

## **Recognition of foreign professional qualifications - Public Servants - career field of Justice and Correctional Services**

The exercise of sovereign powers and the fulfilment of state tasks in Germany are predominantly carried out by persons who are employed as civil servants in a special public-law service and loyalty relationship.

The following career paths are possible in the career specialisation of justice and correctional services:

- Career branch of the judicial guard service: performing security and control duties, settling conflicts in the courts and law enforcement agencies, bringing prisoners to the courtroom and supervising them at court hearings, processing incoming and outgoing mail.
- Career branch of the general prison service: e.g. supervision, care and accompaniment of prisoners in correctional institutions, admission controls.
- Career branch of the nursing service at correctional institutions: medical treatment of prisoners, supervision, care and supply of prisoners.
- Career branch of the work service at correctional institutions: vocational instruction or training and further education of prisoners assigned to work.
- Career branch of the general judicial service: contact point for the public, activities in the offices of the courts and prosecution authorities, processing mail, creating and keeping court files and files of the prosecution authorities, calculating and monitoring deadlines, correspondence, taking minutes, serving and monitoring decisions, calculating court costs, granting access to files.
- Bailiff service: among other things, enforcement of court judgments and orders (seizures, executions, auctions). You work independently, but you are always under the supervision of the courts. You have your own office and can arrange your own appointments.
- Track of judicial officers: e.g. conducting forced sales of real estate, land register matters, probate proceedings, applications for protection against eviction, monitoring insolvency proceedings, calculating court costs, managing a court. At the public prosecutor's office, you are responsible in particular for the execution of sentences.
- Career branch of the public prosecutor's service: e.g. you take on tasks of the public prosecutor's office before the district courts (from the areas of bodily injury, insult, false suspicion, traffic offences and property offences as well as fine cases).

In the federal state of Berlin, employment under public servant status is tied by law to the possession of certain professional qualifications. If you have acquired professional qualifications abroad that enable you to work in the public service there, you must have these qualifications recognised in Berlin (as a career qualification) in order to be employed in the state of Berlin in a public servant position corresponding to your previous profession. To do this, the equivalence of your professional qualification with a career qualification in the state of Berlin must be established.

**\*Procedure:\***

# You submit an application for recognition of your professional qualification as a career qualification for the career specialisation of the Justice and Correctional Services; for one of the above-mentioned career branches of the State of Berlin to the Senate Department responsible for Justice as the competent authority or to the Single Point of Contact. You will receive a confirmation of receipt.

# The competent authority will determine whether your qualification can be assigned to the qualification for the career specialisation and to a career segment of the career paths of the Land Berlin.

# If the qualification can be assigned, the competent authority compares the preliminary and training requirements for the career qualification with your qualification certificates. If the authority determines that there is a qualification deficit, it must be checked whether this can be compensated for. In doing so, it must be examined whether the knowledge, skills and competences acquired following the acquisition of the qualification within the scope of your previous professional practice or through lifelong learning, which have been formally recognised as valid for this purpose by a relevant body, can compensate for the deficit in whole or in part.

# In the case of a qualification deficit that cannot be compensated, recognition is dependent on passing an aptitude test or successfully completing an adaptation course.

# The decision on the application shall be made in writing. With the successful completion of the recognition procedure, the qualification for the career branch and the respective career segment is acquired. It is possible that the career qualification is only recognised for certain tasks or offices (partial access).

# If the requirements for the recognition of the qualification are not met, you will receive a decision against which you have legal remedies according to the Administrative Court Code (objection procedure, if necessary legal action).

# Recognition for a career branch of the Berlin state service is not associated with the placement of a job; you can apply for advertised positions.

For further information, please contact the relevant office.

## **Prerequisites**

Age

At the time of employment or takeover, you should not yet have reached the age of 45. This age limit is postponed for periods of actual childcare up to one year for each child under 18 years of age and for periods of actual care of close relatives in need of care according to a medical certificate (parents, parents-in-law, spouses, registered partners, siblings or children) up to one year for each close relative, up to a maximum of three years in total.

Nationality

You have the nationality

\*of a member state of the European Union,

\*of a state party to the Agreement on the European Economic Area,

\*of a third country to which the Federal Republic of Germany and the European Union have granted a corresponding entitlement to recognition of

professional qualifications by treaty.

Qualification

You offer the guarantee of standing up at all times for the free democratic basic order within the meaning of the Basic Law of the Federal Republic of Germany. You are not unsuitable for public servant status due to professional misconduct, criminal offences or comparable weighty reasons.

## Documents required

Application

(under "Online processing")

In the application, you must state which public service activity you are seeking.

Curriculum vitae

Curriculum vitae with a tabular presentation of the professional career

Proof of nationality

Proof of nationality of the member state or of a contracting state

Proof of qualifications

Proof of qualifications, e.g. training certificates, diplomas, certificates of graduation

Proof of good conduct

Certificates or documents from the home country or country of qualification stating that no criminal offences, serious professional misconduct or other circumstances calling the suitability into question are known; the certificates or documents must not be older than three months at the time of their presentation.

