

99006060016000

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/118268/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99006060016000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Explosion protection; application for official recognition of a person qualified to test in accordance with the Industrial Safety Ordinance
Typisierung	2 - Bundesauftragsverwaltung: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	04.03.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (Bavarian State Ministry of the Environment and Consumer Protection)
Handlungsgrundlage	https://www.gesetze-im-internet.de/betrsv_2015/anhang_2.html https://www.gesetze-im-internet.de/betrsv_2015/anhang_2.html
Teaser	Qualified persons who wish to carry out an inspection after a repair of a part on which explosion protection depends must be officially recognized.
Volltext	<p>Equipment, protective systems or safety, control or regulating devices within the meaning of the ATEX Directive (2014/34/EU) may only be put back into operation after a part on which explosion protection depends has been repaired once it has been determined in the course of a test that the part meets the requirements in terms of the essential features for explosion protection. In addition to an approved inspection body, this inspection may also be carried out by a person authorized to carry out inspections in accordance with Annex 2 Section 3 No. 3.2 of the Ordinance on Industrial Safety and Health with official recognition.</p> <p>Approval is granted on a person and company basis for the intended operating site. The following information must be provided:</p> <ul style="list-style-type: none"> • Details of the applicant <ul style="list-style-type: none"> • Address of the operating site or the operating department in which the person recognized by the authority as qualified to carry out the inspection is to work • Details of the contact person for queries • Inspection tasks and scope for which recognition is requested • Details of the qualified person <ul style="list-style-type: none"> • First name and surname • Date and place of birth, • occupation

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- Private address of the applicant

Recognition is generally granted for a period of 5 years.
It can be extended on application.

Erforderliche Unterlagen

- The following documents are required:
 - Documents for the applicant
 - Proof of the need for testing and specification of the devices to be tested, the protective systems, safety, monitoring and control devices that are to be tested after repair
 - Declaration by the applicant that the person qualified to carry out the test is not subject to instructions
 - Certification certificate for a quality assurance system or details of the quality assurance procedure (if available)
 - Documents relating to the qualified person
 - Copy of the employment contract between the applicant and the person qualified to conduct the examination
 - Curriculum vitae of the applicant with details of the professional career and professional practice up to the time of application as well as copies of certificates of previous employment relationships
 - Copies of the certificate of skilled work, the master craftsman's certificate and diploma, the diploma certificate and diploma or comparable proof of qualification
 - Copies of certificates of participation in further training measures and relevant exchanges of experience
 - Police clearance certificate
 - Declaration by the person authorized to conduct the examination that they are not subject to instructions
 - Declaration of indemnity
- Submission of a declaration of indemnity from the company in the event that the qualified person recognized by the authority commits a breach of official duty within the scope of the examination powers assigned to him/her and claims for damages

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are asserted against the state due to such a breach of official duty

- Liability insurance

Written confirmation from the insurer of existing liability insurance in the amount of EUR 2.5 million for the activities of the recognized qualified person in accordance with the declaration of indemnity

- Expert opinion from an approved inspection body (ZÜS)

Confirmation that the technical, organizational and personal requirements are met in order to approve the applicant's recognition

Voraussetzungen

- The person to be recognized must have
 - relevant technical vocational training or another technical qualification sufficient for the intended testing tasks,
 - at least one year's experience in the manufacture, assembly, operation or maintenance of the systems or system components to be tested within the meaning of Annex 2 Section 3 of the Ordinance on Industrial Safety and Health, and
 - activities related to the upcoming inspection of the work equipment to be inspected and appropriate further training.
- They must be reliable and suitable for the inspection activity.
- They are not subject to any instructions in their inspection activities.
- An expert opinion from an approved inspection body (ZÜS) on the qualifications of the person to be recognized and a statement from the applicant on the equipment and quality assurance of the company (if available) must be submitted.
- The regular need for such inspections and the necessary testing equipment can be demonstrated.

Kosten

The costs vary depending on the administrative effort and consist of expenses and fees. They can amount to between EUR 300 and EUR 1,500.

Verfahrensablauf

- The application and the required documents can be sent to the recognition authority by e-mail, fax, in writing or electronically.
- The applicant must commission an approved

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	<p>inspection body to issue an expert opinion. In order to obtain the expert opinion, an on-site visit with an approved inspection body (ZÜS) in the presence of the locally responsible trade supervisory office is required.</p> <p>Trial tests can be carried out in the presence of the expert from the approved inspection body.</p> <ul style="list-style-type: none"> • The expert's statement is sent to the approval authority. • The recognition or rejection notice is issued by the recognition authority and sent to the applicant.
Bearbeitungsdauer	
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Complaint to the administrative court
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal