

99094002019001

Legal services based on special expertise Registration of persons providing pension advice

Heruntergeladen am 31.05.2025

<https://fimportal.de/xzufi-services/S1000020010000011515/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99094002019001
Leistungsbezeichnung I	Legal services based on special expertise Registration of persons providing pension advice
Leistungsbezeichnung II	Registration in the Legal Services Register of persons wishing to provide pension advice
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Special expertise</div>, <div lang="en-x-mtfrom-de">Apply for</div>, <div lang="en-x-mtfrom-de">legal services</div>, <div lang="en-x-mtfrom-de">pension advice</div>
Leistungstyp	

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Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	02.03.2023
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • [§ 10 Legal Services Act (RDG)](https://www.gesetze-im-internet.de/rdg/_10.html) • [§ 11 RDG](https://www.gesetze-im-internet.de/rdg/_11.html) • [§ 12 RDG](https://www.gesetze-im-internet.de/rdg/_12.html) • [§ 13 paragraph 1 RDG](https://www.gesetze-im-internet.de/rdg/_13.html)
Teaser	If you want to provide pension advice, you must register with the competent authority in the legal services register
Volltext	<p>Pension advice is an area of legal services. If you would like to provide pension advice in the following areas, you must register with the responsible authority and be entered in the legal services register:</p> <ul style="list-style-type: none"> • statutory pension and accident insurance, • social compensation law, • other social security and severely disabled person law with reference to a statutory pension as well as company and professional pensions. <p>You must be personally suitable and reliable. Important standards for the required reliability are the past life (in particular any criminal offenses) and the</p>

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economic circumstances. You also need proof of special expertise (theoretical and practical) in the relevant areas of law. Professional liability insurance with a minimum insured sum of EUR 250,000.00 for each insured event must be taken out. Natural and legal persons as well as companies without legal personality can be registered. The request may be limited to one or more of the above areas of law. If this is necessary for the protection of those seeking justice or legal transactions, the registration can be made dependent on conditions or associated with requirements.

Erforderliche Unterlagen

- Completed application form ([legal services register/application forms](https://fimportal.de/detail?tx_fimportalcatalog_fimsearch%5Baction%5D=download&tx_fimportalcatalog_fimsearch%5Bcontroller%5D=CatalogEntry&tx_fimportalcatalog_fimsearch%5BdocumentIndex%5D=1&tx_fimportalcatalog_fimsearch%5Bid%5D=L99150006019001&cHash=34b5f8ced46d0ff391485b66223e3799))
 - summary description of the vocational training course and previous professional practice
 - Certificate of good conduct (document type O)
 - Statement as to whether insolvency proceedings are ongoing against the applicant or whether an entry has been made in the list of debtors in the last three years prior to the application
 - Statement as to whether registration or admission to the legal profession has been refused, withdrawn or revoked or expulsion from the legal profession in the three years preceding the application and, if this is the case, a copy of the decision
 - Documents to prove the theoretical (§ 2 RDV - Legal Services Ordinance) and practical (§ 3 RDV) expertise:
 - Pension advice requires special expertise in the law of statutory pension and accident insurance and in the other sub-areas of § 10 Para. 1 S. 1 No. 2, for which registration is requested, knowledge of the structure, structure and structural principles of social security as well as knowledge of the common legal principles applicable to all social service areas, including the social law administrative procedure and the social judicial procedure. The required theoretical expertise can usually be proven by a certificate of a successfully

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completed specialist course within the meaning of § 4 RDV. However, the certificate of the first examination according to § 5d paragraph 2 of the German Judges Act is also sufficient. The competent authority can also recognize other certificates as proof of theoretical expertise, in particular the leaving certificate from a German university or technical college for a university or technical college course of at least three years with predominantly legal content, if the course conveys the legal knowledge required under Section 11 (2) of the Legal Services Act .

- Practical expertise usually requires at least two years of professional practice under supervision or practical vocational training. As a rule, at least 18 months of professional practice or training must take place in Germany. The practical expertise required under Section 12 (3) sentence 2 of the Legal Services Act is usually evidenced by job references and other references to the previous practical activity of the person to be registered in the area of law for which registration is requested. Anyone who is qualified to hold judicial office under the German Judiciary Act also has the necessary practical expertise. Is the person entitled to practice one of the professions specified in Section 10 (1) sentence 1 no. 1 or 2 RDG or a comparable profession in another member state of the European Union, another state party to the Agreement on the European Economic Area or Switzerland, and if the requirements of Section 1 (2) and (3) of the Act on the Activities of European Patent Attorneys in Germany are met, the expertise can also be proven by taking into account the existing professional qualifications by means of an adaptation course lasting at least six months

- professional liability insurance with a minimum insured sum of 250,000 euros for each insured event

In the case of legal persons or companies without legal personality: The above-mentioned evidence, with the exception of professional liability insurance, must be provided separately for each qualified person (see also further links/application forms).

In addition, proof must be provided for each qualified person that they meet the requirements of Section 12,

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Paragraph 4, Sentence 2 of the RDG. Evidence must therefore be provided for the following points:

- permanent employment in the company
- Independence from instructions and authority to issue instructions
- Authorization to represent in external relations

Voraussetzungen

- Personal suitability and reliability;
 - Theoretical and practical expertise in the area or sub-area of § 10 Para. 1 Legal Services Act (RDG) in which the legal services should be provided;
 - A professional liability insurance with a minimum sum insured of EUR 250,000 for each insured event
 - Legal persons and unincorporated companies must nominate at least one natural person who fulfills all the necessary requirements (qualified person). The Qualified Person must
 - permanently employed in the company,
 - in all matters relating to the company's legal services, independent of instructions and authorized to issue instructions, as well as
 - be authorized to represent externally.

Kosten

- 150 euros

Note: The fees for matters under the Legal Services Act are determined according to § 1 Para. 2 No. 3 of the Judicial Administration Costs Act.

Subheading No. 1110: When registering a legal person or a company without legal personality, the fee also covers the entry of a qualified person in the Legal Services Register.

Entry of a qualified person in the legal services register if the entry is not covered by fee 1110, per person: 150 euros

No. 1112 Revocation or Withdrawal of Registration: €75.00

Verfahrensablauf

- You apply for registration in the legal services register in the area of pension advice and submit the

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application together with the other documents to the responsible authority.

- The competent authority will examine your application.
- As soon as all the requirements have been met and all the evidence has been provided, the competent authority will register and arrange for it to be publicly announced in the legal services register.
- You will receive notification as to whether you have been registered.

Bearbeitungsdauer

Approx. 4 weeks from receipt of the complete documents. A decision on the application must be made within a period of three months.

Frist

In principle, an activity according to the RDG may only be carried out after registration. There are no application deadlines for registration.

weiterführende Informationen

<https://justiz.hamburg.de/gerichte/amtsgericht-hamburg>
<https://justiz.hamburg.de/gerichte-segmente/>
<https://www.rechtsdienstleistungsregister.de/>
<https://www.rechtsdienstleistungsregister.de/>

Hinweise

Legal services register and public notice:
 According to § 16 RDG, a transnational register of legal services will be set up. This serves to provide free information to those seeking legal advice, to persons offering legal services, to legal transactions and to other public bodies. The legal services register lists persons who are permitted to provide legal services in one or more of the areas or sub-areas mentioned in Section 10 (1) RDG (debt collection services, pension advice and legal services under foreign law), and persons or associations who are permitted to provide legal services in accordance with Section 9 Para. 1 RDG has been definitively prohibited, made public. The public announcement according to § 16 paragraph 3 sentence 1 RDG takes place several times a day through a central publication of all registration authorities on these pages. The publicly disclosed data will be deleted if the requirements of Section 17 RDG are met.

Rechtsbehelf

\- Complaint before the Administrative Court

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	\- contradiction
Kurztext	<ul style="list-style-type: none"> • Legal services based on special expertise Registration of persons providing pension advice • Prerequisites for registration are personal suitability and reliability, theoretical and practical expertise in the field of pension advice and professional liability insurance
Ansprechpunkt	
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)