

99140008108000, 99140008108000

Application for public appointment as an expert in the architectural and construction industry

Heruntergeladen am 12.06.2025

<https://fimportal.de/xzufi-services/304245240/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99140008108000, 99140008108000
Leistungsbezeichnung I	Application for public appointment as an expert in the architectural and construction industry
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Architektur (140)
Verrichtungskennung	Öffentliche Bestellung und Vereidigung (108)
SDG-Informationsbereich	

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Lagen Portalverbund	Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.09.2018
Fachlich freigegeben durch	Lower Saxony Chamber of Architects.
Handlungsgrundlage	https://www.aknds.de/fileadmin/aknds/PDFs/Kammerr echt/00031-narchtg.03.pdf https://www.gesetze-im-internet.de/gewo/BJNR002450 869.html https://www.aknds.de/fileadmin/aknds/PDFs/Kammerr echt/00031-narchtg.03.pdf https://www.gesetze-im-internet.de/gewo/BJNR002450 869.html
Teaser	
Volltext	<p>Applicants for public appointment and swearing-in must prove their personal and professional suitability in a specific subject area (e.g. damage to buildings) as part of a strict examination procedure. Experts are commissioned by private individuals, public authorities and, in particular, by courts to provide technical bases and expert opinions. Despite being commissioned by a specific person, the expert is not a lobbyist. He or she is obliged to perform his/her task independently and on his or her own responsibility. In addition to the special expertise, special requirements are therefore also placed on the personality and reliability of the expert.</p> <p>Courts are obliged to commission publicly appointed experts as a matter of priority to prepare expert opinions.</p>
Erforderliche Unterlagen	<p>The application must be accompanied by the following documents:</p> <p>\- Curriculum vitae about the professional career</p> <p>\- Certificate of good conduct for submission to authorities (document type "0") - not older than three months</p>

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- \- Clearance certificate from the tax office
- \- at least three subject-related expert opinions
- \- at least two reference addresses /alternatively: job references
- \- Proof of attendance at expert seminars
- \- Proof of professional indemnity insurance (submission of an insurance certificate is required by the swearing-in date)
- \- If applicable, certificate of secondary employment (declaration of exemption from the employer)

Voraussetzungen

****Excerpt: Expert Regulations****

****§ 3 Appointment requirements****

(2) An expert may only be publicly appointed if he:

1. has his professional establishment or, if there is no such establishment, his place of residence in Lower Saxony;
2. has the necessary mental and physical capacity in accordance with the subject area requested;
3. possesses personal aptitude;
4. demonstrates special expertise, practical experience and the ability to provide expert opinions; this is usually done by means of an examination;
5. has the facilities necessary to carry out the activities of an expert;
6. lives in orderly economic conditions;
7. guarantees impartiality and independence in his or her expert work and compliance with the duties of a publicly appointed and sworn expert;
8. proves the existence of liability insurance to settle liability for damages arising from the expert's work. Professional indemnity insurance must extend for at least five years beyond the date of termination of the contract. Personal injury must be insured at least €1,500,000, property damage and financial loss at least €200,000 per insured event. The insurer's benefits for

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all damage caused within an insurance year may be limited to twice the amounts previously mentioned. The insurance must be maintained for the duration of the order. Anyone who does not exercise the profession for personal reasons, in particular due to illness or parental leave, shall be exempted from the obligation upon written request. It is sufficient if proof of insurance is provided before the order certificate is handed over;

9. has five years of professional experience as an architect, interior designer or landscape architect or has worked in the field of architecture, interior design or landscape architecture (planning and construction supervision) for seven years after graduation;

10. is proficient in the German language, both written and spoken.

By way of derogation from the requirement for a professional establishment or residence in Lower Saxony, the Chamber of Architects of Lower Saxony already has jurisdiction over the application of an expert from another Member State of the European Union or another State party to the Agreement on the European Economic Area if the expert intends to establish a branch in Lower Saxony. Section 36a of the Industrial Code shall apply accordingly.

The Lower Saxony Chamber of Architects appoints experts with qualifications from another member state of the European Union or another state party to the Agreement on the European Economic Area if

1. the applicant has already demonstrated his or her special expertise in a particular subject area in one of the states mentioned in sentence 1, which essentially corresponds to the specialist knowledge within the meaning of § 3 (2) d, or

2. has worked full-time as an expert in one of the last ten years and it is clear from the evidence submitted that the applicant has special expertise that essentially corresponds to § 3 para. 2 d.

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Kosten	<p data-bbox="507 383 1264 533">The basic fee is 400 euros. In addition, the applicant must reimburse the board for the expenses incurred, in particular the costs of the examination by the expert panel.</p> <p data-bbox="507 568 1241 645">When ordering for another subject area, the basic fee is 300 euros.</p> <p data-bbox="507 680 1161 719">In the event of a change of chamber: 120 euros.</p> <p data-bbox="507 754 1214 947">If you do not use the fully electronic application procedure including the online payment function, please enclose a receipt with your registration application, e.g. a printout of the transfer for online banking via the payment. The bank details are:</p> <p data-bbox="507 983 1222 1059">Nord/LB Hannover: BIC NOLADE2HXXX - IBAN: DE55 2505 0000 0101 4747 81</p> <p data-bbox="507 1095 1222 1171">Commerzbank Hannover: BIC COBADEFFXXX - IBAN: DE97 2504 0066 0338 8345 00</p>
Verfahrensablauf	<p data-bbox="507 1202 1264 1352">An application for a public appointment must be submitted in writing or online using the form provided. The above-mentioned evidence must be attached to the application.</p> <p data-bbox="507 1388 1264 1503">The examination of the special expertise and the ability to prepare expert opinions is carried out by a panel of experts.</p> <p data-bbox="507 1538 1225 1688">The expert committee examines the expert opinions submitted. Furthermore, the special expertise must usually be proven by a written exam and an oral examination.</p> <p data-bbox="507 1724 1251 1839">The Board of Directors of the Chamber decides on the public appointment on the proposal of the Committee of Experts.</p> <p data-bbox="507 1874 1241 1995">The initial appointment is limited to three years. Subsequently, there is the possibility of extending the appointment by five years at a time.</p>
Bearbeitungsdauer	on the basis of the review by the expert committee and

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	the decision by the Executive Board: approx. 3-12 months
Frist	There are no deadlines to be observed.
weiterführende Informationen	
Hinweise	https://www.aknds.de/mitglieder/praxis/sachverstaendige https://www.aknds.de/mitglieder/praxis/sachverstaendige
Rechtsbehelf	Possibility of bringing an action before the Administrative Court of Hanover
Kurztext	Experts are publicly appointed and sworn in by the Lower Saxony Chamber of Architects for certain areas of construction. Subject areas include: damage to buildings, valuation of developed and undeveloped land, services and fees of architects and preventive fire protection.
Ansprechpunkt	<p>The responsibility lies with the Lower Saxony Chamber of Architects.</p> <p>This procedure can also be handled by a "Point of Single Contact". The "Point of Single Contact" is a special service offered by the municipalities and the state for service providers. https://service.niedersachsen.de/dlp/ea https://service.niedersachsen.de/dlp/ea</p>
Zuständige Stelle	
Formulare	<p>Forms:</p> <ul style="list-style-type: none"> • Application for appointment as an expert at the Lower Saxony Chamber of Architects together with the above-mentioned evidence • online (insert link as soon as set up) <p>or in writing</p>
Ursprungsportal	Application for public appointment as an expert in the

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architectural and construction industry, Antrag auf
öffentliche Bestellung zum Sachverständigen im
Architekten- und Bauwesen