

99066010088000, 99066010088000

# Supplementary distribution order

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/121361827/L100002>

| Modul                         | Sachverhalt  |
|-------------------------------|--|
| Leistungsschlüssel            | 99066010088000, 99066010088000                                       |
| Leistungsbezeichnung I        | Supplementary distribution order                                     |
| Leistungsbezeichnung II       | Apply to the insolvency court for a supplementary distribution order |
| 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           | Anordnung (088)  |
| 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)<br><a href="https://www.gesetze-im-internet.de/insol/_203.html">https://www.gesetze-im-internet.de/insol/_203.html</a><br><a href="https://www.gesetze-im-internet.de/insol/_203.html">https://www.gesetze-im-internet.de/insol/_203.html</a>   |
| Teaser                     | Insolvency creditors can apply for a supplementary distribution if assets that are part of the insolvency estate are still available and have not yet been distributed to the creditors (after the closing date).  |
| Volltext                   | <p>The supplementary distribution enables creditors to access assets that are to be allocated to the insolvency estate but which, for legal or factual reasons, could not yet be taken into account in the final distribution and therefore could not be distributed to the creditors. The following reasons are conceivable for this, among others:</p> <ul style="list-style-type: none"> <li>• retained amounts become available for distribution</li> <li>• Amounts that initially had to be paid from the insolvency estate flow back into the insolvency estate</li> <li>• Further items of the estate are identified</li> </ul> <p>If the requirements for a supplementary distribution are met, the insolvency court can order the supplementary distribution ex officio. In addition, both the insolvency administrator and the creditors have the right to apply for a supplementary distribution.</p> |
| Erforderliche Unterlagen   | Application to be made in writing or for the record at the office.   |
| Voraussetzungen            | <p>Supplementary distribution may be applied for if</p> <ul style="list-style-type: none"> <li>• the final meeting in the insolvency proceedings has already been held</li> <li>• registered and established creditor claims have not yet been settled in full,</li> <li>• (existing) assets attributable to the insolvency estate have not yet been distributed to the creditors,</li> <li>• a positive cost-benefit ratio would have to be determined by the insolvency court as part of its</li> </ul>  |

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|------------------------------|---|
|                              | <p>consideration,</p> <ul style="list-style-type: none"> <li>• a corresponding supplementary distribution has not yet been ordered (ex officio or on the basis of another application),</li> <li>• the applicant is an insolvency creditor.</li> </ul>  |
| Kosten                       | <p>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.</p>  |
| Verfahrensablauf             | <ul style="list-style-type: none"> <li>• After the final distribution, there is still an asset that is to be allocated to the insolvency estate,</li> <li>• A supplementary distribution has not yet been ordered independently (ex officio) by the insolvency court.</li> <li>• Formulate your request in a letter to the insolvency court that was or is dealing with the insolvency proceedings and apply for a supplementary distribution.</li> </ul> |
| Bearbeitungsdauer            |   |
| Frist                        |   |
| weiterführende Informationen | <a href="https://www.justiz.nrw.de/BS/formulare/insolvenz/index.php">https://www.justiz.nrw.de/BS/formulare/insolvenz/index.php</a>   |
| Hinweise                     | <p>If a creditors' committee has (still) been appointed, its approval is required for the supplementary distribution.</p>   |
| Rechtsbehelf                 |   |
| Kurztext                     | <ul style="list-style-type: none"> <li>• Subsequent distribution of insolvency assets</li> <li>• Application is made by the insolvency administrator or insolvency creditor; alternatively, the insolvency court can also order it ex officio</li> </ul>  |
| Ansprechpunkt                |   |
| Zuständige Stelle            |   |
| Formulare                    |   |

| Modul           | Sachverhalt  |
|-----------------|--|
| Ursprungsportal | Supplementary distribution order, Nachtragsverteilung<br>Anordnung |