

99094002019000, 99094002019000

Applying for registration of legal services on the basis of special expertise

Heruntergeladen am 30.06.2025

<https://fimportal.de/xzufi-services/9548022/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99094002019000, 99094002019000
Leistungsbezeichnung I	Applying for registration of legal services on the basis of special expertise
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Rechtsdienstleistungen (094)
Verrichtungskennung	Registrierung (019)
SDG-Informationsbereich	Anerkennung von Qualifikationen zum Zwecke der

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	Beschäftigung in einem anderen Mitgliedstaat
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.12.2022
Fachlich freigegeben durch	Ministry of Justice, Equality and Consumer Protection Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/rdg/_10.html https://www.gesetze-im-internet.de/rdg/_13.html https://www.gesetze-im-internet.de/rdg/_10.html https://www.gesetze-im-internet.de/rdg/_13.html
Teaser	Natural and legal persons as well as companies without legal personality that are registered with the competent authority (registered persons) may provide legal services in certain areas on the basis of special expertise.
Volltext	<p>Natural and legal persons as well as companies without legal personality that are registered with the competent authority (registered persons) may provide legal services in the following areas on the basis of special expertise:</p> <ul style="list-style-type: none"> • Debt collection services Debt collection services are the collection of third-party receivables or receivables assigned for the purpose of collection on behalf of third parties, if the debt collection is carried out as an independent business, including the legal examination and advice related to the collection • Pension advice in the field of statutory pension and accident insurance, social compensation law, other social insurance and disability law relating to a statutory pension as well as occupational and occupational pension schemes • Legal services in a foreign law If the foreign law is the law of a member state of the European Union, another state party to the Agreement on the European Economic Area or Switzerland, advice may also be provided in the area of European Union law and the law of the European Economic Area.

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Registration may be limited to a sub-area if the sub-area can be separated from the other activities falling within the area and there are no compelling reasons in the public interest to prevent registration for the sub-area.

Anyone who is personally suitable and reliable for practicing in the requested area in which the legal services are to be provided and who also has the necessary theoretical and practical expertise and can provide evidence of this accordingly can be registered. Furthermore, professional liability insurance with a minimum sum insured of EUR 250,000.00 for each insured event in accordance with certain provisions of the Legal Services Ordinance is a prerequisite for registration. Registration is generally refused due to lack of suitability or reliability if

- the person is not only temporarily incapable of properly performing the requested activity for health reasons,
- the person carries out an activity that is incompatible with the activity applied for, in particular because there is a likelihood of a conflict of duties that goes beyond the individual case,
- the financial circumstances of the person are disorderly,
- one of the reasons stated in § 7 sentence 1 numbers 1, 2 or 6 of the Federal Lawyers' Act applies,
- the person has been convicted by final judgment of a crime or an offense relating to the exercise of the profession in the three years preceding the application,
- has been excluded from the legal or patent attorney profession or a profession regulated by the Tax Consultancy Act or the Auditors' Code, has been removed from notarial office or service in the administration of justice in disciplinary proceedings or has been dismissed in proceedings concerning a judge's indictment or has avoided one of these measures by waiving his or her right to do so,

For debt collection services, special expertise in the areas of law relevant to the requested debt collection activity, in particular civil law, is required.

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- civil law,
- commercial, securities and company law,
- civil procedural law, including enforcement and insolvency law
- cost law

is required.

Special expertise is required for pension advice

- of the law of statutory pension and accident insurance and in the other sub-areas of Section 10 (1) sentence 1 no. 2 RDG for which registration is requested,
- knowledge of the structure, organization and structural principles of social security and
- knowledge of the common legal principles applicable to all areas of social benefits, including the administrative procedure under social law and social court proceedings

is required.

Legal services in a foreign law require special expertise in the foreign law or in the sub-areas of foreign law for which registration is requested.

The law requires not only theoretical expertise, but also practical expertise. Practical expertise generally requires at least two years of supervised professional practice or practical professional training.

The application for registration must be submitted in text form.

Natural and legal persons as well as companies without legal personality who are legally established in another member state of the European Union, in another state party to the Agreement on the European Economic Area or in Switzerland for the purpose of practicing a profession referred to in Section 10 para. 1 sentence 1 no. 1 or 2 RDG or a comparable profession may temporarily and occasionally practice this profession in the Federal Republic of Germany with the

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same rights and obligations as a person registered in accordance with Section 10 para. 1 sentence 1 no. 1 or 2 RDG (temporary legal services).

