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Insolvency administrator appointment

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/121360699/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99066001061000, 99066001061000
Leistungsbezeichnung I	Insolvency administrator appointment
Leistungsbezeichnung II	Appointment of an insolvency administrator in insolvency proceedings
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	Bestellung (061)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Sanierung und Insolvenz (2160300)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.04.2021
Fachlich freigegeben durch	Ministry of Justice of the State of North Rhine-Westphalia
Handlungsgrundlage	§ Section 56 of the Insolvency Code (InsO) https://www.gesetze-im-internet.de/inso/_56.html https://www.gesetze-im-internet.de/inso/_56.html
Teaser	If you wish to act as an insolvency administrator or trustee, you must have been appointed by the competent insolvency court.
Volltext	<p>The insolvency court must appoint a natural person who is suitable for the individual case, in particular someone who is knowledgeable in the business and independent of the creditors and the debtor (read more about this under Requirements for an insolvency administrator).</p> <p>The appointment of an insolvency administrator usually takes place in a two-stage procedure.</p> <p>Pre-selection procedure</p> <p>Insolvency proceedings are classified as summary court proceedings. If an application to open insolvency proceedings is received by the insolvency court, a (provisional) insolvency administrator or insolvency expert must be appointed promptly. A comprehensive examination of all selection criteria in this limited time frame can pose a considerable challenge for all persons involved. To avoid this problem, suitable persons can apply to an insolvency court for inclusion on a so-called pre-selection list outside of specific insolvency proceedings.</p> <p>As part of this upstream pre-selection procedure, the insolvency court checks whether you meet the general requirement criteria for appointment as an insolvency administrator in abstract terms. The decisive advantage of this upstream examination is that all</p>

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parties involved have sufficient time to ask questions and submit any documents that are still required.

The pre-selection list must include every applicant who meets the basic requirements for general suitability, irrespective of the particularities of the individual insolvency proceedings.

As a rule, the respective insolvency courts have developed requirement criteria that must be met in order to be included on the respective pre-selection list. In order to simplify the process for all parties involved in the proceedings, the insolvency courts usually publish questionnaires (on their websites) which must be completed and returned.

Specific appointment

The insolvency court decides which person is appointed as insolvency administrator in the specific insolvency proceedings, taking into account all the circumstances of the individual case. The appointment is made by a court order. You will receive a certificate of your appointment. When your office ends, you must return the certificate to the insolvency court.

Erforderliche Unterlagen

Voraussetzungen

Kosten

Verfahrensablauf

Ask the insolvency court that you wish to be appointed by about the requirement criteria.

- The insolvency courts usually provide corresponding questionnaires on their websites.
- Download the questionnaire.
- Complete the questionnaire, attach the necessary documents and send these documents to the insolvency court with your application for inclusion in the pre-selection list.

Bearbeitungsdauer

Frist

Modul	Sachverhalt
weiterführende Informationen	https://www.justiz.nrw.de/BS/formulare/insolvenz/index.php https://www.justiz.nrw.de/Gerichte_Behoerden/ordentliche_gerichte/Zivilgericht/insolvenzverfahren/index.php
Hinweise	<p>If self-administration is ordered, a trustee is appointed instead of the insolvency administrator.</p> <p>In restructuring proceedings under the StaRUG, a restructuring officer may be appointed.</p>
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Appointment of an insolvency administrator in insolvency proceedings • Inclusion in the pre-selection list
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Insolvency administrator appointment, Insolvenzverwalter Bestellung