

99066010000000, 99066010000000

Supplementary distribution

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/121361826/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99066010000000, 99066010000000
Leistungsbezeichnung I	Supplementary distribution
Leistungsbezeichnung II	Subsequent distribution of insolvency assets still accruing
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
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Sanierung und Insolvenz (2160300)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	29.04.2021
Fachlich freigegeben durch	Ministry of Justice of the State of North Rhine-Westphalia
Handlungsgrundlage	§§ Sections 203 et seq. Insolvency Code (InsO) https://www.gesetze-im-internet.de/insol/_203.html https://www.gesetze-im-internet.de/insol/_203.html
Teaser	The insolvency court may order a supplementary distribution ex officio or upon application in order to distribute the proceeds of assets that are part of the insolvency estate and are still available to the creditors (after the closing date).
Volltext	<p>As soon as the liquidation has been completed, the insolvency administrator generally distributes the remaining insolvency assets to the creditors at the end of the insolvency proceedings after deducting the costs, among other things (so-called final distribution).</p> <p>In exceptional cases, however, it is conceivable that there may be proceedings in which the liquidation has been largely completed, but individual (possibly very time-consuming) liquidation measures are still outstanding. In these special procedural constellations, the insolvency estate can (if certain conditions are met) be partially distributed to the creditors and a supplementary distribution can be ordered for the remaining insolvency estate.</p> <p>The supplementary distribution relates to the proceeds from the insolvency estate which, for various reasons, only arose or could only be realized after the closing date (towards the end of the insolvency proceedings). The following reasons are conceivable, among others:</p> <ul style="list-style-type: none"> • retained amounts become available for distribution • Amounts that initially had to be paid from the insolvency estate flow back into the insolvency estate • further items of the estate are identified. <p>If the requirements for a supplementary distribution are met, the insolvency court can order the supplementary distribution ex officio. In addition, both</p>

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	the insolvency administrator and the creditors have the right to apply for a supplementary distribution (read more about this under Applying to the insolvency court for a supplementary distribution order).
Erforderliche Unterlagen	
Voraussetzungen	<p>Supplementary distribution may be ordered ex officio or on application if,</p> <ul style="list-style-type: none"> • the final meeting in the insolvency proceedings has already been held • registered and established creditor claims have not yet been settled in full, • (existing) assets attributable to the insolvency estate have not yet been distributed to the creditors. • a positive cost-benefit ratio would have to be determined by the insolvency court as part of its consideration, • a corresponding supplementary distribution has not yet been ordered (ex officio or on the basis of another application), • the applicant is an insolvency creditor.
Kosten	If the insolvency court denies an acceptable cost-benefit ratio of the supplementary distribution, it can make this dependent on the payment of an advance on costs to cover the costs of the supplementary distribution. This advance on costs must then be paid by the applicant.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	https://www.justiz.nrw.de/BS/formulare/insolvenz/index.php
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Subsequent distribution of insolvency assets • Application is made by the insolvency administrator or insolvency creditor; alternatively, the insolvency

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	court can also order this ex officio (i.e. on its own initiative)
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Supplementary distribution, Nachtragsverteilung