Insurance Factsheet: Germany

Member organisation(s):

BAK- Architects' Delegation Germany -

Bundesarchitektenkammer

BDA- Architects' Delegation Germany-Bund Deutscher

Architekten

BDB- Architects' Delegation Germany-Bund Deutscher

Baumeister Architekten und Ingenieure BDB

VfA- Architects' Delegation Germany-Vereinigung

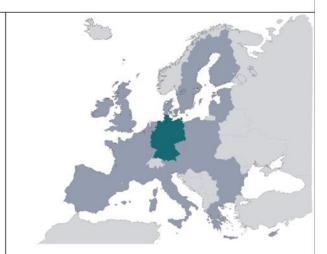
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Obligation to insure?

Yes

Legal Obligation to insure?

Depends on type of activity and state, but predominantly yes.



Legal Basis

Commonly used Term and Conditions:

German civil law.

What are the requirements needed in order to obtain an Insurance?

Registration at Chamber of Architects.

Calculation of insurance premium:

Based on yearly net income from insured activity, estimates provided by policy holder.

Contractual liability:

- Liabilities before and/or during the works:

Possible error in consulting/adisory before the works. Liability during the works for violations of contractual an legal obligations.

The end of the construction phase as a point of departure for a period of specific liabilities?

The end of the construction and the acceptance can be relevant for the limitation period (begin of limitation).

Liabilities after work:

Harm to the structure (to its soundness or stability): Yes

Unsuitability for the function: Yes

Forms of Insurance contract:

Yearly contracts, single contracts for individual objects, extended insurance for building contractors (developer).

Joint and several (in solidum) liability:

Joint liability with concerned construction companies, with other planners / or experts, also with the client (for example if a construction worker has an accident on site).

Does the insurer respond to a claims made or claims rising basis?

Claims are handled on a "claims by occurence" basis.

Insurances / Agents:

AIA AG/EUROMAF (subsidiaries of MAF/France)

VHV

HDI

R & V

Duration of Liability:

- Professional client:
 - Generally 5 years.
- Consumer client:
 - Generally 5 years.
- Liability during and after construction: Generally 5 years.