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Establishment of a cooperative - registration in the register of cooperatives

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/209236435/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99044001060000, 99044001060000
Leistungsbezeichnung I	Establishment of a cooperative - registration in the register of cooperatives
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Genossenschaftsregister (044)
Verrichtungskennung	Eintragung (060)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung

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	eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten)
Lagen Portalverbund	Eintragung in Register (2020100), Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	22.08.2017
Fachlich freigegeben durch	Thuringian Ministry for Economy, Science and Digital Society
Handlungsgrundlage	http://www.gesetze-im-internet.de/geng/ https://www.gesetze-im-internet.de/genregv/_6.html https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/gnotkg/ http://www.gesetze-im-internet.de/hreggebv/anlage.html http://www.gesetze-im-internet.de/geng/ https://www.gesetze-im-internet.de/genregv/_6.html https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/gnotkg/ http://www.gesetze-im-internet.de/hreggebv/anlage.html
Teaser	You must apply for registration of a cooperative in the register of cooperatives at the competent office.
Volltext	The cooperative is a company without a closed number of members with the purpose of promoting the acquisition or the economy of its members or their social or cultural interests by means of joint business operations. In accordance with this purpose, the aim of the cooperative is the self-help of its members through mutual promotion. Members can be natural persons, legal entities, general partnerships and limited partnerships. According to § 4 GenG, at least three members are required to found a cooperative. These decide on articles of association in accordance with § 5 GenG. An "unregistered cooperative" comes into being when the articles of association are signed. In order to obtain legal capacity, the cooperative must be applied for

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entry in the register of cooperatives (§ 11 GenG).

Erforderliche Unterlagen

Registration - electronically in publicly certified form - by all members of the Executive Board (§§ 11 (1), 157 GenG; § 9 HGB; § 1 GenRegV).

Content of the registration:

- Board members with date of birth and place of residence
- the power of representation of the executive board members (§ 11 Para.3 GenG) - here both the abstract regulation for the executive board and the concrete regulation for individual executive board members if it deviates from the abstract regulation
- location of the business premises (§ 24 subsection 2 HRV in conjunction with § 1 GenG)

documents to be attached to the application in electronic form (§ 12 subsection 2 HRG; § 7 subsection 3 GenRegV):

a) the articles of association, signed by the members participating in the formation and who have joined by the time of filing; at least three members are required (§§ 4,5,11 Paragraph 2 No.1 GenG)

The signature of the foundation protocol, to which the articles of association are attached, is sufficient.

b) Documents on the appointment of the board of directors and, if appointed, the supervisory board.

Simple copies of the election protocols are sufficient.

c) certificate from the auditing association that the cooperative has been admitted to membership (§ 11 Para. 2 No. 3, 54 GenG)

d) an expert opinion of the auditing association as to whether the personal or economic circumstances, in particular the financial situation of the cooperative, are likely to endanger the interests of the members or the creditors of the cooperative (§ 11 Para.2 No.3 GenG)

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	e) any approvals for the cooperative's business operations if this is expressly stipulated in the applied regulation, e.g. approval in accordance with § 32 KWG pursuant to § 43 Para.1 KWG
Voraussetzungen	• At least 3 members • Cooperative audit by a cooperative association • Membership in a cooperative auditing association
Kosten	The formation costs depend on the size of the cooperative and whether the documents are complete at the time of formation or need to be corrected. The amount of the fee for registration is determined by the Court and Notary Fees Act in conjunction with the Ordinance on Fees in Commercial, Partnership and Cooperative Register Matters.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Simple appeal pursuant to §§ 58 et seq. in conjunction with § 382 FamFG if the register court refuses registration.
Kurztext	• Establishment of a Cooperative - Entry in the Register of Cooperatives • At least three members are required to establish a cooperative. These decide on articles of association. An "unregistered cooperative" comes into being when the articles of association are signed. In order to obtain legal capacity, the cooperative must be applied for entry in the register of cooperatives. • Application can be made in electronic form, enclosing the necessary documents. • Fees will be charged. • Responsible: Register Court at the Jena District Court.
Ansprechpunkt	The registration court at the Jena Local Court is

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	responsible for registration. https://www.thueringen.de/th4/olg/gerichte_in_thueringen/landgericht_gera/ags/amtsgericht_jena/kontakt/index.aspx https://www.thueringen.de/th4/olg/gerichte_in_thueringen/landgericht_gera/ags/amtsgericht_jena/kontakt/index.aspx
Zuständige Stelle	
Formulare	http://include-th.zfinder.de/IWFileLoader?tsaid_fileId=209236460&tsaid_oeld=1124739 http://include-th.zfinder.de/IWFileLoader?tsaid_fileId=209236460&tsaid_oeld=1124739
Ursprungsportal	Establishment of a cooperative - registration in the register of cooperatives, Gründung einer Genossenschaft - Eintragung in das Genossenschaftsregister