Note: Registered persons or their legal successors must notify the competent authority immediately in text form of any changes that affect the registration or the content of the legal services register.

Erforderliche Unterlagen

In particular, the application must include

- a summary of the professional training course and previous professional practice
- Certificate of good conduct in accordance with Section 30 (5) of the Federal Central Register Act
- in the case of an application for registration in the field of debt collection services, information in accordance with Section 150 (5) of the Trade Regulation Act
- Declaration as to whether insolvency proceedings are pending or whether an entry has been made in the debtor register (Section 882b of the German Code of Civil Procedure) in the three years prior to submitting the application
- Documents proving theoretical and practical expertise.

Legal entities and companies without legal personality must nominate at least one natural person who meets all the requirements set out in Section 12 (1) Nos. 1 and 2 RDG (qualified person). In this case, the aforementioned documents must be provided separately for each qualified person.

The qualified person must be permanently employed by the company, be independent of instructions and authorized to issue instructions in all matters relating to the company's legal services and be authorized to represent the company externally.

Theoretical expertise must be proven by means of certificates, usually of a successfully completed expertise course. The providers of the training courses as well as the training courses and the certificates must meet certain requirements. As a rule, practical

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expertise is proven by certificates of employment and other certificates of previous practical activity in the area of law for which registration is requested.

The application for registration of a debt collection service must be accompanied by a description of the intended activities. In particular, this must contain information on the areas of law in which the activities are to be provided and whether and, if so, which other activities are to be provided as ancillary services.

Proof of professional liability insurance

Proof of expertise

Identification document

alternatively passport with confirmation of registration

Proof of professional liability insurance

application form

Proof of expertise

Identification document

alternatively passport with confirmation of registration

Voraussetzungen

Anyone who is personally suitable and reliable for practicing in the requested area in which the legal services are to be provided and who also has the necessary theoretical and practical expertise and can provide evidence of this accordingly can be registered. Furthermore, professional liability insurance with a minimum sum insured of EUR 250,000.00 for each insured event in accordance with certain provisions of the Legal Services Ordinance is a prerequisite for registration. Registration is generally refused due to lack of suitability or reliability if

- the person is not only temporarily incapable of properly performing the requested activity for health reasons,
- the person carries out an activity that is incompatible

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with the activity applied for, in particular because there is a likelihood of a conflict of duties that goes beyond the individual case,

- the financial circumstances of the person are disorderly
- if the applicant has forfeited a fundamental right in accordance with the decision of the Federal Constitutional Court or is not capable of holding public office as a result of a criminal conviction or is fighting against the free democratic basic order in a punishable manner,
- the person has been convicted of a crime or an offense relating to the exercise of the profession in the three years preceding the application,
- has been excluded from the profession of lawyer or patent attorney or a profession regulated by the Tax Consultancy Act or the Auditors' Code, has been removed from notarial office or service in the administration of justice in disciplinary proceedings or has been dismissed in proceedings concerning a judge's indictment or has pre-empted one of these measures by waiving it,

For debt collection services, special expertise in the areas of law relevant to the requested debt collection activity, in particular civil law, is required.

- civil law,
- commercial, securities and company law,
- civil procedural law, including enforcement and insolvency law
- cost law

is required.

Special expertise is required for pension advice

- of the law of statutory pension and accident insurance,
- in the case of an application for registration for the sub-areas of social compensation law, other social security and disability law relating to a statutory pension as well as occupational and occupational pension schemes, knowledge of the structure, organization and structural principles of social security

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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

is required.

Legal services in a foreign law require special expertise in the foreign law or in the sub-areas of foreign law for which registration is requested.

The law requires not only theoretical expertise, but also practical expertise. Practical expertise generally requires at least two years of supervised professional practice or practical professional training.

Legal entities and companies without legal personality must appoint at least one natural person who has the personal suitability and reliability as well as theoretical and practical expertise (qualified person). In this case, the aforementioned documents must be provided separately for each qualified person.

