

99119004060004

Register of associations, apply for registration

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Modul	Sachverhalt
Leistungsschlüssel	99119004060004
Leistungsbezeichnung I	Register of associations, apply for registration
Leistungsbezeichnung II	Register of associations, apply for registration
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § 55a Bürgerliches Gesetzbuch (BGB) – Elektronisches Vereinsregister • § 56 BGB – Mindestmitgliederzahl des Vereins • § 57 BGB – Mindestanforderungen an die Vereinssatzung • § 58 BGB – Sollinhalt der Vereinssatzung • § 59 BGB – Anmeldung zur Eintragung • § 60 BGB – Zurückweisung der Anmeldung • § 64 BGB – Inhalt der Vereinsregistereintragung • § 77 BGB – Anmeldepflichtige und Form der Anmeldungen • Vereinsregisterverordnung (VRV) • Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (GNotKG), Anlage 1 (zu § 3 Absatz 2) Kostenverzeichnis, Nummer 21100 folgende Notargebühren • § 40a Beurkundungsgesetz (BeurkG) • § 60a Absatz 1 Abgabeordnung (AO) - Feststellung der satzungsmäßigen Voraussetzungen • § 51 AO - Allgemeines • § 59 AO - Voraussetzung der Steuervergünstigung • § 60 AO - Anforderungen an die Satzung • § 61 AO - Satzungsmäßige Vermögensbindung
Teaser	<p>If your association is to acquire legal capacity, you must apply for entry in the register of associations. It is recommended that all members of the executive board apply for registration, even if the law stipulates that registration by the members of the executive board who are authorised to represent the association in accordance with the articles of association is sufficient</p>
Volltext	<p>Application for entry in the register of associations by means of a publicly certified declaration before a notary public</p> <p>If your association is to acquire legal capacity, you must apply for entry in the register of associations. It is recommended that all members of the executive board</p>

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apply for registration, even if the law stipulates that registration by the members of the executive board who are authorised to represent the association in accordance with the articles of association is sufficient

Changes in the association's statutes and in the composition of the executive board must also be registered in the register of associations.

Erforderliche Unterlagen

- a publicly certified declaration of registration
- a copy of the statutes of the association
- a copy of the deeds appointing the executive committee

Depending on the content of the articles of association, further documents may be required. It is therefore advisable to coordinate both the draft of the articles of association and the procedure in connection with the registration in advance with the competent legal officer at the register of associations.

Voraussetzungen

The association must

- have at least seven members,
- have a board of directors that is not completely excluded from representing the association, and
- have a constitution.

The association's statutes must be

- be written in German and
- be signed by at least seven members
- contain the date of establishment
- the purpose,
- the name and
- the registered office of your association as well as
- stipulate that your association is to be entered in the register of associations.

Furthermore, the statutes should contain provisions

- on the admission and withdrawal of members,
- whether and what contributions are to be paid by members,
- on the formation of the executive committee,

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- on the conditions under which the general meeting is to be convened,
- the form of appointment, and
- on the certification of resolutions.

Kosten

- Notary fees for the public certification of the declaration.
- if applicable, further costs for drafting the articles of association and preparing the registration
- further costs (depending on the value of the object) if the notary's office is also commissioned with the transmission of the certified documents to the registration court

Note: Associations that exclusively and directly pursue non-profit or charitable purposes within the meaning of the German Fiscal Code (Abgabenordnung) are exempt from paying court fees for the initial registration and for a subsequent entry in the register of associations, insofar as the matter does not concern a taxable commercial business.

Verfahrensablauf

Arrange an appointment with a notary's office at which all members of the board who are authorised to represent are present. At your request, the notary will advise you on the wording of the declarations and the application.

- The notary public receives the declarations of the members of the executive board authorised to represent the company for the application for entry in the register and certifies them. Public certification by means of video communication is permissible.
- The notary's office submits the certified declarations and other documents on your behalf to the competent register court for registration.
- You may also submit the notarially certified declarations with the further documents to the registry court yourself.

Changes

Have important details about your association, such as the registered office or the authorised representatives, changed? Then please have the register entry

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	<p>corrected immediately.</p> <p>The entry will be made in the same way as the application.</p>
Bearbeitungsdauer	
Frist	none
weiterführende Informationen	
Hinweise	<ul style="list-style-type: none"> • If you, as an association that exclusively and directly pursues charitable purposes as defined in the Ordinance on Tasks, wish to claim exemption from fees for registration, you must provide proof of this to the register of associations. • For this purpose, you can submit with the application either a current notice pursuant to section 60a, paragraph 1 of the German Fiscal Code (AO) on the determination of compliance with the statutory requirements pursuant to sections 51, 59, 60 and 61 of the AO or a valid notice of exemption for corporation tax and trade tax (not older than three years). • Even if you do not yet have such a certificate, but have applied for it or will apply for it in the near future, you should already point out this special feature of your association in the registration.
Rechtsbehelf	<p>If the registry court refuses entry in the register of associations, an appeal pursuant to section 382 (4) sentence 2 FamFG or, if applicable, an appeal on a point of law pursuant to section 70 (1) FamFG may be filed.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	