

Application for admission to the Berlin Bar Association pursuant to § 206 of the Federal Lawyers' Act [BRAO, Bundesrechtsanwaltsordnung]

An den
Vorstand der
Rechtsanwaltskammer Berlin
Littenstraße 9
10179 Berlin

Enclosures (please see attached information leaflet)

Applicant (surname, first name, if applicable also name at birth)	
Residential address (street, house number, postcode, city)	Daytime phone number
Date of birth	Nationality
Place of birth	

I apply for admission to the Berlin Bar Association.

My professional title in my country of origin is _____ : _____

Following my admission, my place of residence

will remain unchanged.

will be _____
(street, house number, postcode, city)

I will set up my office in

street, house number, postcode, city
c/o

Questionnaire

in conjunction with the application for admission to the Bar Association pursuant to § 206 of the Federal Lawyers' Act [BRAO, Bundesrechtsanwaltsordnung]

Please tick where applicable and complete with additional information if necessary. If the space provided is not sufficient, please enclose full details on a signed sheet.

	Questions	Explanations	Answers
1	Have you already applied for admission to a German Bar Association elsewhere or at an earlier point in time?	Section 26 (2) of the Administrative Procedure Act [VwVfG, Verwaltungsverfahrensgesetz] in conjunction with section 32 of the Federal Lawyers' Act [BRAO, Bundesrechtsanwaltsordnung]	<input type="checkbox"/> no <input type="checkbox"/> yes: at the Bar Association of:
2	a) Have any penalties been imposed on you? b) Have you forfeited a fundamental right according to a decision of the Federal Constitutional Court [BVerfG, Bundesverfassungsgericht]?	if applicable, state the ruling body (court, public prosecutor's office) and file number. The Bar Association has an unrestricted right to information from the Central Criminal Register and the Educative Measures Register [BZRG, Bundeszentralregister] (section 41 (1) no. 11 in conjunction with subsection (5) of the Act on the Central Criminal Register and the Educative Measures Register [BZRG, (Bundeszentralregistergesetz)], i.e., the limitations applicable to a certificate of good conduct (section 32 BZRG) do not apply in relation to the Bar Association. All investigation proceedings and criminal court convictions must be reported, unless such proceedings and convictions have been deleted pursuant to section 45 (1) BZRG. If you have been re-admitted to the bar, criminal offences must be reported, irrespective of whether or not they qualify for deletion, if they were the subject of a lawyers' disciplinary tribunal measure against a lawyer and the time limit pursuant to section 205a (1) BRAO has not yet expired. False statements or omissions will usually lead to denial of admission on grounds of unworthiness, irrespective of the seriousness of the undisclosed offence and/or the alleged offence (section 7 no. 5 BRAO).	<input type="checkbox"/> no <input type="checkbox"/> yes: Court/public prosecutor's office: File number: <input type="checkbox"/> no <input type="checkbox"/> yes: Court/public prosecutor's office: File number:
3	Have any disciplinary measures been imposed on you under civil service law, by a judge or a lawyers' disciplinary tribunal?	the limitations applicable to a certificate of good conduct (section 32 BZRG) do not apply in relation to the Bar Association. All investigation proceedings and criminal court convictions must be reported, unless such proceedings and convictions have been deleted pursuant to section 45 (1) BZRG. If you have been re-admitted to the bar, criminal offences must be reported, irrespective of whether or not they qualify for deletion, if they were the subject of a lawyers' disciplinary tribunal measure against a lawyer and the time limit pursuant to section 205a (1) BRAO has not yet expired.	<input type="checkbox"/> no <input type="checkbox"/> yes: Authority/court: File number:
4	Are there any a) criminal proceedings b) disciplinary proceedings c) proceedings before a lawyers' disciplinary tribunal or any investigation proceedings pending against you in conjunction with the above-mentioned types of proceedings?	Section 7 no. 1 – 5 BRAO	<input type="checkbox"/> no <input type="checkbox"/> yes: Court/public prosecutor's office/authority: File number:
5	Has your admission to a German Bar Association already been denied, revoked (also due to waiver) or withdrawn?	Sections 7, 14 BRAO	<input type="checkbox"/> no <input type="checkbox"/> yes: at the Bar Association of:
6	Do you declare that you are not fighting the free democratic basic order in a punishable manner?	Section 7 no. 6 BRAO	<input type="checkbox"/> yes <input type="checkbox"/> no
7	Do you have any health impairments which could prevent you from properly practising the profession of lawyer on a more than temporary basis?	Section 7 no. 7 BRAO	<input type="checkbox"/> no <input type="checkbox"/> yes: Please explain on separate sheet.
8	Are you planning to pursue another activity in addition to practising law after your admission to the bar?	Section 7 no. 8 and 10 BRAO Please see also separate information sheet 'Pursuing other professional activity'.	<input type="checkbox"/> no <input type="checkbox"/> yes: Please explain on separate sheet!

