

## Insurance intermediary - approval

You require approval from the relevant Chamber of Industry and Commerce if you would like to perform professional activities as an independent insurance broker or would like to arrange the conclusion of insurance contracts as an insurance representative.

**Insurance Intermediary** This term refers to anyone who performs independent professional services acting as an agent with transactional authority to provide, design or handle insurance cover without being the insured party or the insurer.

In addition to requiring approval, insurance intermediaries are obliged to apply for registration in the directory of insurance intermediaries, immediately upon taking up their services. Failure to do so can result in an administrative fine.

### Insurance Representative:

Anyone who is entrusted by one or more insurers to professionally facilitate or conclude insurance contracts is considered an insurance representative.

The insurance representative acts as an advocate for the insurance company and services are performed based on a representation contract on behalf of the insurer.

### Insurance Broker:

An insurance broker takes care of independent professional services to facilitate or conclude insurance contracts without being tasked by an insurance company. The insurance broker acts as an advocate of the client and is responsible for protecting their interests.

Unlike insurance representatives, insurance brokers may, provided that approval is granted, provide legal advice regarding the negotiation, modification or review of insurance contracts to third parties who are not consumers, for separate compensation.

## Prerequisites

### Personal reliability

Individuals who were convicted for a criminal offence or for theft, misappropriation, blackmailing, fraud, a breach of trust, money laundering, document fraud, handling stolen goods, usury or an insolvency offence over the past 5 years prior to submitting their application, are usually not considered to possess the required degree of trustworthiness. A certificate of good conduct and an excerpt from the central business register for presentation to an authority are required to perform the review.

### Orderly financial circumstances

A review is performed of the applicant's financial circumstances. It is checked whether the applicant is in debt (of a private or public nature) or if there are any known insolvency proceedings. Information from the record of debtors concerning the past 5 years and information from the insolvency register are required.

### Expertise

Proof of a successfully passed examination of competence before a Chamber of Industry and Commerce or a similar approved certification / professional qualification. The applicant must prove that they possess sufficient expertise in particular about insurance-related and legal principles and knowledge of the area of insurance arrangement.

Sufficient insurance cover

The insurance intermediary business must be covered by liability insurance to the required minimum insurance sum  
[[http://www.gesetze-im-internet.de/versvermv/\\_\\_\\_9.html](http://www.gesetze-im-internet.de/versvermv/___9.html)].

## Documents required

Personal document

Identity card or other official identification bearing a photograph. Not required for digitally submitted applications.

Current excerpt from the trade register (only required if included in the trade register)

Registered companies are required to submit a current excerpt from the trade register when applying. Legal entities that are currently being founded (e.g. GmbH, AG) are required to submit their partnership agreement or statutes.

[https://www.handelsregister.de/rp\\_web/welcome.do](https://www.handelsregister.de/rp_web/welcome.do)

Proof of expertise

Proof of expertise from the Chamber of Industry and Commerce regarding required knowledge and legal provisions of the insurance business. Or a similar recognised professional qualification  
[[http://www.gesetze-im-internet.de/versvermv/\\_\\_\\_4.html](http://www.gesetze-im-internet.de/versvermv/___4.html)].

[https://www.ihk-berlin.de/pruefungen\\_lehrgaenge/pruefungen/Sach-\\_und\\_Fachkundepruefung/Sachkundepruefung\\_Versicherungsvermittler/Sachkundepruefung\\_Versicherungsvermittler/2265198](https://www.ihk-berlin.de/pruefungen_lehrgaenge/pruefungen/Sach-_und_Fachkundepruefung/Sachkundepruefung_Versicherungsvermittler/Sachkundepruefung_Versicherungsvermittler/2265198)

Professional liability insurance

Confirmation from an insurance company that the insurance consultancy business is covered by professional liability insurance.  
The level of insurance must comply with statutory minimum insurance amounts [ [http://www.gesetze-im-internet.de/versvermv/\\_\\_\\_9.html](http://www.gesetze-im-internet.de/versvermv/___9.html)].

Information from the insolvency register

\* Two certificates are required for initiating insolvency proceedings for natural persons who are residents of Berlin. The first certificate for consumer insolvency proceedings must be applied for with the local court responsible for your place of residence, and the second one for regular insolvency proceedings is available from the District Court Charlottenburg  
Amtsgerichtsplatz 1, 14057 Berlin.

\* The District Court Charlottenburg, Amtsgerichtsplatz 1, 14057 Berlin is responsible for insolvency proceedings for legal entities and private trade companies based in Berlin.

\* Applicants residing / operating outside of Berlin please inform themselves about the respective responsibilities of the insolvency courts via the central place and court directory  
[<https://justiz.de/OrtsGerichtsverzeichnis/index.php>].

<https://service.berlin.de/dienstleistung/327527/>

- Information from the record of debtors according to the new law (online information)

An information regarding entries in the record of debtors according to the new law can be applied for electronically with the central state enforcement portal [<https://www.vollstreckungsportal.de/zponf/allg/willkommen.jsf>].