The qualified person must be permanently employed by the company, be independent of instructions and authorized to issue instructions in all matters relating to the company's legal services and be authorized to represent the company externally.

Kosten

Verwaltungsgebühr: 150€

Pursuant to the Judicial Administration Costs Act, the following fees are incurred in accordance with §§ 4 Para. 1 in conjunction with. Nos. 1110 to 1112 of the Schedule of Costs, the following fees apply:

- EUR 150.00 for registration (including entry of a qualified person in the case of legal entities or companies without legal personality)
- EUR 150.00 for the entry of a qualified person in the legal services register if the entry is not covered by fee 1110 (per person)
- EUR 75.00 for the revocation or withdrawal of the registration.

Additional expenses may be incurred.

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Administrative fee: EUR 150.00

Administrative fee: EUR 150.00

Procedure

If the registration requirements pursuant to Section 12(1)(1) and (2) and (4) RDG are met, the competent authority will ask the applicant to provide proof of professional indemnity insurance and of fulfillment of any conditions (Section 10(3) sentence 1 RDG).

Verfahrensablauf

If the registration requirements pursuant to Section 12 (1) Nos. 1 and 2 and (4) RDG are met, the competent authority shall request the applicant to provide proof of professional indemnity insurance and of fulfillment of any conditions (Section 10 (3) Sentence 1 RDG).

Bearbeitungsdauer

1 month

Frist

Fictitious approval: 3 months

**weiterführende
Informationen**

In principle, there are no legal restrictions on the provision of legal services free of charge - particularly within the circle of family and friends.

Anyone providing legal services free of charge outside of family, neighborly or similarly close personal relationships must ensure that the legal services are provided by a person who is permitted to provide these legal services in return for payment, by a person qualified to hold judicial office or under the supervision of such a person.

Legal services in connection with another activity are permitted if they are ancillary to the profession or activity. Legal services provided in connection with one of the following activities are deemed to be permitted ancillary services:

- Execution of wills,
- property and housing management,
- subsidy advice.

Registration in the legal services register is not

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	required for these legal services.
Hinweise	<p>In principle, there are no legal restrictions on the provision of legal services free of charge - particularly within the circle of family and friends.</p> <p>Anyone providing legal services free of charge outside of family, neighborly or similarly close personal relationships must ensure that the legal services are provided by a person who is permitted to provide these legal services in return for payment, by a person qualified to hold judicial office or under the supervision of such a person.</p> <p>Legal services in connection with another activity are permitted if they are an ancillary service of the profession or activity. Permitted ancillary services are Legal services provided in connection with one of the following activities:</p> <ul style="list-style-type: none"> • Execution of wills, • Property and housing management, • subsidy advice. <p>Registration in the legal services register is not required for these legal services.</p>
Rechtsbehelf	An appeal may be lodged against the decision to reject the application for registration.
Kurztext	Natural and legal persons as well as companies without legal personality that are registered with the competent authority (registered persons) may provide legal services in certain areas on the basis of special expertise.
Ansprechpunkt	
Zuständige Stelle	Registration is granted by the President of the Higher Regional Court of Rostock, Wallstraße 3, 18055 Rostock, if the legal requirements are met.
Formulare	You can obtain the forms from the Rostock Higher Regional Court, Wallstraße 3, 18055 Rostock or via the announcement platform for extrajudicial legal services on the Internet.

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https://www.rechtsdienstleistungsregister.de/formulare/Formular_des_Registrierungsantrags.pdf
https://www.rechtsdienstleistungsregister.de/formulare/Formular_von_Antrag_Registrierung_Alterlaubnisinhaber.pdf
https://www.rechtsdienstleistungsregister.de/formulare/Anlage_fuer_qualifizierte_Personen.pdf
https://www.rechtsdienstleistungsregister.de/formulare/Anlage_fuer_gesetzliche_Vertreter_und_Zweigstellen.pdf
https://www.rechtsdienstleistungsregister.de/formulare/Formular_der_Meldung_fuer_voruebergewende_Rechtsdienstleistungen.pdf
https://www.rechtsdienstleistungsregister.de/formulare/Formular_des_Registrierungsantrags.pdf
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Ursprungsportal

Registrierung von Rechtsdienstleistungen aufgrund besonderer Sachkunde beantragen, Applying for registration of legal services on the basis of special expertise