99050083016000, 99050083016000

Recognition of a private equity investment company as a corporate investment company in accordance with the Act on Private Equity Companies (UBGG)

Modul	Sachverhalt
Leistungsschlüssel	99050083016000, 99050083016000
Leistungsbezeichnung I	Recognition of a private equity investment company as a corporate investment company in accordance with the Act on Private Equity Companies (UBGG)
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	

Modul	Sachverhalt
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Anerkennung (016)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten), Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.11.2021
Fachlich freigegen durch	Lower Saxony Ministry of Economic Affairs, Labour, Transport and Digitalisation
Handlungsgrundlage	https://www.gesetze-im-internet.de/ubgg/__15.html https://voris.wolterskluwer-online.de/browse/document/cite/62cb3eb7-38c0-3911-b339-61a5e7dde4cc https://voris.wolterskluwer-online.de/browse/document/cite/70002dc3-867f-30e0-8b26-88c93fe516d2 https://www.gesetze-im-internet.de/ubgg/__15.html https://voris.wolterskluwer-online.de/browse/document/cite/62cb3eb7-38c0-3911-b339-61a5e7dde4cc https://voris.wolterskluwer-online.de/browse/document/cite/70002dc3-867f-30e0-8b26-88c93fe516d2
Teaser	Private equity investment companies that want to provide medium-sized companies with risk capital as a corporate investment company require appropriate recognition due to special organizational requirements for the form of the company.
Volltext	The business purpose of an investment company is to provide capital to other companies by acquiring, holding and managing investments. In this way, the capital adequacy of the economy is to be promoted. A company holding company requires recognition by the

Modul	Sachverhalt
	competent supreme state authority.
Erforderliche Unterlagen	A written application shall be accompanied by the following in original or as publicly certified copies: • The articles of association or the articles of association as amended, • the documents on the appointment of the Executive Board, the managing directors or general partners and the documents on the appointment of the Supervisory Board. • In the case of a holding company that is to be operated in the legal form of a partnership limited by or a partnership limited by shares and in which a general partner is a legal entity, in addition a certificate of appointment of the executive bodies of the legal person, • an up-to-date excerpt from the commercial register, or • a confirmation from the registration court that the entry of the company in the commercial register now depends only on recognition as a company holding company. • if the management company managing the investment company is subject to authorisation or registration under the German Investment Code, proof of a) the granting of the licence pursuant to § 20 (1) in conjunction with § 22 of the German Investment Code, or b) registration in accordance with Section 44 (1) of the German Investment Code.
Voraussetzungen	• Legal form of the AG, the GmbH, the KG and the KG on shares • The sole object of the investment company is the acquisition, holding, management and sale of shareholdings in companies • Company headquarters in Germany or the EU • Share capital of at least one million euros • The deposits must be paid in full.

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	• The transactions of the investment company must comply with the rules of § 3 and the investment limits of § 4 UBGG • The holding company may not hold any shareholdings in its parent company or a sister company • There may be no participations as a silent partner in the company holding company • The application must be properly and completely submitted in accordance with Section 15 (2) UBGG.
Kosten	
Verfahrensablauf	• Written application with associated annexes • Examination of the application documents for competence and completeness • In case of incompleteness: Request additional documents, if necessary later submission possible • If complete, the examination and decision will be made
Bearbeitungsdauer	The processing time depends on the testing effort.
Frist	There are no deadlines to be observed.
weiterführende Informationen	
Hinweise	The recognition authority notifies the competent register court of its recognition as a holding company. The recognition as a private equity company is published in the Federal Gazette.
Rechtsbehelf	You can file a complaint with the Administrative Court.
Kurztext	
Ansprechpunkt	Lower Saxony Ministry of Economic Affairs, Labour, Transport and Digitalisation
Zuständige Stelle	
Formulare	Forms/online services available: No Written form required: Yes Informal application possible: No

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	Personal appearance required: No
Ursprungsportal	Recognition of a private equity investment company as a corporate investment company in accordance with the Act on Private Equity Companies (UBGG), Anerkennung einer privaten Kapitalbeteiligungsgesellschaft als Unternehmensbeteiligungsgesellschaft nach dem Gesetz über Unternehmensbeteiligungsgesellschaften (UBGG)