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Markscheider - Recognize foreign professional qualification (branch office)

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<https://fimportal.de/xzufi-services/211057777/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99150074016000
Leistungsbezeichnung I	Markscheider - Recognize foreign professional qualification (branch office)
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	Anerkennung beruflicher Qualifikationen,

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	einschließlich beruflicher Bildung
Lagen Portalverbund	Anerkennung ausländischer Berufsqualifikationen (1040400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.10.2019
Fachlich freigegeben durch	Thuringian Ministry for the Environment, Energy and Nature Conservation (TMUEN)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbergg/ http://www.gesetze-im-internet.de/marschbergv/BJNR026310986.html http://www.landesrecht.thueringen.de/jportal/?quelle=jlink&query=MarschG+TH&psml=bsthueprod.psml&max=true http://landesrecht.thueringen.de/jportal/?quelle=jlink&query=BQFG+TH&psml=bsthueprod.psml&max=true&aiz=true https://www.gesetze-im-internet.de/bbergg/ http://www.gesetze-im-internet.de/marschbergv/BJNR026310986.html http://www.landesrecht.thueringen.de/jportal/?quelle=jlink&query=MarschG+TH&psml=bsthueprod.psml&max=true http://landesrecht.thueringen.de/jportal/?quelle=jlink&query=BQFG+TH&psml=bsthueprod.psml&max=true&aiz=true

Teaser

Volltext

The occupational titles "Markscheiderin" and "Markscheider" are protected in Thuringia. If you have obtained your degree abroad and wish to work in Thuringia in an occupation that is reserved by law for recognized "Markscheiderinnen und Markscheider", you must be formally authorized to use the occupational title.

With this authorization, you may officially call yourself "Markscheiderin" or "Markscheider" and work in the profession without restriction.

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Even with professional qualifications from the European Union (EU), the European Economic Area (EEA) or Switzerland, you can obtain the authorization to use the professional title in Thuringia.

Erforderliche Unterlagen

You will need the following documents:

- An informal and signed application ("Application for Recognition as a Markscheider").
- A proof of identity (e.g. identity card or passport)
- Your marriage certificate or marriage certificate (if your family name has changed)
- Your curriculum vitae in the form of a table and in German language (list of your education and professional experience)
- Evidence of your professional qualifications as a mine surveyor (e.g. training certificates, diploma, detailed overview of subjects and hours of theory and practice, diploma supplement, certificates, professional certificate)
- Evidence of your professional experience as a mine surveyor (e.g.
- Markscheider (e.g. certificates from employers)
- Evidence of your other qualifications (e.g. continuing professional education, courses, seminars)
- A written statement as to whether you have already submitted an application for a determination of equivalence and, if so, to which office.
- Possibly a decision already issued by another federal state or another body
- Possibly a certificate that you are allowed to work as a mine surveyor in your home country
- As proof of your health suitability: a medical certificate or a doctor's note.
- As proof of your personal suitability and reliability:
- An official certificate of good conduct from a German authority. Another name for the official certificate of good conduct is "certificate of good conduct document type O".
- A certificate from an authority in your home country (e.g. an extract from the criminal record, a Certificate of Good Standing)
- A statement that you have applied for an official certificate of good conduct may be sufficient. Ask your competent authority.

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• A statement about where in Germany you have your current place of business. Your place of business is the place where you are currently working. If you do not yet have a branch office in Germany, you must submit a declaration of the location of your planned branch office.

You must submit all documents in the original or as a certified copy. As a rule, you must submit all documents in German. If the documents are in another language, you may also need a translation by a publicly appointed or authorized translator. Please contact the responsible office.

Voraussetzungen

Mine surveyors work in the mining sector or outside mining, e.g.

- in mining companies
- in service companies within and outside the mining sector
- in management consultancies
- in joint organizations and research organizations in the industry
- in engineering offices
- in utilities, waste management and remediation companies
- in public administrations
- in research institutes and universities

Mine surveyors perform certain tasks in accordance with the Federal Mining Act. For example, they document geoinformation intended for mining, evaluate the Geoinformation and assess them.

