

Invalid documents

A document is only valid if it has been legally signed. Here there is a shortage of almost all documents issued by the Federal Republic of Germany.

An "i. A. or "im Auftrag" (on behalf) is not a legal document because it has to be signed in the own hand of the issuer according to the German Civil Code:

German Civil Code (BGB) Section 126 - Written Form

(1) If written form is prescribed by statute, the document must be signed by the issuer with his name in his own hand, or by his notarially certified initials.

With an "i. A. or "im Auftrag", the undersigned clearly indicates that he is not the author of the document and does not accept responsibility for the content.

Apart from that, even without "im Auftrag" signed documents do not meet the legal requirements for a signature and thus also invalidate the document:

„In the view of the Federal Court of Justice, the signature placed under a document (section 126 paragraph 1 BGB) or a preparatory written statement (section 130 No. 6 ZPO) must not be legible. However, there must be an individual lettering sufficiently characterizing the identity of the person signing, which is unique, has corresponding characteristic features and represents itself as a signature of a name. This includes recognizing at least single letters because otherwise the characteristic of a typeface is missing.“ (OLG Stuttgart, 3 U 123/01 from 14 November 2001).

If you look at most of the "signatures", you will find paraphones, squiggles, lines and other fantasies, but often no specific letter, whereby the Federal Court of Justice says that there have to be several letters so that one can speak of a "writing" at all.

The addition *"This letter was created by machine and is valid without naming and signing"* is always a lie if a clerk and not a computer issued the notice.

Thus, documents of the Federal Republic of Germany, which do not comply with the Civil Code and/or the Federal Court of Justice, are not valid.

Caution: According to the legal opinion of the employees of the FRG, administrative acts that are not (correctly) signed nevertheless have "validity" as long as they are not void (see VwVfG §43 paragraph 3 and §44).