

99014002035000

Notarisation by a notary public

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/6000423/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99014002035000
Leistungsbezeichnung I	Notarisation by a notary public
Leistungsbezeichnung II	Notarisation by a notary public
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul

Sachverhalt

Fachlich freigegeben durch

Handlungsgrundlage

- § 128 Bürgerliches Gesetzbuch (BGB) – Notarielle Beurkundung
- § 311b Absatz 1 Satz 1 BGB – Beurkundungspflicht für Grundstückskaufverträge
- §§ 8 bis 16 Beurkundungsgesetz (BeurkG) – Vorschriften über die Niederschrift der Beurkundung
- §§ 17 bis 21 BeurkG – Prüfungs- und Belehrungspflichten des Notars
- § 415 Zivilprozessordnung (ZPO) – Beweiskraft öffentlicher Urkunden
- § 17 Bundesnotarordnung (BNotO)
- Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (Gerichts- und Notarkostengesetz – GNotKG), Anlage 1 (zu § 3 Abs. 2) Kostenverzeichnis, Nr. 21100 ff. Notargebühren

Teaser

The law stipulates special formal requirements for some legal transactions (text form, written form, public certification, notarial certification). The notarial certification by the notary usually serves both to provide proof of the authenticity of a signature and to draw the signatory's attention to the significance of his or her declaration.

Volltext

The law stipulates special formal requirements for some legal transactions (text form, written form, public certification, notarial certification). The notarial certification by the notary usually serves both to provide proof of the authenticity of a signature and to draw the signatory's attention to the significance of his or her declaration.

The so-called public deed establishes the full probative force for the notarisation process. During the notarisation, the notary investigates the will of the parties involved, clarifies the facts, instructs them on the legal scope of the transaction and reproduces their declarations clearly and unambiguously in the record.

For certain declarations and contracts, the legislature prescribes notarial certification, for example for

- consent to the adoption of a child,

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	• the conclusion and amendment of the articles of association of a limited liability company (GmbH) or the adoption of the articles of association of a public limited company (AG), • a contract for the purchase of real property, • a promise to make a gift and • a contract of renunciation of inheritance. In other cases it is sensible and advisable to have declarations notarised by a notary (example: power of attorney for health care).
Erforderliche Unterlagen	• Identity card or passport • if required, further proof, supporting documents and records (e.g. draft articles of association, purchase agreement) • in case of legal representation of participants: power of attorney
Voraussetzungen	none Special requirements may arise from the type of legal transaction to be notarised.
Kosten	The fees are governed by the German Law on Court and Notarial Fees (Gerichts- und Notarkostengesetz, GNotKG).
Verfahrensablauf	Contact a notary's office of your choice, the notary will advise you and also prepare the draft document. • The notary verifies the identity and legal capacity of the parties involved and instructs them. • The notary records the declarations in a deed and reads the transcript of the declarations to those present. • The parties approve the record and sign it in their own hand. • The notary signs the deed, thereby confirming that the declarations were made to him or her as recorded in the minutes. The parties involved receive a copy of the deed.
Bearbeitungsdauer	The processing time depends on the type of legal transaction to be notarised and the notary's availability

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	in terms of deadlines.
Frist	none Special deadlines may result from the legal transaction to be notarised itself.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	non applicable
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	