

99066012058000, 99066012058000

# Processing of inclusion in the preselection list for insolvency administrators Implementation

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/376316699/L100001>

| Modul                     | Sachverhalt                                                                                   |
|---------------------------|-----------------------------------------------------------------------------------------------|
| Leistungsschlüssel        | 99066012058000, 99066012058000                                                                |
| Leistungsbezeichnung I    | Processing of inclusion in the preselection list for insolvency administrators Implementation |
| Leistungsbezeichnung II   |                                                                                               |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug                                        |
| Quellredaktion            | Hessen                                                                                        |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                                                   |
| Freigabestatus Bibliothek | fachlich freigegeben (silber)                                                                 |
| Begriffe im Kontext       |                                                                                               |
| Leistungstyp              | Leistungsobjekt mit Verrichtung                                                               |
| Leistungsgruppierung      | Insolvenz (066)                                                                               |
| Verrichtungskennung       | Durchführung (058)                                                                            |
| SDG-Informationsbereich   | Eintragung, Änderung der Rechtsform oder Schließung                                           |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                               | eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Lagen Portalverbund           | Anmeldepflichten (2010100), Eintragung in Register (2020100)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Einheitlicher Ansprechpartner | Ja                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Fachlich freigegeben am       | 17.11.2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Fachlich freigegeben durch    | Senate Department for Justice, Consumer Protection and Anti-Discrimination Berlin (SenJustVA)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Handlungsgrundlage            | <a href="https://www.gesetze-im-internet.de/inso/_27.html">https://www.gesetze-im-internet.de/inso/_27.html</a><br><a href="https://www.gesetze-im-internet.de/inso/_56.html">https://www.gesetze-im-internet.de/inso/_56.html</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Teaser                        | If you want to work as an insolvency administrator, you must first apply for inclusion on the pre-selection list. As a rule, only persons on the pre-selection list for insolvency administrators are appointed for insolvencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Volltext                      | <p>If you are successful in your application and are shortlisted as an insolvency practitioner, you may be appointed as an insolvency practitioner in future insolvencies. Even if you are on the pre-selection list, you are still not entitled to be appointed as an insolvency administrator. The decision as to who is appointed as an insolvency administrator from the pre-selection list is made by the competent insolvency judge - who may also appoint insolvency administrators who are not on the pre-selection list at his or her own discretion.</p> <p>If you are included on the shortlist for insolvency administrators, you are obliged to notify the relevant insolvency court immediately of any changes affecting your suitability as an insolvency administrator.</p> <p>If your application is rejected, you may reapply in the future.</p> |
| Erforderliche Unterlagen      | • Completed questionnaire                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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- Completed procedure list
- Proof of fulfilment of the requirements
- A copy of the certificate(s) of qualification as a judge or a university degree in business or economics or a licence to practise as a tax advisor, auditor or a comparable qualification (with the grade blacked out, if applicable)
- An unrestricted police clearance certificate (official clearance certificate)
- A negative credit report from the Schutzgemeinschaft für allgemeine Kreditsicherung (SCHUFA) or a comparable credit report,
- Proof of professional liability insurance including financial losses for risks arising from the activity as an insolvency administrator

## Voraussetzungen

There is no training or course of study to become an insolvency practitioner directly. To be eligible to apply for inclusion on the pre-selection list as an insolvency administrator, you must:

- be qualified to be a judge, or have a degree in business or economics, or be licensed as a tax adviser, chartered accountant or have an equivalent qualification

**\*\*and\*\***

- have the technical, organisational and personal prerequisites for handling insolvency proceedings, in particular,
  - have accounting software approved by the tax office

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- have staff for processing the insolvency schedule and personnel accounting
- not have been convicted of a crime, an insolvency offence or a property offence, and
- be in orderly financial circumstances

**Kosten**

Gebühr: Es fallen keine Kosten an

**Verfahrensablauf**

You can only submit your application for inclusion on the pre-selection list for insolvency practitioners in writing.

- You must first complete the prescribed questionnaire.
- You must then enclose all the required supporting documents with your application and send everything to the relevant insolvency court.
- After receipt of the application, you will receive a confirmation of receipt within 3 weeks
- The court will inform you when a decision on the application will be made.
- The court will check whether your application is complete.
- If you need to provide additional documents, the court will contact you and request the additional documents within 3 weeks.
- If the requested additional documents are not received in time, the application will be rejected without further notice.
- After a decision has been made on your application, you will receive notification of either acceptance or rejection.
- If you are included in the pre-selection list, you may be appointed as an insolvency administrator in future insolvency proceedings by the relevant insolvency judge
- However, you have no legal entitlement to be appointed as insolvency administrator.
- If your inclusion on the pre-selection list is rejected, you have the option of filing an application for a court decision with the Court of Appeal pursuant to section 23 of the Introductory Act to the Judicature Act (EGGVG) within one month of becoming aware of the decision.

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**Bearbeitungsdauer**

- When your application has been received, you will receive a confirmation of receipt.
- The decision on inclusion in the shortlist is only made once a year, therefore no specific processing time can be stated.
- The decision as to whether you are included or not is usually made at the beginning of the year by the judges of the insolvency court.

**Frist**

- There are no fixed application deadlines. The decision on inclusion in the pre-selection list is generally made at the beginning of each year - deviations are possible.
- The admission procedure ends without entry in the pre-selection list if, after a corresponding subsequent request from the insolvency court, you do not provide evidence of the prerequisites within three weeks, do not submit all the required documents or refuse to have the documents checked.
- If the application is successful, the inclusion in the pre-selection list is valid for an initial period of presumably 2 years. At the end of this period, you are likely to be asked again to submit updated data and, where appropriate, supporting documents.
- If your inclusion on the pre-selection list is refused, you have the opportunity to file an application for a court decision pursuant to Section 23 of the Introductory Act to the Judicature Act (EGGVG) within one month of becoming aware of the decision.

**weiterführende Informationen**

<https://neu.insolvenzbekanntmachungen.de/ap/>  
<https://neu.insolvenzbekanntmachungen.de/ap/>

**Hinweise**
**Rechtsbehelf**

An application may be made to the Court of Appeal against the decision not to be included on the list pursuant to section 23(1) of the Introductory Act to the Judicature Act (EGGVG).

**Kurztext**

- Processing of inclusion in the pre-selection list for insolvency administrators Implementation
  - Inclusion on the shortlist is generally a prerequisite for being appointed as an insolvency administrator.
  - Exceptions are possible; depending on the insolvency court responsible, insolvency administrators who are not on a pre-selection list may also be

| Modul             | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                   | <p>appointed</p> <ul style="list-style-type: none"> <li>• Only written applications possible</li> <li>• There is a binding questionnaire for applications</li> <li>• Even if you are on the shortlist, there is no guarantee that you will be appointed as an insolvency administrator.</li> <li>• The decision to appoint an insolvency administrator is made by the insolvency judge</li> <li>• There is no direct training or study to become an insolvency administrator</li> <li>• There are professional, technical, organisational and personal requirements</li> <li>• All requirements set must be met</li> <li>• Responsible: Insolvency Court</li> </ul> |
| Ansprechpunkt     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Zuständige Stelle |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Formulare         | <ul style="list-style-type: none"> <li>• Forms: Questionnaire of the competent insolvency court</li> <li>• Online service: no</li> <li>• Written form required: yes</li> <li>• Personal appearance required: no</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Ursprungsportal   | <p>Processing of inclusion in the preselection list for insolvency administrators Implementation, Abwicklung der Aufnahme in die Vorauswahlliste für Insolvenzverwalter Durchführung</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |