

99050035001000

License for Insurance Brokers and Insurance Consultants

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<https://fimportal.de/xzufi-services/1234/L100022>

| Modul | Sachverhalt |
|---------------------------|---|
| Leistungsschlüssel | 99050035001000 |
| Leistungsbezeichnung I | License for Insurance Brokers and Insurance Consultants |
| Leistungsbezeichnung II | License for Insurance Brokers and Insurance Consultants |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Baden-Württemberg |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus |
| Begriffe im Kontext | |
| Leistungstyp | |
| Leistungsgruppierung | |
| Verrichtungskennung | |
| SDG-Informationsbereich | |
| Lagen Portalverbund | |

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| Einheitlicher Ansprechpartner | |
| Fachlich freigegeben am | |
| Fachlich freigegeben durch | |
| Handlungsgrundlage | |
| Teaser | There are three different permits which are distinguished from each other: |
| Volltext | <p>There are three different permits which are distinguished from each other:</p> <ul style="list-style-type: none"> • Permit as an insurance representative. As an insurance representative you are contractually bound to one or more insurance companies during your brokerages and therefore you represent the interests of these insurance companies. • Permit as an insurance broker. As an insurance broker, you broker insurance policies without being contractually bound to one or more insurance companies. You should represent the interests of insurance customers in a neutral manner when selecting suitable insurance products for them. • Permit as an insurance advisor. As an insurance advisor, you do not broker insurance. Therefore, you do not receive brokerage commission from the insurance companies and are also independent of these. You develop concepts for the correct customer-specific insurance coverage and the suitable insurance companies in this respect. You only work in the interests of the customers and are only paid by them. <p>It is possible to act as an agent for insurances even without a license, in particular if</p> <ul style="list-style-type: none"> • you act as a broker and consultant for insurances to a small extent as a sideline (so-called "bagatelle agent") • the service is as a supplement to another activity, e.g. car dealers acting as agents of third party insurance (product-specific insurance broker) (produktakzessorischer Versicherungsvermittler). The |

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relief however is only valid under certain conditions and if you have applied for a license exemption (Erlaubnisbefreiung für produktakzessorische Versicherungsvermittler).

In addition, you have to be registered in the "Register of Brokers" (Eintragung in das Vermittlerregister).

Specific issues for foreigners

Foreigners who have a subsidiary in another EU country, have to be registered in this country. They do not need a license in Germany nor can they be registered in the German Register of Insurance Brokers

Foreign nationals from non-EU states or EU citizens, who have registered such a business only in Germany, are subject to the same requirements as German nationals.

General legal provisions governing foreign nationals have to be complied with. If certain German training qualifications are sufficient as evidence of competence, comparable evidence from the European Economic Area (EEA) shall be recognised.

Erforderliche Unterlagen

- completed application form
- copy of the identity card or comparable identity documents
- for proof of the corporate legal form If the location of your company is in Germany, you will need: for registered companies: an excerpt of the Commercial Register (Handelsregisterauszug) otherwise, a copy of the articles of association (for example in the case of a partnership under German civil law (GbR)). If your company is located abroad, you will need documents from the country where it is located which prove its legal form. for proof of personal reliability If your place of residence is in Germany, you will normally need: Certificate of Good Conduct (Führungszeugnis) Excerpt from the Central Trade Register (Auszug aus dem Gewerbezentralregister) If your place of residence is abroad, you will need documents from your native country, which prove that you have the personal reliability to provide the requested service. proof of