9	<p>a) Is your financial situation sound?</p> <p>b) Have insolvency proceedings been opened against your assets or are you entered in a register to be kept by the insolvency court or the enforcement court (section 26 (2) of the Insolvency Statute [InsO, Insolvenzordnung], section 882b of the Code of Civil Procedure [ZPO, Zivilprozessordnung])?</p>	<p>See section 7 no. 9 BRAO; if necessary, provide more detailed information, in particular, on compulsory enforcement measures against you, on a separate sheet.</p>	<p><input type="checkbox"/> yes <input type="checkbox"/> no</p> <p><input type="checkbox"/> no <input type="checkbox"/> yes:</p> <p>Court:</p> <p>File number:</p>
10	<p>Are you restricted in disposing of your assets by court order?</p>	<p>Section 7 no. 9, section 207 (2) BRAO.</p>	<p><input type="checkbox"/> no <input type="checkbox"/> yes:</p> <p>Court/public prosecutor's office:</p> <p>File number:</p>
11	<p>Are you or were you a judge, civil servant, professional soldier or temporary soldier?</p> <p>Where are your personnel files kept in this regard?</p>		<p><input type="checkbox"/> no <input type="checkbox"/> yes:</p> <p>Address:</p>
12	<p>Have you been granted, for the federal territory,</p> <p>a) a residence permit?</p> <p>b) permission to engage in gainful employment?</p>	<p>Please attach relevant documents as originals or officially certified copies.</p>	<p><input type="checkbox"/> yes <input type="checkbox"/> no</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no</p>
13	<p>What was your residence for the last two years?</p>	<p>Section 7 no. 2, 3, 5, 6, 9 BRAO Section 36 (1) and (2) BRAO</p>	<p>Address(es):</p>

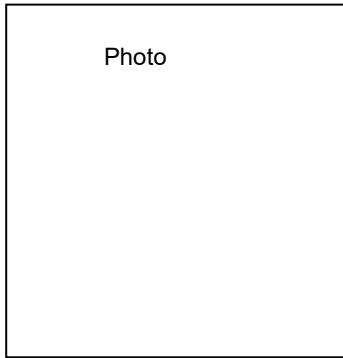
I have answered the above questions completely and truthfully.

I have taken note of the information letter on data collection and processing:
https://www.rak-berlin.de/mitglieder/formulare_merkblaetter.php

I have transferred the administrative fee of €235.

Place, date

Signature



Personal details

1. First name and surname: (name at birth, if applicable)	
2. Date and place of birth:	
3. Nationality:	
4. Professional designation in the country of origin:	
5. Professional regulator in the country of origin – Name: Address: Phone:	<hr/> <hr/> <hr/> <hr/>
6. Private address:	<hr/> <hr/>
7. Address and phone number of the law firm:	<hr/> <hr/> Phone: _____ Mobile: _____ Fax: _____ E-mail: _____

Place, date

Signature

Authorisation to receive mail

I hereby appoint the following person as my authorised recipient in Germany (section 32 of the Federal Lawyers' Act [BRAO, Bundesrechtsanwaltsordnung] in conjunction with section 15 of the Administrative Procedure Act [VwVfG, Verwaltungsverfahrensgesetz]):

Name, first name
Street, house number, postcode, city, phone

Any person of legal capacity with principal residence in Germany can be authorised.

