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Chartered Surveyors ICC - Apply for public appointment and swearing-in

The public appointment of Chartered Surveyors pursuant (m/f/d) is intended to provide courts of law, authorities and the general public with particularly reliable, trustworthy individuals who possess particular expertise and experience in a specific field.

Public appointment takes place solely in the public interest and not for the sake of the applicant's personal goals or ideas.

It is, in particular, not to be considered **licensing for a profession** but the recognition of special qualifications. It may be limited in content or subject to conditions and is usually limited to five years.

The applicant (m/f/d) must provide evidence of special expertise in one or more areas of the economy to convince the IHK Berlin during the appointment procedure.

Experts from other EU/EEA countries:

As an expert or surveyor with qualifications from other EU/EEA countries you can be legally recognized under the following conditions:

- You are entitled to exercise expert activities in one of these States. (The expert activities must be reserved there for persons who have demonstrated special expertise in this field).
- You have worked full-time as an expert or surveyor for two of the last ten years and can provide evidence of special expertise.

Prerequisites

- **public need**

There must be a public need for appointing Chartered Surveyors for the relevant field of economics. It is verified by the Chamber of Industry and Commerce, whether such a need exists.

- **particular expertise**

As part of the appointment procedure, the applicant must provide the Berlin Chamber of Industry and Commerce with sufficient proof of their particular expertise in the respective professional area. Above average knowledge, skills and practical experience in the relevant professional area are required, according to consistent jurisdiction of the supreme court.

- **personal suitability**

It must be ensured that the applicant is personally suitable for such an appointment. This requires that an applicant does not only possess the personal qualities required to be able to perform their activities as a surveyor in an objective and impartial manner, but also that this requirement is fulfilled with regard to their entire personal and professional environment, from a public perspective.

Documents required

- **The application for a consultation for the public appointment of Chartered Surveyors (ICC)**

After receiving the request to schedule a consultation, the IHK contacts the interested party. In an initial meeting, the essential rights and duties of a publicly appointed surveyor and the further course of proceedings are discussed.

- **Tabular curriculum vitae and a photograph**

Tabular curriculum vitae (typewritten) with a detailed account of their professional development, including a detailed description of professional activities and surveying activities performed to date. This account is intended to substantiate the existence of particular expertise from the applicant's perspective.

- **List of all surveys created over the past three years**

A list of all expert surveys prepared over the three years preceding the application (work samples)

- **List of references**

Specification of several individuals (at least five) who are able to provide information about personal suitability and / or particular expertise that needs to be verified

- **Certificates / evidence**

Certified transcripts or photocopies of all relevant certificates, diplomas or other documents (e.g. regarding professional titles), proofs of employment, etc.

The authentication may be replaced by presentation of the originals at the same time.

- **Certificate of good conduct for presentation to an authority**

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

To verify personal reliability, an extract from the Federal Central Register (certificate of good conduct) is required for submission to an authority (document type O).

The information must not be older than three months.

- **Attendance records for training events attended over the past three years**

Attendance records for the participation in training events in the applied for area of expertise, of the past three years

- **Attendance records for seminars**

Attendance records for at least three seminars about the required knowledge for creating assessments, about conduct in court, dealing with private clients and about liability and insurance issues (no expert seminars).

- **Certificate in tax matters ("Bescheinigung in Steuersachen")**

(<https://service.berlin.de/dienstleistung/324713/en/>)

Tax clearance certificate by the relevant local tax authority

- **Information from the insolvency register**

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

- For insolvency proceedings of natural persons residing in Berlin, two certificates are required as proof. The first for consumer insolvency proceedings is to be applied for at your local court and the second for regular insolvency proceedings at the Charlottenburg Local Court Amtsgerichtsplatz 1, 14057 Berlin.

- The Charlottenburg Local Court, Amtsgerichtsplatz 1, 14057 Berlin, is responsible for insolvency proceedings of legal entities and trading partnerships with their place of business in Berlin.
- Applicants with their place of residence/business outside of Berlin should inform themselves about the respective jurisdictions of the insolvency courts via the central local and court directory (see "More information").
- **Employer declaration (declaration of exemption)**
in the case of experts who are employed or employed or are civil servants:
declaration of indemnification by the employer/principal

Forms

- **The application for a consultation for the public appointment of Chartered Surveyors (ICC)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/5305436/db36a18d114ea7f4ad14583f990c7a0/antrag-auf-beratungsgespraech-oeffentliche-bestellung-data.pdf>)
- **Employer declaration (declaration of exemption)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/4721772/a95b53d44019281280cb2fb54838bb2e/arbeitsgebererklaerung-gg-ue-ihk-data.pdf>)

Fees

- EUR 1,000.00 to EUR 3,000.00
- In addition, there are costs of approx. EUR 2,500.00 for the review by a specialised committee.

Legal basis

- **Trade Regulation Code (Gewerbeordnung or GewO) § 36 I**
(https://www.gesetze-im-internet.de/gewo/__36.html)
- **Chartered Surveyors Regulation**
(<https://www.ihk.de/blueprint/servlet/resource/blob/2265086/fec29756862ece92dbf1df6de3f03f09/sachverstaendigenordnung-data.pdf>)
- **Chartered Surveyors Regulation Guidelines**
(<https://www.ihk.de/blueprint/servlet/resource/blob/4705308/d9a68f69470ba7e056327913a306eae4/richtlinien-zur-sachverstaendigenordnung-data.pdf>)
- **Trade, Commerce and Industry Regulation Act (GewO) Section 36a - Public appointment of experts with qualifications from another Member State of the European Union or another State party to the Agreement on the European Economic Area**
(https://www.gesetze-im-internet.de/gewo/__36a.html)
- **Fee schedule of the CCI (F. Law and Taxes No. 1)**
(<https://www.ihk.de/blueprint/servlet/resource/blob/2256952/9289dfb239a0167a27d5a6159523ee4a/ihk-gebuehrenordnung-data.pdf>)

More information

- **Leaflet about public appointment and swearing-in**

(<https://www.ihk.de/blueprint/servlet/resource/blob/2253328/9e4b9d580dc5570a0f3786490f74d749/merkblatt-oeffentliche-bestellung-data.pdf>)

- **Institute of Surveyor Services**
(<https://ifsforum.de/sachverstaendige>)
- **National expert directory**
(<https://svv.ihk.de/>)
- **Search for the competent court in the central local and court register**
(<https://www.justizadressen.nrw.de/de/justiz/suche>)

Average time to process request

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

Notes on responsibility

A consultation for the public appointment of experts of the Chamber of Industry and Commerce (IHK) can be requested online via the portal of the Single Point of Contact Berlin or directly at the Berlin Chamber of Industry and Commerce. The Berlin Chamber of Industry and Commerce is responsible if the expert's place of business or the expert's activity is in the Berlin chamber district.

Once you have been publicly appointed and sworn in, you will be entered in the nationwide register of experts (see "More information").