

99044001060001, 99044001060001

Register a European Cooperative Society in the Register of Cooperatives

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/443860259/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99044001060001, 99044001060001
Leistungsbezeichnung I	Register a European Cooperative Society in the Register of Cooperatives
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	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	Anmeldepflichten (2010100), Eintragung in Register (2020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	08.04.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/aktg/_36.html https://www.gesetze-im-internet.de/hdlregvfg/_26.html https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32003R1435&from=SK https://www.gesetze-im-internet.de/sceag/SCEAG.pdf https://www.gesetze-im-internet.de/scebg/ https://www.gesetze-im-internet.de/geng/ https://www.gesetze-im-internet.de/genregv/BJNR001500889.html https://www.gesetze-im-internet.de/umwg_1995/ https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/aktg/_36.html https://www.gesetze-im-internet.de/hdlregvfg/_26.html https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32003R1435&from=SK https://www.gesetze-im-internet.de/sceag/SCEAG.pdf https://www.gesetze-im-internet.de/scebg/ https://www.gesetze-im-internet.de/geng/ https://www.gesetze-im-internet.de/genregv/BJNR001500889.html https://www.gesetze-im-internet.de/umwg_1995/
Teaser	You can register your cooperative as a European Cooperative Society. The application can only be carried out by a notary, an independent application is not possible.
Volltext	The European Cooperative Society is a form of enterprise which enables companies to carry out certain activities jointly while maintaining their

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autonomy.

You can only apply for registration in the case of a new establishment of a cooperative, a merger of existing cooperatives and in the context of a transformation of an existing cooperative through a notary.

A registered European cooperative society is considered to be a legal person which is itself the holder of rights and obligations. They and other members may be natural and legal persons. In a cooperative, as an individual member, you are normally not liable externally.

Erforderliche Unterlagen

In general, when setting up a new cooperative, you must

- the statutes of the cooperative,
- the certificate of appointment of the Management Board and the Supervisory Board, and
- the certificate of approval of an auditing association together with its expert opinion on the personal and economic circumstances

present.

A notary of your choice will advise you on the documents that deviate or additionally require in your case.

Voraussetzungen

In order for you to register a cooperative as a European cooperative society in the register of cooperatives, a cross-border connection is required. This means that you, the founders of the cooperative, reside in different Member States, are subject to the laws of different Member States or have had a foreign establishment or cooperative subsidiary for at least two years.

To be entered in the register of cooperatives, you must:

- have carried out a procedure for the involvement of your employees.
- Either create a new cooperative, merge at least two

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cooperatives or convert an existing cooperative.

- In the case of a new establishment of a European Company, you must have the formation carried out by five natural or legal persons or partnerships. Either you must be resident in at least 2 different member states of the European Union (EU) or at least two companies must be subject to the laws of different EU member states.
- If no natural persons are involved in the start-up, then two legal entities or partnerships can already set up a European Cooperative Society (SCE).
- If you want to merge two or more cooperatives in order to register a European Cooperative Society, then at least two of the companies must be subject to the cooperative law of different EU member states.
- And if you want to convert an existing cooperative in its legal form into a European cooperative, then the existing cooperative must have been founded in an EU member state and have its registered office or head office in an EU member state. In addition, the cooperative to be converted must have a branch or cooperative subsidiary that has existed for at least two years in another EU member state and is subject to the law applicable there.

Kosten

Gebühr: 210€
Costs for a new registration
Gebühr: 350€
Costs of registration due to conversion under the UmwG

- Further costs depend strongly on the individual case and cannot be named as a lump sum. A notary of your choice can calculate the costs incurred in your case for you.
- Furthermore, you must bear the expenses for the public announcement of the registration.

Verfahrensablauf

- The notary will advise you on the application.
- The notary prepares the application in the required form as required by law.
- The notary sends the application in electronic form via the electronic court and administrative mailbox with an electronic signature to the competent registry court.
- The competent registry court will then contact you

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and demand an advance on costs in the amount of the anticipated costs.

- If the registry court objects to something after examining your documents, the court will contact you or your notary.
- Then you have the possibility to send any required subsequent deliveries.
- If the court refuses the registration, you will receive a negative court decision. You have the possibility to lodge a complaint against this.
- If, after checking your documents, there is no objection, you will be entered in the cooperative register. You will then receive a registration notification and a final cost invoice.
- If there are important changes such as the registered office, the legal form or the authorised representatives, you must notify these changes again to the register court via a notary.

Bearbeitungsdauer

according to § 26 Commercial Register Ordinance (HRV) in conjunction with § 1
 Genossenschaftsregisterverordnung Processing time: immediately, usually within 3 weeks, if no inquiries are required

Frist

The trade must be declared at the same time as the start of the activity. Beyond that, there are no deadlines.

weiterführende Informationen
Hinweise

https://www.handelsregister.de/rp_web/welcome.xhtml?sessionId=63348DC2799E9F0F19558142BD3F888F.tc03n01
https://www.handelsregister.de/rp_web/welcome.xhtml?sessionId=63348DC2799E9F0F19558142BD3F888F.tc03n01

Rechtsbehelf

In the event that the registration is not granted, you can appeal against this with the immediate appeal.

- This also applies to possible interim rulings by the register court, for example the subsequent request for documents.
- The complaint should be substantiated and must

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	<p>always be signed by you or your representative.</p> <ul style="list-style-type: none"> • You can file the complaint either via a lawyer, by post or for the minutes of the registry of the register court.
Kurztext	<ul style="list-style-type: none"> • Register a European Cooperative Society in the Register of Cooperatives • Registration must be applied for in accordance with the law of the country in which the registered office is established in the case of a new company • Registration must be applied for in the case of a merger of at least two cooperatives • Registration must be applied for in the case of a conversion of an existing cooperative • Registration can only be requested through a notary. • Responsible: The commercial register of the applicant
Ansprechpunkt	<p>The registry court is competent.</p> <p>Through your notary, you can apply for registration both in the case of a new establishment of a cooperative, a merger of existing cooperatives and in the context of a transformation of an existing cooperative. Every notary is able to do this.</p> <p>https://www.justizadressen.nrw.de/de/justiz/suche https://www.justizadressen.nrw.de/de/justiz/suche</p>
Zuständige Stelle	
Formulare	<p>To apply for the registration of a European Cooperative Society in the Register of Cooperatives, contact a notary. Without a notary, an application is not possible.</p>
Ursprungsportal	<p>Europäische Genossenschaft in das Genossenschaftsregister eintragen, Register a European Cooperative Society in the Register of Cooperatives</p>