

99066001061000, 99066001061000

Appointment of an insolvency administrator in insolvency proceedings

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/438399290/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99066001061000, 99066001061000
Leistungsbezeichnung I	Appointment of an insolvency administrator in insolvency proceedings
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	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	Bestellung (061)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen

Modul	Sachverhalt
Lagen Portalverbund	Sanierung und Insolvenz (2160300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	03.11.2021
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	http://www.gesetze-im-internet.de/inso/_56.html https://www.gesetze-im-internet.de/inso/_56.html http://www.gesetze-im-internet.de/inso/_56.html https://www.gesetze-im-internet.de/inso/_56.html
Teaser	If you wish to act as an insolvency administrator or as a trustee, you must have been appointed by the competent insolvency court.
Volltext	<p>As insolvency administrator, the insolvency court must appoint a natural person suitable for the respective individual case, in particular a natural person who is knowledgeable and independent of the creditors and the debtor (read more under "Requirements for an insolvency administrator").</p> <p>The appointment as insolvency administrator usually takes place in a two-stage procedure.</p> <p>Pre-selection procedure</p> <p>Insolvency proceedings are to be classified as summary proceedings. If an application for the opening of insolvency proceedings is received by the insolvency court, a (provisional) insolvency administrator or expert under insolvency law must be appointed promptly. A comprehensive review of all selection criteria in this limited window of time can be a significant challenge for everyone involved. In order to avoid this problem, suitable persons can already apply to an insolvency court for inclusion on a so-called pre-selection list outside of specific insolvency proceedings.</p> <p>As part of this preliminary selection procedure, the insolvency court checks whether you meet the general requirements criteria for appointment as insolvency</p>

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administrator in the abstract. The decisive advantage of this upstream examination is that all parties involved have sufficient time for queries and the subsequent submission of required documents.

Any applicant who meets the basic requirements for general suitability, detached from the particularities of the individual insolvency proceedings, must be entered in the pre-selection list.

As a rule, the respective insolvency courts have developed requirement criteria that must be met in order to be included on the respective pre-selection list. In order to make it easy for all parties to the proceedings, the insolvency courts usually publish questionnaires (on their websites), which must be completed and returned.

Specific order

The insolvency court decides which person is appointed as insolvency administrator in the specific insolvency proceedings, taking into account all the circumstances of the specific individual case. The person may be appointed from a pre-selection list maintained by the insolvency court, but this is not mandatory. The appointment is made by a court order. You will receive a certificate of your order. At the end of your office, you must return the document to the insolvency court.

Erforderliche Unterlagen

The criteria for inclusion on a so-called pre-selection list are determined by the insolvency judge for the list he or she maintains or several insolvency judges for a joint list. The type and format of the evidence to be provided as well as the required documents depend on the design of the respective pre-selection procedure.

Voraussetzungen

Paragraph 56(1) of the InsO is decisive. The criteria for inclusion on a so-called pre-selection list are determined by the insolvency judge for the list he or she maintains or several insolvency judges for a joint list.

https://www.gesetze-im-internet.de/inso/_56.html

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Kosten	
Verfahrensablauf	<p>Ask the insolvency court from which you want to be appointed about the eligibility criteria.</p> <ul style="list-style-type: none"> • Usually, the insolvency courts provide corresponding questionnaires on their websites. • Download the questionnaire. • Complete the questionnaire, attach the necessary documents and send these documents to the insolvency court with your application for inclusion in the shortlist. <p>The insolvency court decides which person is appointed as insolvency administrator in the specific insolvency proceedings, taking into account all the circumstances of the specific individual case. The appointment is made by a court order. You will receive a certificate of your order. At the end of your office, you must return the document to the insolvency court.</p>
Bearbeitungsdauer	individual
Frist	There are no deadlines to be observed.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	The contestation of the order by an applicant who has not been successful (competitor action) is excluded.
Kurztext	
Ansprechpunkt	<p>The insolvency court or the insolvency judges working therein.</p> <p>The district court in whose district a regional court has its seat is competent for insolvency proceedings is exclusively competent. https://www.justizadressen.nrw.de/de/justiz/suche https://www.justizadressen.nrw.de/de/justiz/suche</p>
Zuständige Stelle	

Modul	Sachverhalt
Formulare	
Ursprungsportal	Appointment of an insolvency administrator in insolvency proceedings, Bestellung eines Insolvenzverwalters in einem Insolvenzverfahren