Place, date

Signature

Authorised recipient's consent:

Place, date

Signature

Registration for the internal members' area of the website of the Berlin Bar Association [Rechtsanwaltskammer Berlin]:

- Registration for the members' area to use the job market, the members' forum and the contact details of the Berlin courts.

- Registration for the members' area to use the lawyer search.

E-mail address required for both registrations:

Signature

If you provide us with an e-mail address here or in the 'personal details' questionnaire, you will receive the link to the digital 'Kammerton' magazine every month.

Your registration comes into effect approximately ten days after your admission, and you can request your password in the members' area in the 'Registration' section https://www.rak-berlin.de/mitglieder/anmeldung_mitgliederbereich.php

Information sheet

for applications for admission to the Berlin Bar Association pursuant to sections 206, 207 of the Federal Lawyers' Act [BRAO, Bundesrechtsanwaltsordnung]

I. Application

The application for admission to the Berlin Bar Association pursuant to sections 206, 207 BRAO must be sent in writing to the Berlin Bar Association, Littenstr. 9, 10179 Berlin, Germany. Documents in a language other than German must be accompanied by a German translation. The application must include the following enclosures:

- a) completed and signed personal 'personal details' questionnaire (form) with a photo
- b) completed and signed questionnaire
- c) certificate from the competent authority in the country of origin confirming membership of a legal profession in accordance with the Regulation on the Implementation of section 206 of the Federal Lawyers' Act [Verordnung zur Durchführung des § 206 BRAO]. The certificate must be resubmitted to the Bar Association on an annual basis. If the member of the Bar Association fails to comply with this obligation or if the requirements of section 206 (1) BRAO cease to apply, admission to the Bar Association will be revoked (section 207 (1) third and fourth sentence BRAO).
- d) birth certificate; following a change of name, additional documentary evidence of the name (marriage certificate/extract from the family register)
- e) proof of academic degree, if applicable
- f) residence permit
- g) work permit
- h) proof of conclusion of professional liability insurance pursuant to section 51 BRAO or submission of a provisional confirmation of cover. Insurance must be taken out with an insurance company licensed to do business in Germany.
- i) criminal record extract of the home country
- j) proof of payment of fees. A fee of €235.00 is charged for admission to the Berlin Bar Association (section 1 (1) of the Berlin Bar Association's fee regulations for admission matters pursuant to section 224 a BRAO, Official Journal (Abl., *Amtsblatt*) no. 14/2 March 2005, p. 984). The fee is due upon submission of the application to the Bar Association.

Please **transfer** the fee to the bank account of

Rechtsanwaltskammer Berlin
Deutsche Bank
IBAN: DE87 100700240138018700
BIC: DEUTDE33HAN30
Verwendungszweck (Reason for payment): Zulassung/Haushaltsstelle 8357
(Admission/budget item 8357)

The documents mentioned in sections d) to g) must be attached as originals or officially certified copies, whilst the certificate mentioned in section c) must be attached as the original together with a certified translation.

II. Procedure

The Bar Association decides on the application. The decision is issued as a written notice. The written notice is handed over to the applicant. Admission to the Bar Association may only take place once proof of professional liability insurance (section 51 BRAO) has been provided or a provisional confirmation of cover submitted. Admission to the Bar Association becomes effective upon receipt (delivery) of admission notice.

III. Rights and obligations as a member of the Bar Association

The lawyer is entitled to provide legal services under the professional title of his country of origin. He or she must indicate the country of origin when using the professional title. He or she is entitled also to use the designation 'Mitglied der Rechtsanwaltskammer' [Member of the Bar Association] in professional matters (section 207 (4) BRAO).

Nationals of Member States of the World Trade Organisation who practise a profession that is equivalent in terms of training and powers to the profession of lawyer under the Federal Lawyers' Act are entitled to provide legal services in the field of the law of their country of origin and international law. The professions are determined by the Federal Ministry of Justice by means of a legislative decree (section 206 (1) BRAO).