Certificate of authorisation to practise the profession

Certificate from the home country or country of qualification stating which professional practice the professional qualification entitles to there

Declaration on previous professional recognition procedures

A declaration whether and with which authority within the Federal Republic of Germany recognition has already been applied for; if applicable, a decision issued in this context is to be enclosed.

Place of residence details

For statistical purposes, the information on the place of residence is required.

If necessary, proof of exercised activities

Certificates on the nature and duration of activities in the field of the qualification carried out in a member state after the acquisition of the qualification

If necessary, proof of competences acquired through lifelong learning

Certificates issued by a relevant body on knowledge, skills and competences acquired through lifelong learning

### More documents

The competent authority may request you to submit further information on the content and duration of the completed training and on other professional qualifications in the form of study regulations, examination regulations, course books or in any other appropriate manner within a reasonable period of time, insofar as this is necessary to establish equivalence.

## Fees

EUR 5.00 to EUR 5,000.00, per effort

## Legal basis

- Career Act (Laufbahngesetz or LfbG) §§ 23, 23a  
*[https://gesetze.berlin.de/perma?j=LbG\\_BE\\_!\\_23](https://gesetze.berlin.de/perma?j=LbG_BE_!_23)*
- Professional Qualification Determination Act Berlin (Berufsqualifikationsfeststellungsgesetz Berlin or BQFG Bln) § 17  
*[https://gesetze.berlin.de/perma?j=BQFG\\_BE\\_!\\_17](https://gesetze.berlin.de/perma?j=BQFG_BE_!_17)*
- Regulation on the recognition of professional qualifications from other countries of the European Union as career qualifications (Verordnung über die Anerkennung von Berufsqualifikationen anderer Länder der Europäischen Union als Laufbahnbefähigung or VO Laufbahnbefähigung EU) §§ 2 et seq.  
*<https://gesetze.berlin.de/perma?d=jlr-BerQAnerkEUVBEV1P2>*
- Career Ordinance for the Justice and Correctional Services (Laufbahnverordnung Justiz und Justizvollzugsdienst or LVO-Just)  
*[https://gesetze.berlin.de/perma?j=JLbV\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=JLbV_BE_Inhaltsverzeichnis)*
- Training and Examination Ordinance for the General Judicial Service (Ausbildungs- und Prüfungsordnung allgemeiner Justizdienst or APOaJD)  
*[https://gesetze.berlin.de/perma?j=JDallgAPO\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=JDallgAPO_BE_Inhaltsverzeichnis)*
- Ordinance on the Training and Examination for the Career of the General Correctional Service at Correctional Institutions (Verordnung über die Ausbildung und Prüfung für die Laufbahn des allgemeinen Vollzugsdienstes an Justizvollzugsanstalten or APOaVD)  
*[https://gesetze.berlin.de/perma?j=JVollzAAPrV\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=JVollzAAPrV_BE_Inhaltsverzeichnis)*
- Qualification Ordinance Justice (Qualifizierungsverordnung Justiz or QVO-Just)  
*<https://gesetze.berlin.de/perma?d=jlr-JuQualVBEPVZ>*
- Ordinance on the Training and Examination for Judicial Officers (Verordnung über die Ausbildung und Prüfung für Gerichtsvollzieher or APOGV)  
*[https://gesetze.berlin.de/perma?j=GVAPrV\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=GVAPrV_BE_Inhaltsverzeichnis)*
- Ordinance on the Training and Examination of Judicial Clerks (Verordnung über die Ausbildung und Prüfung von Rechtspflegern or APORPfl)  
*[https://gesetze.berlin.de/perma?j=RpflAV\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=RpflAV_BE_Inhaltsverzeichnis)*
- Ordinance on Training and Examination for the Career of the Public

Prosecutor Service of the State of Berlin (Verordnung über die Ausbildung und Prüfung für die Laufbahn des Amtsanwaltsdienstes des Landes Berlin or APOAA)

[https://gesetze.berlin.de/perma?j=AmtsAWAPrV\\_BE\\_Inhaltsverzeichnis](https://gesetze.berlin.de/perma?j=AmtsAWAPrV_BE_Inhaltsverzeichnis)

- Act on Fees and Contributions (Gesetz über Gebühren und Beiträge or GebBtrG BE) § 8

[https://gesetze.berlin.de/perma?j=GebBtrG\\_BE\\_!\\_8](https://gesetze.berlin.de/perma?j=GebBtrG_BE_!_8)

### **Average time to process request**

The competent authority shall acknowledge receipt of the documents within one month and inform you of any missing documents. The one-month period begins at the time the application is received by the competent authority or the single point of contact. The decision on the application will be communicated in writing within four months of the submission of the complete documentation.

### **Link to online processing**

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

PDF downloaded on 18.01.2022