganisationsverordnung (SächsJOrgVO)](<a href="https://www.revosax.sachsen.de/vorschrift/9752">https://www.revosax.sachsen.de/vorschrift/9752</a>) – zuständige Registrierungsbehörde</li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul> </li></ul>
Teaser	If you wish to provide certain legal services against payment, you must register in the transnational Legal Services Register.
Volltext	<p>If you wish to provide certain legal services against payment, you must register in the transnational Legal Services Register.</p> <p>In the Legal Services Register you can find out about providers of commercial legal services. If a service provider has been prohibited from providing such services in the past five years, this will be recorded in the register.</p>

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The Legal Services Register is freely accessible to everyone, and searches are free of charge.

### #### Obligation to register

The obligation to register applies to the provision of the following legal services against payment:

- Pension advice in the following areas:
  - statutory pension and accident insurance
  - social compensation law as well as other social insurance and severe disability law with reference to a statutory pension
  - occupational and professional pension provision
- Collection services
- Legal services in a foreign law (may be limited to the sub-areas of "commercial legal protection" and "tax law")

You may only provide extrajudicial legal services in areas other than those mentioned to the extent permitted by the Legal Services Act or other laws.

### #### Authority to provide extrajudicial legal services under the Legal Services Act

The purpose of the Legal Services Act (RDG) is to open up the provision of legal services to more professionals than before without compromising quality. For example, you can now also provide legal services in connection with other - in particular economic - activities if these are ancillary to your profession or activity. (Example: advice by architects on questions of building law related to planning services) There is no obligation to register in these cases.

Representation in court and comprehensive out-of-court advice remain primarily in the hands of lawyers.

### #### Free legal services

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In principle, there are no longer any legal restrictions on gratuitous, charitable legal services - especially among family and friends.

However, charitable institutions, consumer advice centres or associations such as the Tenants' Association for legal services must guarantee their members that they only provide legal services through or under the guidance of a fully qualified lawyer (fully qualified lawyers hold both state law examinations). In the event of violations, the provision of legal services may be prohibited.

#### Deletion of publicly disclosed data in the Legal Services Register

In the case of registered persons, the data published in the Legal Services Register must be deleted when the registration is waived.

#### Single point of contact

For this procedure, you can make use of the service of the point of single contact. He or she will guide you through the procedure, take care of the correspondence with all offices responsible for your matter and will be at your side as a competent advisor.

## Erforderliche Unterlagen

With the application, please submit in particular:

- a summary of your education and training and the practice of your profession to date
- a certificate of good conduct (document type 0)
- a declaration that no insolvency proceedings are pending against you and that you have not been entered in the debtors' register in the last three years prior to submitting your application
- a declaration as to whether your admission to the bar has been refused, withdrawn or revoked in the last three years (copy of the decision, if applicable)

Documents proving theoretical and practical expertise:

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- Certificates, in particular of a successfully completed course of instruction in the subject matter
- Work certificates as proof of practical expertise.

If personal suitability and reliability as well as theoretical and practical expertise are available, the registration authority will also ask for proof of professional liability insurance.

**\*\*Note:\*\*** Certificates and proofs that are not issued in German may be required to be translated.

## Voraussetzungen

### #### Basic requirements

- Personal suitability and reliability
- Expertise in the areas in which the legal services are to be provided

#### Special expertise is required above all in the following areas:

- Statutory pension and accident insurance law
- social compensation law
- other social insurance law and law on severely disabled persons with reference to a statutory pension as well as occupational and professional pension provision
- Knowledge of the structure, organisation and structural principles of social security as well as knowledge of the common legal principles applicable to all areas of social benefits, including the administrative procedure under social law and the social court procedure

You must provide evidence of your theoretical and practical expertise (see "Required documents"). Practical expertise generally requires at least two years of professional practice or practical professional training under supervision.

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### #### Foreign professional qualification

The expert knowledge, taking into account this professional qualification or professional practice, must be proven with an adaptation course of at least six months if the person has a professional qualification

- in another member state of the European Union (EU),
- another contracting state of the Agreement on the European Economic Area (EEA)
- or in Switzerland

which is required to practise this or a comparable profession in its territory. This is also the case if the person has exercised such a profession full-time for two years during the previous ten years in one of the aforementioned states which does not regulate this profession.