Nationals of other countries who exercise a profession that is equivalent in terms of training and powers to the profession of lawyer under German law are entitled to provide legal services in the field of the law of the country of origin if reciprocity with the country of origin is guaranteed. The Federal Ministry of Justice issues, with the Bundesrat's consent, a legislative decree determining the countries to whose nationals this applies and the professions (section 206 (2) BRAO).

Following admission to the Berlin Bar Association, the lawyer must set up an office in the Bar Association's district. If the lawyer fails to comply with this obligation within three months, admission to the Bar Association must be revoked.

IV. Information regarding the duty to cooperate

Pursuant to section 26 (2) of the Administrative Procedure Act [VwVfG, Verwaltungsverfahrensgesetz], the applicant involved in the procedure should cooperate in the investigation of facts and, to the extent necessary, declare his or her consent to the use of evidence. His or her application for legal privileges may be rejected if the Bar Association is unable to sufficiently verify the facts as a result of the applicant's refusal to cooperate.

IV. Special electronic lawyer's mailbox (beA)

During the admission procedure you already have the possibility to apply for a 'beA card' for access to the special electronic lawyer's mailbox (section 31a BRAO). You will receive further information on this and the SAFE ID for ordering the 'beA card' before completion of the admission procedure.

Annex 1 (to section 1 (1) of the Regulation on the Implementation of section 206 of the Federal Lawyers' Act [Verordnung zur Durchführung des § 206 BRAO]

Lawyer's professions in countries and territories that are members of the World Trade Organization

(Date revised last: 7 February 2022)

– in Egypt:	Muhami
– in Albania:	Avokat
– in Argentina:	Abogado
– in Australia:	Barrister, Solicitor, Legal Practitioner
– in Bolivia:	Abogado
– in Brazil:	Advogado
– in Chile:	Abogado
– in China:	Lü shi
– in Chinese Taipei:	Lü shi
– in Ecuador:	Abogado
– in El Salvador:	Abogado
– in Georgia:	Adwokati
– in Ghana:	Lawyer, Legal Practitioner, Solicitor, Barrister
– In Hong Kong, China:	Barrister, Solicitor
– in India:	Advocate
– in Indonesia:	Advokat
– in Israel:	Orech-Din
– in Japan:	Bengoshi
– in Cameroon:	Avocat, Advocate
– in Canada:	Barrister, Solicitor
– in Kazakhstan:	Адвокат, Advokat, Qorǵauşy
– in Colombia:	Abogado
– in the Republic of Korea:	Byeonhosa, Lawyer
– in Malaysia:	Peguambela & Peguamcara, Advocate and Solicitor
– in Morocco:	Mohamin
– in Macedonia:	Advokat
– in Mexico:	Abogado
– in Moldova:	Avocat
– in Namibia:	Legal Practitioner, Advocate, Attorney
– in New Zealand:	Barrister, Solicitor
– in Nigeria:	Legal Practitioner

– in Pakistan:	Wakeel, Advocate
– in Panama:	Abogado
– in Peru:	Abogado
– in the Philippines:	Attorney
– in the Russian Federation:	Advokat
– in Singapore:	Advocate and Solicitor
– in Sri Lanka:	Attorney at law
– in South Africa:	Attorney, Prokureur, Advocate, Advokaat
– in Thailand:	Tanaaykwaam
– in Turkey:	Avukat
– in Tunisia:	Avocat
– in Ukraine:	Advokat
– in Uruguay:	Abogado
– in Venezuela:	Abogado
– in the United Kingdom:	Advocate, Barrister, Solicitor
– in the United States of America:	Attorney at law

Annex 2 (to section 1 (2) of the Regulation on the Implementation of section 206 of the Federal Lawyers' Act [Verordnung zur Durchführung des § 206 BRAO])
Lawyer's professions in other countries

– in Serbia:	Advokat
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Reference: Federal Gazette I 2022 (BGBl I, *Bundesgesetzblatt I*), p. 170