

Approval to use the professional title of "Ingenieur" or "Ingenieurin" (Engineer)

Using the professional title on the basis of professional qualifications obtained abroad

A. Introduction

Acting on the basis of the Baden-Württemberg Engineers Act (IngG), the Baden-Württemberg Chamber of Engineers (Ingenieurkammer Baden-Württemberg = INGBW) makes decisions regarding applications for approval to use the professional title of "Ingenieur" or "Ingenieurin" (Engineer) due to completion of a course of studies at a foreign institute of higher education or other foreign establishment. For citizens of a Member State of the European Union or of another Contracting State of the Agreement on the European Economic Area, less stringent prerequisites for recognition are possible although they can involve and necessitate more extensive checks and evidence.

In addition, the Chamber of Engineers will initiate **court proceedings for a regulatory offence** if someone uses the professional title of "Ingenieur" or "Ingenieurin" (Engineer) on its own or in a phrase without having the necessary entitlement to do so. The regulatory offence is punishable with a fine of up to EUR 25,000.

On a precautionary note, it must be pointed out that the approval does not constitute an entitlement to use the German academic title of "Diplom-Ingenieur" or "Diplom-Ingenieurin" (Qualified Engineer). The authority to use professional titles based on academic degrees obtained abroad is regulated in the provisions of the Baden-Württemberg Higher Education Act (Landeshochschulgesetz = LHG) in the sense of a legal general approval to do so. **A degree qualification obtained abroad cannot be converted into a corresponding German degree.** It is therefore not possible to use foreign degrees in their corresponding German form (even in the case of material equivalence). In the end, the degree can only be used in its "original form" with an indication of the higher-education institute that awarded the degree (supplementary indication of origin). The competent authority is the Baden-Württemberg Ministry of Science, Research and the Arts (Ministerium für Wissenschaft, Forschung und Kunst Baden-Württemberg), where you can obtain further information. This bulletin also provides further details.

>><http://mwk.baden-wuerttemberg.de/de/forschung/internationales/internationales/auslaendische-hochschulgrade/>

B. Legal basis

The provisions of the Engineers Act (IngG) dated 26.02.2016 (GBl. No. 4, p. 143-146) stipulate who is permitted to use the professional title of "Ingenieur" or "Ingenieurin" (Engineer) on its own or in a phrase. These provisions apply to the Federal State of Baden-Württemberg. In Germany, therefore, the profession of engineer is therefore one of the so-called "regulated professions".

According to § 1 Paragraph 1 of the Engineers Act of the Federal State of Baden-Württemberg (IngG BW), the professional title of "Ingenieur" or "Ingenieurin" (Engineer) may only be used by persons who

1. have successfully completed a course of studies in a technical or scientific subject with a standard study period of at least six semesters – corresponding to at least 180 ECTS credit points – at a German state-run or officially recognised higher-education institute, whereby a major part of this

course of studies must have been dedicated to mathematics, information science, natural sciences and engineering/technology

2. have received approval to do so from the Chamber of Engineers in accordance with § 3 IngG (Recognition of Foreign Qualifications)
3. are entitled to use this professional title according to the law of another federal state of the Federal Republic of Germany, or
4. were entitled to use this professional title according to the Engineers Act of 30 March 1971 (GBl. S. 105) (the version of the act that was valid at that time).

C. Prerequisites for an approval procedure

An approval procedure is possible for all citizens as long as further prerequisites have been satisfied.

One prerequisite for submission of an application is that the applicant has his/her professional place of work or main residence in Baden-Württemberg. Moreover, his/her degree must have a technical or natural-science orientation.

Applications from persons living or working in other federal states in Germany cannot be assessed. The same applies to persons who have already obtained approval in another federal state to use the professional title of "Ingenieurin" or "Ingenieur" (Engineer).

Applicants who are citizens of a Member State of the European Union or other Contracting State of the Agreement on the European Economic Area or are from a state that is equivalent according to the laws of the European Union can profit from less stringent prerequisites for recognition.

The official language is German.

D. Competence

The competent authority **in the sense of the Baden-Württemberg Engineers Act is the Ingenieurkammer** (Chamber of Engineers) of Baden-Württemberg. According to § 3 IngG in particular, the Baden-Württemberg Chamber of Engineers is the competent authority for the approval of applications to use the professional title of "Ingenieurin" or "Ingenieur" (Engineer) in so far as the applicant is resident in Baden-Württemberg.