### #### Further requirement

- Professional liability insurance with a minimum sum insured of EUR 250,000 for each insured event.
- Legal entities and companies without legal personality must appoint at least one natural person who fulfils all the necessary requirements (qualified person). The qualified person must
  - be permanently employed in the company
  - be independent of and authorised to issue instructions in all matters concerning the legal services of the enterprise, and
  - be authorised to represent the company externally.

Registered individuals may appoint qualified persons.

## Kosten

- Registration (including registration of a qualified person in the case of legal entities or companies without legal personality): EUR 150.00

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- each additional registration of a person: additional EUR 150.00
- Revocation or withdrawal of registration: EUR 75.00

## Verfahrensablauf

You apply for entry in the Legal Services Register on the forms provided in writing or electronically to the competent registration authority. It is not necessary to sign the online forms.

Set up a service account in Amt24 for identification and authentication and use it to log in to the service portal. Have the required documents ready.

- Follow the link to the online application and fill in the data fields according to the instructions. You can save the information at any time and complete it later.
- Once all data fields have been filled in and the listed documents have been compiled, complete the application and the data will be sent to the competent office.
- You will find the application confirmation in the inbox of your service account. For incoming messages, you will receive a notification to your personal e-mail address.
- Fill out the forms completely. Pay particular attention to
  - indicate the area or sub-area for which the registration is to be made,
  - in the case of registration for legal services in a foreign law: to indicate the foreign law to which the registration is to relate.
- You submit the application forms together with the other documents to the competent registration authority.
- As a result of the examination of the application, you will receive notification as to whether registration has taken place.

#### \*\*Temporary registration for legal service providers from other EU / EEC states / Switzerland\*\*

You may also provide the service occasionally and temporarily in Germany if you are legally established

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(i.e. comparable to a legal service provider subject to registration) in the following territories for the purpose of practising the profession:

- European Union (EU)
- European Economic Area (EEA)
- Switzerland

Before doing so, you must notify the above-mentioned bodies in text form, for example with a simple letter or as an e-mail to the competent body.

- Use the form "Notification for a temporary legal service pursuant to Section 15 RDG".

**\*\*Note:\*\*** You must repeat the notification annually if you wish to provide the legal service again on a temporary basis after one year.

**#### \*\*Obligation to notify changes\*\***

Remember that you must immediately notify the competent authority in text form of any changes that affect the registration or the content of the legal services register.

- Retrieve the forms as described above.
- Enter only the changes to be made.
- Submit the form (with further documents if necessary) to the competent body.

**#### Deletion of published data**

Published data will be deleted if, for example, the registered person has renounced registration, the natural person has died, the legal entity or company without legal personality has ceased to exist.

## Bearbeitungsdauer

for the registration application: up to 3 months after



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	complete receipt of the documents
Frist	Information on legal service providers who have been prohibited from providing legal services: publicly accessible for a maximum of 5 years
weiterführende Informationen	
Hinweise	<p>#### Old licences</p> <p>The licences to provide legal services to third parties which you previously required under the former Legal Advice Act (RBerG) expired on 01.01.2009 if you had not submitted an "application for registration under the Legal Services Act for holders of old licences" by that date.</p> <p><b>**Attention!**</b> If you have not submitted the application in time, you are no longer authorised to provide legal services or to use the designation "legal adviser" until the time of a new registration.</p> <p>#### Electronic signature / signature - how can I sign electronically?</p> <p>It is not necessary to sign the online forms. However, you can sign with a qualified electronic signature even if you submit your application electronically. You can obtain electronic signatures from</p> <ul style="list-style-type: none"> <li>• Trust service providers (according to the Federal Network Agency's directory) or</li> <li>• bundesdruckerei (for citizens with a new identity card/nPA or electronic residence permit)</li> </ul> <p>Only use this access to send electronically signed documents for your application:  <a href="mailto:anerkennung-beruf-ausland@sbad.sachsen.de">anerkennung-beruf-ausland@sbad.sachsen.de</a></p>
Rechtsbehelf	Appeal to the registration authority or action before the administrative court (details of the procedure in the notice).

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**\*\*Note:\*\*** The registration authority does not decide on disputes between registered legal service providers and service recipients or between legal service providers. Civil law claims between the parties involved must be brought before the ordinary courts.

## Kurztext

## Ansprechpunkt

## Zuständige Stelle

## Formulare

## Ursprungsportal