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orderly financial circumstances If your place of residence is in Germany, you will normally need: Excerpt from the debtor's files (Auszug aus der Schuldnerkartei) Attestation from the bankruptcy court (Bescheinigung des Insolvenzgerichts) Certificate from the tax authorities regarding tax matters (Bescheinigung des Finanzamtes in Steuersachen) If your place of residence is abroad, you will need documents from your native country, which prove that you are living in orderly financial circumstances. Proof of expertise or proof of certain professional qualifications Please make enquires of your competent chamber of industry and commerce as to what professional qualifications are recognised. proof that there is a pecuniary damage liability insurance (Vermögensschadenhaftpflichtversicherung) A sample for confirmation of sufficient professional indemnity insurance can be obtained from the chamber of industry of commerce which is responsible or from the Internet, depending on the service offered. When checking the personal reliability, in individual cases the authorising authority could request alongside the documents listed additional documents, which are appropriate to make a statement about your personal reliability as applicant. In the case of legal entities (GmbH, corporate companies, AG, registered cooperatives) the application form only has to be completed by the legal entity itself. All personal documents have to be submitted for all natural persons authorised to manage the company (e.g. certificate of good conduct, personal documents). In addition, an excerpt from the Central Trade Register has to be applied for in the case of legal entities. In the case of partnerships, which as such are not capable of holding a licence (GbR, KG, OHG, PartG, GmbH & Co. KG), each of the managing partners requires the licence. I.e. an application form and all personal documents are required for each person. N.B. Some of the submitted documents may not exceed an expiry date at the time of the decision (not only at the time of submission). Please request further information from the chamber of industry and commerce.

Voraussetzungen

- You possess the necessary reliability for the operation of a commercial business. As a rule, persons

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who have been subject to criminal sanctions imposed by a court for one of the following infringements in the last five years are not considered to be reliable:

- Criminal offence
- Theft
- Embezzlement
- Extortion
- Fraud
- Breach of trust
- Money laundering
- Falsification of documents
- Receiving stolen goods
- Profiteering
- Insolvency offences
- Your financial circumstances are sound. You do not fulfil this requirement if
 - insolvency proceedings are opened against your assets or
 - have been rejected due to lack of assets or
 - you are entered in the register of debtors.
- The taking out of professional indemnity insurance A minimum sum insured of
 - 1,276,000 EUR for each insured event and
 - 1,919,000 EUR for all total insured events in the course of a year.
- Proof of necessary specialist knowledge, possible by means of:
 - Objective assessment by the Chamber of Industry and Commerce (IHK) or
 - equivalent vocational qualifications and possible relevant professional experience.

Kosten

Charges are incurred to grant the license, the amounts differ and may be specified by the relevant Chamber of Commerce and Trade in their articles of association. At present, they are between 200 and 300 euros.

Costs could also be incurred if you request documents, which you have to submit during the procedure.

Verfahrensablauf

The application to issue the licence has to be submitted to the responsible authority. You can download a form from the Internet.

A decision will be made on the application as soon as

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all details have been submitted and the documents have been presented.

Tip: You can apply for the Entry in the Register of Insurance Brokers (Eintragung in das Vermittlerregister) at the same time as applying for the license as an insurance representative, insurance agent or insurance consultant.

The license is granted for an indefinite period.

It will expire only when the businessman no longer requires the license. Under strict legal conditions, the IHK can revoke or withdraw a license and by virtue of its office it can cancel the entry from the register.

Simplified procedure

There is a simplified procedure for insurance brokers who are bound by contract, i.e. insurance representatives that are bound to only one insurance company or who act as a broker for several insurance companies, whose products however are not competitive products. The registration can be carried out through the insurance company, to which the service provider is bound by contract. In this case, the insurance company also assumes liability for the performance of their representative. In such a case, the insurance representative will be registered in the Register of Insurance Brokers without having to through the license procedure.

Bearbeitungsdauer

Two to ten days, depending on the completeness of the documents.

Frist

You may not start work until you have received the permit.

weiterführende Informationen
Hinweise

The following obligations apply to holders of a permit:

- Information obligations
 - At the time of initial contact in a commercial context, you must provide your customer with certain

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| | <p>information. For example, obligatory information includes:</p> <ul style="list-style-type: none"> • Your name and address • Whether you represent certain insurance companies (insurance representative) or <ul style="list-style-type: none"> • whether you broker insurance policies (brokerage activity) or • whether you provide insurance advice. • You must provide certain information to the competent International Chamber of Industry and Commerce (IHK), such as changes to information saved in the register of brokers. • Documentation obligations |
| Rechtsbehelf | |
| Kurztext | |
| Ansprechpunkt | |
| Zuständige Stelle | |
| Formulare | |
| Ursprungsportal | |