The Chamber of Engineers is not responsible for **ethnic German resettlers** according to § 4 of the German Federal Expellees Act (Bundesvertriebenengesetz) or for spouses and children of ethnic German resettlers in the sense of § 7 of the German Federal Expellees Act. In these cases, please submit your application to the Ministerium für Wissenschaft und Forschung Baden-Württemberg in Stuttgart, which, according to § 10 Paragraph 2 of the German Federal Expellees Act, is responsible for the recognition of foreign educational qualifications obtained at an institute of higher education.

E. Prerequisites for approval

Approval is given if the certificate of the foreign higher-education institute or school is equivalent (§ 3 Paragraph 2 IngG).

Less stringent prerequisites (§ 3 Paragraph 3 IngG) apply to applicants that are citizens of a Member State or Contracting State or are from a state that is equivalent according to the laws of the European Union. Under certain conditions, recognition may also be possible for persons without a degree or equivalent qualification from an institute of higher education.

F. Equivalence check

When the equivalence of the training completed abroad or of the degree obtained abroad is being checked, the classification of the respective institution, the duration and contents of the training/course of study and the actual training qualification/degree, among other things, have to be assessed. In this context, it is important whether a particular institution can be regarded as a higher-education institute in Germany. A precondition for equivalence is always that the degree/final qualification was obtained at a recognised higher-education institute in a normal manner and in accordance with the relevant standards. Further assessment relates to the duration and contents of the training or course of study and the degree/qualification obtained.

If the Chamber of Engineers (INGBW) is unable to check equivalence conclusively, it consults the **Zentralstelle für ausländisches Bildungswesen (ZAB = Central Office for Foreign Education)** in Bonn, which maintains an extensive database on foreign courses of study. Private persons can also conduct searches in this database. If you would like to find out about the assessment of your engineering studies, you can gain access to the database on the Internet at:

>> <http://anabin.kmk.org/>

Citizens of a Member State or of a Contracting State or from a state that is equivalent according to the laws of the European Union can compensate for deficits in their professional training and education by gaining **practical experience in their profession** (life-long learning) or by participating in **compensation measures**.

G. Compensation measures

If a compensation measure is necessary in order to compensate for significant differences with regard to the contents of the course of study according to § 1 Paragraph 1 Number 1 of IngG, the applicant is given reasons for the nature and scope of the measure (§ 3 Paragraph 4 IngG).

If an **aptitude test** is demanded, the applicant must make himself/herself available to take the test within a period of six months. The aptitude test is conducted by a recognition committee of the Chamber of Engineers. It is designed as a written and/or oral aptitude test. According to Paragraph 4 Clause 4, the obligation to undergo an aptitude test can result from a decision of the Chamber of Engineers or from the choice made by the applicant. The purpose of the aptitude tests is to assess the professional capability of the applicant, whereby the latter's professional knowledge, abilities and expertise are tested.

The **adaptation period**, which lasts a maximum of three years, involves practising the profession under the supervision of a qualified member of the same profession. The adaptation period can also include additional training and is subject to a final assessment by the Chamber of Engineers.

H. Application procedure

An application must be submitted before the approval procedure can take place. The application form is provided on the website of the Baden-Württemberg Chamber of Engineers: >> www.ingbw.de/anerkennung

The application must be submitted to

Ingenieurkammer Baden-Württemberg
Lenore-Volz-Straße 3
70372 Stuttgart.
GERMANY

I. Duration of the procedure

The approval procedure is usually completed at the latest three months after all the documents of the applicant have been submitted, whereby reasons must be given by the Chamber for its decision. In cases involving recognition of training certificates or professional experience, this period can be extended by one month. It is also extended if the Zentralstelle für ausländisches Bildungswesen (ZAB = Central Office for Foreign Education) has to be consulted. The period begins as soon as all the documents have been received. The Chamber of Engineers will confirm receipt of the documents within one month and, if necessary, will inform the applicant what documents are missing.

J. Objection

If you do not agree with an administrative decision (assessment notice which is sent to the applicant) made by the Chamber of Engineers or if you feel that the decision is illegitimate, you can lodge an objection to it. The exact deadline for lodging an objection is indicated in the rights of legal appeal set out in the assessment notice.

If the recognition committee to which the Chamber of Engineers has given the task of dealing with the objection stands by its decision, the applicant will be charged a fee for the review of the case in question.

You can only file a suit in a court of law once you have received an objection notice indicating that your objection has been rejected.

