

99050058108000, 99050058108000

# Particularly competent auctioneers

## Public appointment and swearing-in

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/9330588/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99050058108000, 99050058108000
Leistungsbezeichnung I	Particularly competent auctioneers Public appointment and swearing-in
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Öffentliche Bestellung und Vereidigung (108)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Befähigungs- und Sachkundenachweise (2010200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	no professional approval
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gewo/_34b.html">https://www.gesetze-im-internet.de/gewo/_34b.html</a>
Teaser	If you want to conduct public auctions, you need a public appointment for this.
Volltext	<p>If you wish to hold public auctions (forced lien sales or distress sales), you need a public appointment for this. The owner of the auctioned property has no influence on the price and the minimum bid and must therefore be able to rely on the fact that his property interests will be safeguarded in a particularly qualified manner at the auction.</p> <p>The order may be pronounced in general or limited to certain types of auctions, insofar as there is a need for auctioneer services for these. It may also be restricted in terms of content, limited in time and subject to conditions. The appointment is valid for the whole of Germany.</p> <p>As publicly appointed auctioneers, you are sworn to perform your duties conscientiously, free of instructions and impartially.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Application</li> </ul> <p>In addition to your application, you must submit the following documents:</p> <ul style="list-style-type: none"> <li>• Identity card or passport</li> <li>• Curriculum vitae</li> </ul>

## Modul

## Sachverhalt

- Transcripts of certificates
- Proof of the auctioneer's licence according to § 34b Abs.1 GewO (German Trade Regulation Act)
  - Proof of special expertise (documentation of work carried out, e.g. expert opinions prepared, list of auctions held)
  - Possibly confirmation of the proof of special expertise by a neutral and competent body (e.g. IHK Bonn/Rhein-Sieg)
- Proof of professional liability insurance taken out
- Certificate of no objection from the tax office
- Information from the debtors' register of the local court
- Information from the insolvency register of the local court
- Police clearance certificate
- Business registration

## Voraussetzungen

- the applicant is a natural person
  - Existence of the permission for auctions according to § 34b Abs.1 trade regulations (GewO)
    - in the case of general public appointment and swearing-in: special expertise (i.e. above-average specialist knowledge and experience in the valuation of movable objects of the normally equipped household, such as are typically handed over to pawnshops for the purpose of lending, e.g. carpets, furs, jewellery, furniture, art and household effects)
    - in the case of public appointment and swearing-in for certain types of auctions: Proof of special knowledge in the field for which the public appointment and swearing-in has been applied for.
      - knowledge of all relevant provisions of the Trade, Commerce and Industry Regulation Act, the Auctioneers' Ordinance, the Commercial Code and the Civil Code concerning the responsibilities, rights and duties of an auctioneer
      - several years of professional experience as an auctioneer (conducting several auctions per year)
      - You must have proven yourself to be particularly trustworthy in several years of faultless practice of the auctioneer's trade.
      - There must not be the slightest doubts about your suitability as a publicly appointed and sworn auctioneer. They must guarantee impartiality and

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	<p>independence as well as compliance with the duties of a publicly appointed and sworn auctioneer and live in orderly financial circumstances.</p> <ul style="list-style-type: none"> <li>• possibly: certain minimum age (may be set by the authority).</li> </ul>
Kosten	There will be a charge for the order.
Verfahrensablauf	<p>You apply for your public appointment in writing, stating whether you wish to be appointed generally or only for certain types of auctions, i.e. for a specific subject area.</p> <p>The competent body will check whether you meet the requirements on the basis of the information you have provided and the documents submitted.</p> <p>NOTE: In order to verify your expertise, the competent body may ask for references, obtain documentation on auctions conducted and obtain opinions from third parties or a panel of experts.</p> <p>If you meet the requirements for the public appointment, you will be sworn in and receive a certificate of appointment and the notice of appointment.</p>
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	<p>If you wish to hold public auctions (compulsory lien sales or distress sales), you need a public appointment for this. The owner of the auctioned property has no influence on the price and the minimum bid and must therefore be able to rely on the fact that his property interests will be safeguarded in a particularly qualified manner at the auction.</p>

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	<p>The order may be pronounced in general or limited to certain types of auctions, insofar as there is a need for auctioneer services for these. It may also be restricted in terms of content, limited in time and subject to conditions. The appointment is valid for the whole of Germany.</p> <p>As publicly appointed auctioneers, you are sworn to perform your duties conscientiously, free of instructions and impartially.</p>
Ansprechpunkt	Municipal administration of the independent municipality, the association municipality administration and, in independent and large cities, the city administration.
Zuständige Stelle	Municipal administration of the independent municipality, the association municipality administration and, in independent and large cities, the city administration.
Formulare	
Ursprungsportal	Besonders sachkundige Versteigerer Öffentliche Bestellung und Vereidigung, Particularly competent auctioneers Public appointment and swearing-in