Exclusively they carry out the crack work for underground mining operations (§ 64 BBergG) and prepare bearing cracks (§ 13 No. 4b BBergG). Without formal recognition, you are not allowed to carry out this work, which, according to the Federal Mining Act, may only be carried out by mine surveyors (so-called business scope of the mine surveyor).

However, if you would like to do surveying work in the private sector and do not need to provide the above-mentioned certifications (confirmation of the

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completeness and correctness of the crack work or bearing cracks by Markscheider signature), you do not need formal recognition of your Markscheider qualification. In this case, you can apply directly to a private employer (e.g., a mining company or engineering firm).

The job as a mine surveyor is regulated in Thuringia. This means: In order to be able to work as a mine surveyor in Thuringia without any restrictions, you need an authorization to use the job title. With this authorization, you may use the job title "Markscheiderin" or "Markscheider" and work in the profession without restriction.

To obtain the authorization, you must have your foreign professional qualification recognized. In the recognition procedure, the competent body compares your professional qualification from abroad with the German professional qualification and checks the equivalence. The equivalence of the professional qualification is an important prerequisite for the granting of the state authorization.

For the recognition, the competent body checks on the basis of your certificates whether or to what extent your foreign qualification corresponds to a German qualification for the occupation you intend to practice. This review is based on specified formal criteria, such as the content and duration of the training. Your relevant professional experience will also be taken into account, as will other relevant qualifications.

If there are significant differences between your and the German reference qualification, you have the option of taking part in an adaptation measure (either an adaptation course or aptitude test) in order to achieve equivalence.

Corresponding adaptation courses or aptitude tests cannot be offered in Thuringia. In which federal states or institutions (technical college or similar) such

You can find out in which federal states or institutions (technical colleges or similar) such adaptation courses

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or aptitude tests are offered from the relevant office.

After successfully completing an adaptation measure, you acquire the right to use the job title.

For academic qualifications, you can also apply for an evaluation by the Central Office for Foreign Education (ZAB) at the Secretariat of the Standing Conference of the Ministers of Education and Cultural Affairs. The certificate evaluation states the academic degree to which your qualification is comparable in Germany. In addition, the certificate evaluation contains information about the possibilities of a continuation of the studies and the professional recognition.

In addition to the equivalence of the professional qualification, you must meet other requirements for the full recognition of your professional qualification. These are:

- Personal suitability
- Health suitability

Please note: Without formal recognition, you are not allowed to perform any work that, according to the German Federal Mining Act (BBergG), may only be performed by mine surveyors. This applies to the certification of cracks for underground mining operations (cf. Section 64 BBergG) and the preparation of bearing cracks (in accordance with Section 13 No. 4b BBergG).

Kosten

You must pay a fee for the procedure. The responsible office will inform you about the exact costs. The costs often depend on the effort required for processing.

In addition, there may be further costs (e.g. for translations and certifications or compensation measures.) These costs vary individually).

Verfahrensablauf

Examination of equivalence

You submit an application for permission to use the professional title "Markscheiderin" or "Markscheider" to the competent body. The competent body then

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checks whether you meet all the requirements. One important requirement is your professional qualification. The competent body compares your professional qualification from abroad with the German professional qualification as a "Markscheiderin oder Markscheider". The competent body checks whether your professional qualification is equivalent. The professional qualification is equivalent if there are no significant differences between your foreign professional qualification and the German professional qualification.

Possible results of the examination

If your professional qualification is equivalent, your foreign professional qualification will be recognized. The authority can confirm the result to you in writing. You will then be granted permission to use the professional title "Markscheiderin" or "Markscheider".

If the competent authority finds significant differences, you can compensate for the differences through your professional practice and other knowledge and skills (lifelong learning). You must provide evidence of the professional practice. Knowledge and skills must be certified by an authority in your country of origin.