<https://service.berlin.de/dienstleistung/327028/>

- Application for approval as an insurance intermediary

Form: Application for approval and registration as an insurance intermediary § 34 d sec. 1 GewO

[https://www.ihk-berlin.de/Service-und-Beratung/recht\\_und\\_steuern/download\\_s/\\_verlinkungen/VVM\\_Antragsformulare/2253510](https://www.ihk-berlin.de/Service-und-Beratung/recht_und_steuern/download_s/_verlinkungen/VVM_Antragsformulare/2253510)

- Certificate of good conduct for presentation to an authority

A certificate of good conduct for presentation to an authority is required to verify personal reliability. For individuals who are resident / registered in Berlin, the official certificate of good conduct can be applied for with any citizens? office in Berlin. This can be done in person, during regular opening hours and without arranging an appointment.

The Federal Ministry of Justice also provides an online application process [[https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/BZR/FZ\\_node.html](https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/BZR/FZ_node.html)].

<https://service.berlin.de/dienstleistung/120926/>

- Excerpt from the central business register for presentation to an authority

An excerpt from the central business register for presentation to an authority is required, in order to review personal reliability.

Individuals who are resident / registered in Berlin, are able to apply for the excerpt from the central business register with any citizens? office in Berlin. This can be done in person, during regular opening hours and without arranging an appointment.

Legal entities with premises in Berlin can apply for it with the relevant public order office.

The Federal Ministry of Justice also provides an online application process [[https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/GZR/GZR\\_node.html](https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/GZR/GZR_node.html)].

<https://service.berlin.de/dienstleistung/327835/>

## Forms

- Application for approval pursuant to § 34d section 1 Trade Regulation Code (GewO) and registration in the directory of intermediaries pursuant to § 11a GewO

[https://www.ihk-berlin.de/blob/bihk24/Service-und-Beratung/recht\\_und\\_steuern/downloads/2253344/3b1dcc41f15cb5b4ef58f410c621ebfe/Erlaubnis34-d-GewO-data.pdf](https://www.ihk-berlin.de/blob/bihk24/Service-und-Beratung/recht_und_steuern/downloads/2253344/3b1dcc41f15cb5b4ef58f410c621ebfe/Erlaubnis34-d-GewO-data.pdf)

## Fees

The approval process for insurance intermediaries and consultants costs EUR 275.

The registration fee for the directory of insurance intermediaries is EUR 45 (see schedule of fees by the Chamber of Industry and Commerce [[https://www.ihk-berlin.de/blob/bihk24/ueber\\_uns/Rechtsgrundlagen/rechtliche-grundlagen/2256952/c2397c194acbc8ba8fbc5c7d089e8f38/IHK\\_Gebuehrenordnung-data.pdf](https://www.ihk-berlin.de/blob/bihk24/ueber_uns/Rechtsgrundlagen/rechtliche-grundlagen/2256952/c2397c194acbc8ba8fbc5c7d089e8f38/IHK_Gebuehrenordnung-data.pdf)], legal and tax - 2. Insurance intermediaries and consultants).

## Legal basis

- § 34d sec. 1 Trade Regulation Code  
[https://www.gesetze-im-internet.de/gewo/\\_34d.html](https://www.gesetze-im-internet.de/gewo/_34d.html)
- Ordinance for insurance mediation and consultation  
[http://www.gesetze-im-internet.de/versvermv\\_2018/index.html#BJNR248310018BJNE000100000](http://www.gesetze-im-internet.de/versvermv_2018/index.html#BJNR248310018BJNE000100000)

## More information

- Leaflet from the Berlin Chamber of Industry and Commerce - Insurance Intermediaries  
[https://www.ihk-berlin.de/blob/bihk24/Service-und-Beratung/recht\\_und\\_steuern/downloads/2253456/7d360cc39667177d659328165fe8bbfc/Merkblatt-Versicherungsvermittler-data.pdf](https://www.ihk-berlin.de/blob/bihk24/Service-und-Beratung/recht_und_steuern/downloads/2253456/7d360cc39667177d659328165fe8bbfc/Merkblatt-Versicherungsvermittler-data.pdf)
- Application forms for insurance intermediaries / consultants  
[https://www.ihk-berlin.de/Service-und-Beratung/recht\\_und\\_steuern/download\\_s/\\_verlinkungen/VVM\\_Antragsformulare/2253510](https://www.ihk-berlin.de/Service-und-Beratung/recht_und_steuern/download_s/_verlinkungen/VVM_Antragsformulare/2253510)
- Summary differences in the insurance industry  
<https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/einheitliche-r-ansprechpartner/uebersicht-versicherungsgewerbe.pdf>
- Information from the Berlin Chamber of Industry and Commerce regarding insurance arrangement  
[https://www.ihk-berlin.de/Service-und-Beratung/recht\\_und\\_steuern/gewerberecht/Erlaubnis\\_Registrierungsverfahren\\_IHK/Versicherungsvermittler/2253508](https://www.ihk-berlin.de/Service-und-Beratung/recht_und_steuern/gewerberecht/Erlaubnis_Registrierungsverfahren_IHK/Versicherungsvermittler/2253508)

## Responsible authorities

The application for approval as an insurance intermediary must be submitted to the Chamber of Industry and Commerce that is responsible for the principle place of business. If this address is not yet known, approval can also be applied for with the Chamber of Industry and Commerce that is responsible for the applicant's place of residence.

## Link to online processing

<https://www.berlin.de/ea/en/application/login-service-account-berlin/>

PDF downloaded on 18.08.2019