

99050024108000, 99050024108000

Expert/expert public appointment and swearing in

Heruntergeladen am 03.07.2025

<https://fimportal.de/xzufi-services/730764/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99050024108000, 99050024108000
Leistungsbezeichnung I	Expert/expert public appointment and swearing in
Leistungsbezeichnung II	Public appointment and swearing in as an expert/expert
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	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Öffentliche Bestellung und Vereidigung (108)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens

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Lagen Portalverbund	Befähigungs- und Sachkundenachweise (2010200), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	11.01.2024
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_36.html https://www.gesetze-im-internet.de/gewo/_36a.html https://www.gesetze-im-internet.de/gewo/_36.html <a href="https://www.ihk.de/blueprint/servlet/resource/blob/3170988/41e04149c7fa83895b190b938183976a/sachvers-
taendigenordnung-data.pdf">https://www.ihk.de/blueprint/servlet/resource/blob/3170988/41e04149c7fa83895b190b938183976a/sachvers- taendigenordnung-data.pdf <a href="https://www.gera.ihk.de/blueprint/servlet/resource/blob/332364/664932fc9edf783ea89b2d02000b1b16/sachv-
erstaendigenordnung-data.pdf">https://www.gera.ihk.de/blueprint/servlet/resource/blob/332364/664932fc9edf783ea89b2d02000b1b16/sachv- erstaendigenordnung-data.pdf <a href="https://www.suhl.ihk.de/fileadmin/Redakteure/05_IHK-
SUEDTHUERINGEN/Rechtsgrundlagen/Allgemeine_Rechts-
grundlagen/20151201_Sachverstaendigenordnung-
gez.pdf">https://www.suhl.ihk.de/fileadmin/Redakteure/05_IHK- SUEDTHUERINGEN/Rechtsgrundlagen/Allgemeine_Rechts- grundlagen/20151201_Sachverstaendigenordnung- gez.pdf https://www.gesetze-im-internet.de/gewo/_36a.html https://landesrecht.thueringen.de/bsth/document/jlr-GewO%C2%A736Abs1VTHrahmen <a href="https://www.erfurt.ihk.de/blueprint/servlet/resource/blob/384470/3b49b68c55dbcd49869cfa49dfa1732/geb-
uehrenordnung-der-ihk-erfurt-data.pdf">https://www.erfurt.ihk.de/blueprint/servlet/resource/blob/384470/3b49b68c55dbcd49869cfa49dfa1732/geb- uehrenordnung-der-ihk-erfurt-data.pdf <a href="https://www.ihk.de/gera/servicemarken/ihre-ihk/rechts-
grundlagen/gebuehrenindex-pos1-325100">https://www.ihk.de/gera/servicemarken/ihre-ihk/rechts- grundlagen/gebuehrenindex-pos1-325100 <a href="https://www.suhl.ihk.de/ihk-suedthueringen/rechtsgru-
ndlagen/beitraege-gebuehren-und-entgelte">https://www.suhl.ihk.de/ihk-suedthueringen/rechtsgru- ndlagen/beitraege-gebuehren-und-entgelte
Teaser	You would like to be publicly appointed and sworn in as an expert or surveyor? Then you can apply for this at the competent authority.
Volltext	The public appointment of an expert is intended to provide courts, authorities, industry and the general public with particularly reliable, credible persons who are particularly knowledgeable and experienced in a specific field, if there is a need for this. It is not an admission to a profession, but the recognition of a special qualification.

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If you apply for the public appointment and swearing in as an expert at the competent authority, you must prove that you have the necessary qualifications. The prerequisites are above-average professional competence in the relevant subject area and the personal suitability to perform expert activities in an independent, conscientious manner that is comprehensible to the client.

The authority can limit the content of your appointment (e.g. to a specialized field), set a time limit or impose conditions (e.g. the requirement to regularly attend further training).