However, it may be that this knowledge is not sufficient. In this case, you will not be able to compensate for the essential differences. Your foreign professional qualification will then not be recognized.

However, the competent authority will tell you the essential differences and why you cannot compensate for the essential differences through your professional practice. You will then not be allowed to work as a mine surveyor. However, the competent body will offer you the opportunity to complete an adaptation course or take an aptitude test.

Corresponding adaptation courses or aptitude tests cannot be offered in Thuringia. In which federal states or institutions (technical college or similar) such adaptation courses or aptitude tests are offered, you can find out from the responsible office.

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Adaptation course or aptitude test

If your professional qualification is not equivalent, you can choose between an aptitude test and an adaptation course lasting a maximum of three years. The aptitude test refers to the essential differences of your professional qualification. If you complete the adaptation course or pass the aptitude test (and meet all other requirements), you will be granted permission to use the professional title "Markscheiderin" or "Markscheider".

<https://www.anerkennung-in-deutschland.de/>

<https://www.anerkennung-in-deutschland.de/>

Bearbeitungsdauer

The competent body will confirm that your documents have arrived after a maximum of one month. The competent body will inform you if any documents are missing. You will be notified of a decision on the determination of the equivalence of your training certificate within three months of submission of the complete documents. The deadline may be reasonably extended once if justified by the specifics of the matter. The extension of the deadline is a maximum of one month if you have acquired your proof of education in a member state of the EU or a contracting state of the Agreement on the European Economic Area or in a state equated by agreement.

Frist

None. Sometimes documents are still missing in the procedure. The responsible office will then inform you by when you have to submit the documents.

**weiterführende
Informationen**
Hinweise

- Freedom to provide services

If you only want to work temporarily and occasionally as a self-employed service provider in Germany, you do not need a state permit to use the professional title. However, special requirements apply: You must report your work to the competent body before you start working. The competent office will inform you in detail about the procedure.

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• Equivalency notice

In the permit procedure, the examination of the equivalence (recognition procedure) also takes place. You can apply for a separate notification for the result of the examination.

Examinations of equivalence cannot be offered in Thuringia. In which federal states or institutions (technical college or similar) such examinations are offered, you can find out from the responsible office.

• Electronic application

You can also submit your application electronically. The application can be submitted directly to the responsible office. You can also submit the application to the Single Point of Contact. The Single Point of Contact will help you and forward the application to the competent office that will carry out the recognition procedure. The points of single contact in Thuringia are the relevant offices at the Thuringian Chambers of Industry and Commerce and Chambers of Crafts.

• Procedure for late repatriates

As a late repatriate, you can go through the recognition procedure either according to the law mentioned here or according to the Federal Expellees Act. You can decide this yourself. Your competent office will advise you on this.

<http://anabin.kmk.org/>

<http://www.kmk.org/zab/zeugnisbewertungen>

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Rechtsbehelf

You have the right to appeal against the decision of the responsible office on your application or against a decision not made in due time in accordance with the Administrative Court Code (objection proceedings, if necessary legal action).

Kurztext

Ansprechpunkt

Thuringian State Office for the Environment, Mining

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	<p>and Nature Conservation</p> <p>Department 86</p> <p>Puschkinplatz 7</p> <p>07545 Gera</p> <p>Phone: +49 365 57 3927 000</p> <p>Fax: +49 365 57 3927 105</p> <p>E-mail: poststellegera@tlubn.thueringen.de</p> <p>http://www.tlubn.de/</p>
Zuständige Stelle	
Formulare	<p>The Thuringian Application System for Administrative Benefits (ThAVAL) provides you with the necessary application document on a virtual desk.</p> <p>You can also submit your informal application in writing to the competent authority.</p>
Ursprungsportal	<p>Markscheider - Ausländische Berufsqualifikation anerkennen (Niederlassung), Markscheider - Recognize foreign professional qualification (branch office)</p>