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Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011275/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046028000000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Health care proxy, advice and certification
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Authentication of the signature on health care proxy</div>, <div lang="en-x-mtfrom-de">Advice on health care proxy</div>, <div lang="en-x-mtfrom-de">Information events on the subject of legal provisions</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	§ 164 ff., § 1896ff., § 1901c German Civil Code (BGB)
Teaser	
Volltext	<p>With a health care proxy, you can take precautions in the event that you are no longer able to take care of your own affairs as a result of an accident or illness. You cannot automatically represent your relatives legally in this situation. A power of attorney for pension provision gives you a high degree of self-determination. You name one or more people you trust who are ready to act for you if necessary. In the power of attorney, you can regulate in detail which areas of responsibility they apply to and which powers the proxy should have. If there is an effective and sufficient power of attorney, the supervision court may not order legal supervision for you. The advice center for legal support and power of attorney provides information and advice on the subject of power of attorney. Advice takes place in informational events and in personal discussions that can be arranged over the phone. Public authentication of the signature on power of attorney is offered.</p>
Erforderliche Unterlagen	Valid ID. The personal appearance of the principal is essential. A certification in the absence of the principal is not carried out.
Voraussetzungen	The principal must be of legal age and legally competent. There should be an unrestricted relationship of trust with the authorized representative. The proxy must be willing and able to represent the principal's interests. Please make an appointment for a personal consultation or to participate in an information event.
Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	

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Bearbeitungsdauer	Advice: approx. 1 hour Certification: approx. 30 minutes
Frist	There is no need to pay attention to the deadlines.
weiterführende Informationen	https://www.hamburg.de/betreuungsrecht/ https://www.hamburg.de/betreuungsrecht/ https://justiz.hamburg.de/gerichte/amtsgericht-hamburg/verfahrensarten-und-services/services/betreuungsvorsorge-637158 https://www.hamburg.de/betreuungsrecht/beratungssstelle-rechtliche-betreuung/
Hinweise	<p>For reasons of clarity and evidential value, it is recommended that the health care proxy be drawn up in writing. The written form is required in land register, commercial register and litigation matters. Likewise, if the authorized representative is to consent, for example, to high-risk medical interventions (Section 1904 (5) BGB) or to measures involving deprivation of liberty (Section 1906 (5) BGB). In some cases, such as measures involving deprivation of liberty or compulsory treatment, decisions by the authorized representative require the approval of the supervisory court. You can have your signature or a show of hands under the health care proxy publicly certified free of charge by the advice center for legal support and health care proxy. This removes doubts about the authenticity of your signature and your identity and increases the acceptance of the power of attorney in legal transactions. For the public authentication of a signature or a show of hands on the power of attorney, the identity card of the person signing is required. Public certification of the power of attorney is expressly required, for example, for: land register and commercial register entries, registration in the register of associations, the rejection of an inheritance, the return of a promissory note. Individual legal advice and the creation of a power of attorney with a certification by a notary are recommended depending on the situation. For example, in the case of complex financial circumstances, differences in the family. In particular, the notarial certification of the power of attorney significantly increases its evidential value and largely rules out any later objections to your legal capacity and</p>

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	the seriousness of your decision in the case of representation. A notarial certification of the power of attorney is always necessary when taking out consumer loans, if a trade is operated or if you are a partner in a partnership or a GmbH. Power of attorney can be registered with the Central Pension Register of the Federal Chamber of Notaries for a small fee.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	District Office Altona
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)