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

- you are preferred for the preparation of judicial appraisals and must comply with corresponding appraisal orders,
- you have to accept private appraisal orders within the scope of your capacities,
- some fields of activity are open to you 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

- Application (informal or using a provided form)
- Description of the services offered by you and the (definable) subject area
- Curriculum vitae, if applicable, and in any case a description of your professional career
- Evidence of your special qualifications in the specified subject area (certificates, diplomas, seminar certificates, proof of employment, other documents, etc.)
- If applicable, list of references, i.e. persons (with address) who can provide information on your special knowledge
- Several (usually three to five) expert reports prepared by yourself. You should deal with problems from the

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targeted subject area and name 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
- if applicable, for employees or civil servants: declaration of exemption
- Application for a certificate of good conduct for submission to an authority in accordance with Section 30 (5) of the Federal Central Register Act (Bundeszentralregistergesetz)
- If applicable, application for a certificate of good conduct for submission to an authority in accordance with Section 150 (5) of the German Trade, Commerce and Industry Regulation Act (Gewerbeordnung)
- If applicable, current original certificate in tax matters (formerly tax clearance certificate) from the relevant tax office

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 affirmed at that time and is therefore to be assumed.
- You must provide evidence of your special expertise for the subject area you have appointed, i.e. you must have above-average knowledge, experience and skills in the relevant subject area. 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 part in 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

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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

Gebühr: 500€ - 3.500€
 Gebühr: 2.000€ - 4.000€
 The Chambers of Industry and Commerce charge fees for the processing of applications, the public appointment and swearing-in and the supervision during the appointment period, the repetition of the examination of expertise, the withdrawal/revocation and the renewed appointment. Further details are regulated in the fee schedules of the IHKs.

Verfahrensablauf

Submit an application for public appointment and swearing in as an expert together with the required documents/evidence.

The competent body will generally decide on your application on the basis of the evidence you submit. Depending on the jurisdiction, an examination date may also be scheduled before an independent expert panel, in the course of which your expertise will be queried and assessed.

The competent body will decide on your application and notify you of its decision.

If the decision of the IHK is positive, the public appointment and swearing-in of the expert takes place. It is limited to 5 years (in the case of initial appointment and in justified exceptional cases, this period may be shorter) and can be renewed on application for a further 5 years in each case.

On this occasion, the expert is issued with a certificate of appointment, stamp and identification card as well as the expert regulations of the appointing body. In Thuringia, the public appointment and swearing-in for certain subject areas takes place in agreement with the Chamber of Engineers and/or the Chamber of Architects of Thuringia.

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Bearbeitungsdauer	The responsible office will process your application as soon as possible. If an examination date is held, processing can only take place after it has been completed.
Frist	There are no deadlines to be observed.
weiterführende Informationen	https://svv.ihk.de/svw-suche/4931566/suche-extern
Hinweise	Only after you have been publicly appointed and sworn in may you call yourself a publicly appointed and sworn expert in legal and business dealings.
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. • Prerequisites 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 field and the ability to deal with 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 special duties as a publicly appointed expert for the duration of his appointment. • Consequence of public appointment and swearing-in, e.g.: Certification of a special qualification preferential consultation for the preparation of expert opinions for the courts obligation to comply with court orders for expert opinions special inspection and expert opinion responsibilities (so-called reserved tasks) in some subject areas (e.g. safety inspection of a plant requiring a permit according to BImSchG). • The appointment may be limited in content, limited in

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	<p>time or subject to conditions.</p> <ul style="list-style-type: none"> • Responsible: IHK at the company's headquarters.
Ansprechpunkt	<p>Contact the Chamber of Industry and Commerce at your company's headquarters.</p> <p>https://www.ihk.de/gera/recht-und-steuern/serviceleistungen-1/sachverstaendige-5424778</p> <p>https://www.ihk.de/erfurt/service/recht/sachverstaendige/sachverstaendiger-werden-3170468</p> <p>https://www.suhl.ihk.de/unternehmen/recht/sachverstaendige</p> <p>https://www.ihk.de/gera/recht-und-steuern/serviceleistungen-1/sachverstaendige-5424778</p> <p>https://www.ihk.de/erfurt/service/recht/sachverstaendige/sachverstaendiger-werden-3170468</p> <p>https://www.suhl.ihk.de/unternehmen/recht/sachverstaendige</p>
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> • Written form required: no • Online procedure possible: yes • Personal appearance required: When conducting an examination in front of a specialist panel: yes • You can find the application forms on the homepage of your IHK.
Ursprungsportal	<p>Expert/expert public appointment and swearing in, Öffentliche Bestellung und Vereidigung als Sachverständiger beantragen</p>