K. Necessary documents

In addition to the completed **application form** for approval to use the professional title of "Ingenieur" or "Ingenieurin" (Engineer) in accordance with § 3 of the Baden-Württemberg Engineers Act (IngG), the following documents are needed so that the application can be processed:

-  Certificate of citizenship/nationality (ID card or passport)
– copy of the original
-  Current resident's permit or official proof of residence (not older than three months)
– copy of the original
-  If applicable, a certificate verifying the change of name (for example marriage certificate)
– copy of the original and a "certified translation" into German
-  Verification of training and education (degree certificate, diploma, certificate of completion etc.)
– copy of the original and a "certified translation" into German
-  "Diploma supplement"
– copy of the original and a "certified translation" into German
-  Assessment notice of the Zentralstelle für ausländisches Bildungswesen (ZAB)
(if you have received such a notice)
-  If applicable, additional evidence of capability or proof of completed education and training courses
– copy of the original and a "certified translation" into German

The fee charged for submission of an application is also due. See section O. "Fees".

L. Certified translation

"Officially certified translations" into German (also simply referred to as "certified translations") may only be carried out by legally sworn or authorised translators, who must certify the correctness and completeness of the translation with their signature and stamp.

Documents in English can only be submitted if they were issued by the university/college in the original in English or bilingually (in English in addition to the language of the country of education). We expressly reserve the right to request a certified translation into German as well as, if necessary, a transliteration into Latin script.

M. Rejection of an application

The application for recognition will be rejected if the prerequisites stipulated in the Engineers Act and in the provisions of Directive 2005/36/EC (EU directive on the recognition of professional qualifications) have not been fulfilled.

N. Fees

For the approval to use the professional title of "Ingenieur" or "Ingenieurin" (Engineer), **a fee of EUR 360 is normally** charged. It is due at the same time as when the application is submitted. If a great deal of time and effort has to be spent on checking the application (for example, if a degree certificate from a higher-education institute cannot be submitted), the fees may be higher. Higher fees will be invoiced in the form of a notification of charges with the corresponding approval or rejection notice. The maximum fee that can be incurred for the assessment procedure carried out by the Chamber of Engineers is EUR 2,100. In addition, third-party costs, e.g. for the adaptation period, can be incurred. It is expressly pointed out that these maximum fees only become due in rare cases and under certain very specific conditions.

!!! If you wish or intend that the costs be paid by the Agentur für Arbeit (Employment Agency)/Jobcenter (Job Centre), this must be clarified with the agency or job centre before the application is submitted!!!

O. Further information

Ingenieurkammer Baden-Württemberg Körperschaft des
öffentlichen Rechts

Lenore-Volz-Straße 3, 70372 Stuttgart

Tel.: 0711 64971-0, Fax: -55

E-mail: anerkennung@ingbw.de

Web: www.ingbw.de/services/berufsanerkennung

Contact persons: Benjamin Groß, Stefanie Möser

(Please note that the official language is German.)

Office hours: Tuesday and Thursday, 10 to 12 a.m. and 1 to 3 p.m.

(locally in the offices of the Chamber: by appointment)

P. Links

- Engineers Act of Baden-Württemberg – IngG – Not the official version:
http://www.ingbw.de/fileadmin/pdf/Merblatt-Gesetze/M002_Ingenieurgesetz.pdf
- Chambers of Engineers Act of Baden-Württemberg – IngKammG – Not the official version:
http://www.ingbw.de/fileadmin/pdf/Merblatt-Gesetze/M001_Ingenieurkammergeetz.pdf
- European Directive on the Recognition of Professional Qualifications - Directive 2005/36/EC
Language selection: <http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:32005L0036>
In German: <http://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:32005L0036&from=DE>
- EU User Guide on the Recognition of Professional Qualifications
http://ec.europa.eu/internal_market/qualifications/docs/guide/users_guide_en.pdf
- Zentralstelle für ausländisches Bildungswesen (ZAB = Central Office for Foreign Education) with the information system "anabin" – Here, you can obtain information on the assessment of foreign certificates of education. This site helps authorities, employers and private persons to classify a foreign qualification in relation to the German educational system.
<http://anabin.kmk.org/>
- Recognition counselling agencies, IQ-Netzwerk Baden-Württemberg
<http://www.netzwerk-iq-bw.de/de/>
- Professional recognition
<http://www.berufliche-erkennung.de/>
- Recognition in Germany
<http://www.erkennung-in-deutschland.de/html/de/>
- bq-Portal (The information portal for foreign professional qualifications)
<https://www.bq-portal.de/>
- Bulletin of the Baden-Württemberg Ministry of Science, Research and the Arts on degrees obtained from foreign higher-education institutes
<http://mwk.baden-wuerttemberg.de/de/forschung/internationales/internationales/auslaendische-hochschulgrade/>