

99103001044000, 99103001044000

Foundation with legal capacity Cancellation

Heruntergeladen am 30.06.2025

<https://fimportal.de/xzufi-services/121390550/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99103001044000, 99103001044000
Leistungsbezeichnung I	Foundation with legal capacity Cancellation
Leistungsbezeichnung II	Applying for the dissolution of a foundation with legal capacity
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	Stiftungen (103)
Verrichtungskennung	Aufhebung (044)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten)

Modul	Sachverhalt
Lagen Portalverbund	Anmeldepflichten (2010100), Engagement und Beteiligung (1100100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	14.02.2023
Fachlich freigegeben durch	Ministry of the Interior of the State of North Rhine-Westphalia
Handlungsgrundlage	http://www.gesetze-im-internet.de/bgb/_87.html https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=6930&anw_nr=2&aufgehoben=N&det_id=221287 https://recht.nrw.de/lmi/owa/br_bes_detail?bes_id=6930&aufgehoben=N&det_id=221292&anw_nr=2&menu=0&sg=0 https://recht.nrw.de/lmi/owa/br_bes_detail?bes_id=6930&aufgehoben=N&det_id=221296&anw_nr=2&menu=0&sg=0 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=3321&anw_nr=2&aufgehoben=N&det_id=462379 https://recht.nrw.de/lmi/owa/br_show_anlage?p_id=46408 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=4844&anw_nr=2&aufgehoben=N&det_id=614707 http://www.gesetze-im-internet.de/bgb/_87.html https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=6930&anw_nr=2&aufgehoben=N&det_id=221287 https://recht.nrw.de/lmi/owa/br_bes_detail?bes_id=6930&aufgehoben=N&det_id=221292&anw_nr=2&menu=0&sg=0 https://recht.nrw.de/lmi/owa/br_bes_detail?bes_id=6930&aufgehoben=N&det_id=221296&anw_nr=2&menu=0&sg=0 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=3321&anw_nr=2&aufgehoben=N&det_id=462379 https://recht.nrw.de/lmi/owa/br_show_anlage?p_id=46408 https://recht.nrw.de/lmi/owa/br_bes_detail?sg=0&menu=0&bes_id=4844&anw_nr=2&aufgehoben=N&det_id=614707

Modul	Sachverhalt
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Teaser	You can use this service to apply to the relevant foundation authority to dissolve your foundation.
Volltext	You cannot have your foundation dissolved without good reason. To be able to dissolve your foundation, you need the consent of the relevant authorities. These include the foundation authority and may also include the church authorities, the state cabinet or the board of directors of the respective savings bank. Which authority must give its consent to the dissolution of your foundation depends on the type of foundation you have. If all requirements are met, the foundation can be dissolved.
Erforderliche Unterlagen	• Signed application • Minutes of the meetings of the foundation bodies involved • Reasons for the dissolution • If required and already available: written consent from the relevant responsible bodies in the case of church and charitable foundations, savings bank foundations and foundations pursuant to Section 15 (3) of the Foundation Act for the State of North Rhine-Westphalia (StiftG NRW)
Voraussetzungen	• You must be eligible to apply for dissolution • A dissolution requires certain prerequisites: the purpose of the foundation can no longer be realized or the statutes stipulate dissolution or the foundation endangers the common good • In the case of an ecclesiastical foundation, the approval of the ecclesiastical supervisory authority is required • In the case of foundations in accordance with Section 15 (3) of the Foundation Act for the State of North Rhine-Westphalia (StiftG NRW), you require the approval of the relevant specialist department • For savings bank foundations, you require the approval of the administrative board of the savings banks
Kosten	- Administration fee: EUR 50 - 5,000. - For foundations whose purpose has been recognized as charitable,

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	benevolent or ecclesiastical: free of charge.
Verfahrensablauf	You can apply for the dissolution of a foundation with legal capacity as follows: • To initiate the process to dissolve your foundation, you must submit an application signed by the persons authorized to represent the foundation, together with all the required documents, to the relevant foundation authority. • They will check that the documents are complete. • Depending on whether it is a perpetual foundation or an endowment foundation, the requirements for dissolution are different. • Before the foundation authority approves a dissolution, it may check whether a dissolution can be prevented by modifying the foundation statutes. • If the conditions for the dissolution of the foundation are met, it will be approved. • If your foundation is a foundation pursuant to Section 15 (3) of the Foundation Act for the State of North Rhine-Westphalia (StiftG NRW) or a church foundation, other bodies may have to approve your application. • The foundation authority will inform you of the outcome of the process. • Once your foundation has been dissolved, the foundation authority will automatically delete it from the foundation register. • If a blocking year still has to be observed in liquidation proceedings, the foundation will only be deleted from the register after this blocking year has expired.
Bearbeitungsdauer	The processing time depends on the individual case and the number of agencies to be involved. The law stipulates a maximum processing period of six months. However, this can be extended once if necessary.
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	

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Kurztext	• Applying for the dissolution of a foundation with legal capacity • In order to submit an application, the applicant must provide the required information and documents • The documents are reviewed by the foundation authority • Other stakeholders may also be involved in the process, depending on the type of foundation • In order to prevent a revocation, the modification of the foundation charter can be brought forward • The applicant receives notification of the outcome of the revocation process • Competent foundation authority of the federal state
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Foundation with legal capacity Cancellation, rechtsfähige Stiftung Aufhebung