

Joining a model declaratory action as a consumer

If you would like to join a model declaratory action as a consumer, you can register in a register of actions.

Competent Department

- [Bundesamt für Justiz \(BfJ\)](#)

Basic information

If many consumers are similarly affected by the possible misconduct of a company, the model declaratory action can be used to clarify the most important facts and legal issues in a bundled manner. In this way, many individual court proceedings can be avoided.

Instead of going to court yourself, you can join a model declaratory action. You can then assert your claims against the company on the basis of a judgment or settlement from this action.

Model declaratory actions can only be brought by certain consumer associations. The judgment issued in the model declaratory action proceedings is binding for all consumers who have validly registered. You can only register your claims once the model declaratory action has been filed and published in the register of actions. You can register your claims up to the end of the day before the first date of the model declaratory action.

Registration is free of charge and you do not need a lawyer. However, you must observe certain formal requirements when registering. It is best if you use the online forms provided on the website of the Federal Office of Justice and fill them out correctly and completely, i.e. including all mandatory information, so that your registration is effective.

The time during which your claims are registered in the register of actions is not included in the limitation period. This means that if you have effectively registered your claims, you do not run the risk of your claims becoming time-barred while you wait for the outcome of the model declaratory action.

Requirements

Your claims or legal relationships must depend on the same factual and legal conditions that are examined in the model declaratory action (the objectives of the declaratory action must be the same). This means that your individual case must not be different from the model declaratory action.

What documents do I need?

- No documents required

Procedure

To be entered in the register of actions of the Federal Office of Justice, it is best to use the online forms provided on the website of the Federal Office of Justice:

- Call up the overview of public announcements in the register of actions on the website of the Federal Office of Justice.
- Select the model declaratory action you wish to join. On the following page you will find further information and the appropriate online form for the respective action. Complete the form in full. The details of the court and the file number of the proceedings are already pre-filled. You must also state
 - Your personal details,
 - if applicable, details of who is legally representing you,
 - the subject matter and the reason for your claim or legal relationship.
- Confirm that your details are correct and complete and send the form.
- You can also print out the relevant form, complete it and send it by post to the register of claims for model declaratory actions at the Federal Office of Justice.
- If your application has been registered, you will receive a confirmation from the Federal Office of Justice. Even if your application has not been registered, you will always receive a confirmation. This is the case, for example, if the application did not contain all the required information or was not received on time.
- In the test case, the court makes a finding on the disputed facts, but does not order anyone to make a payment, for example a monetary payment. You must then bring a separate action for your individual claims. The findings of the test case will then apply in these proceedings.

If you no longer wish to take part in the model declaratory action, you can withdraw your registration up to the end of the day on which the hearing has begun:

- To do so, please use the online form "Withdrawal of registration in the register of actions" provided on the website of the Federal Office of Justice and be sure to state the reference number of the registration.
- If necessary, you can also notify your withdrawal informally by e-mail or post.

Legal bases

- [§§ 606 bis 614 Zivilprozessordnung \(ZPO\)](#)

More information

Further information on the model declaratory action can be found on the website of the Federal Office of Justice: https://www.bundesjustizamt.de/DE/Themen/Verbraucherrechte/VerbandsklageregisterMusterfeststellungsklagenregister/VerbandsklageregisterMusterfeststellungsklagenregister_node.html

What deadlines must be paid attention to?

Registration: at the earliest from the public announcement of the model declaratory action in the register of actions, at the latest by the end of the day before the first hearing at the competent court.

Withdrawal of registration: If you wish to withdraw your participation in a model declaratory action, you can withdraw your registration by the end of the day on which the oral hearing has begun.

How long does it take to process

4 weeks As a rule, the processing time is 4 weeks.

What are the costs?

No costs