

99066006016000, 99066006016000

# Debtor and consumer insolvency advice center - recognition

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/742761/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99066006016000, 99066006016000
Leistungsbezeichnung I	Debtor and consumer insolvency advice center - recognition
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	Insolvenz (066)
Verrichtungskennung	Anerkennung (016)
SDG-Informationsbereich	Eintragung, Änderung der Rechtsform oder Schließung eines Unternehmens (Registrierungsverfahren und Rechtsformen für geschäftliche Tätigkeiten), Erlangung

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	von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.10.2016
Fachlich freigegeben durch	This text was released by the Ministry of Migration, Justice and Consumer Protection.
Handlungsgrundlage	<p>§ Section 305 (1) no. 1 of the Insolvency Code (InsO) in conjunction with Section 1 (1) of the Thuringian Act on the Implementation of the Insolvency Code (ThürAGInsO) in conjunction with the Thuringian Ordinance on the Requirements for Suitable Bodies in Consumer Insolvency Proceedings and on the Recognition Procedure (ThürVIBSVO)</p> <p><a href="https://www.gesetze-im-internet.de/inso/BJNR286600994.html#BJNR286600994BJNG036401311">https://www.gesetze-im-internet.de/inso/BJNR286600994.html#BJNR286600994BJNG036401311</a></p> <p><a href="https://landesrecht.thueringen.de/bsth/document/jlr-InsOAGTH2006pP1">https://landesrecht.thueringen.de/bsth/document/jlr-InsOAGTH2006pP1</a></p> <p><a href="https://landesrecht.thueringen.de/bsth/document/jlr-VbrInsGStAVTHpELS">https://landesrecht.thueringen.de/bsth/document/jlr-VbrInsGStAVTHpELS</a></p> <p><a href="https://www.gesetze-im-internet.de/inso/BJNR286600994.html#BJNR286600994BJNG036401311">https://www.gesetze-im-internet.de/inso/BJNR286600994.html#BJNR286600994BJNG036401311</a></p> <p><a href="https://landesrecht.thueringen.de/bsth/document/jlr-InsOAGTH2006pP1">https://landesrecht.thueringen.de/bsth/document/jlr-InsOAGTH2006pP1</a></p> <p><a href="https://landesrecht.thueringen.de/bsth/document/jlr-VbrInsGStAVTHpELS">https://landesrecht.thueringen.de/bsth/document/jlr-VbrInsGStAVTHpELS</a></p>
Teaser	If you want to advise debtors as part of consumer insolvency proceedings, you need state recognition.
Volltext	In order to be allowed to advise debtors in the context of consumer insolvency proceedings, state recognition is required, which is granted by the Thuringian Ministry for Migration, Justice and Consumer Protection (TMMJV) by means of a notice.
Erforderliche Unterlagen	In accordance with Section 7 of the Thuringian Regulation on the Requirements for Suitable Bodies in

## Modul

## Sachverhalt

Consumer Insolvency Proceedings and on the Recognition Procedure (ThürVIBSVO), the application must be accompanied by

1. a certificate in accordance with Section 1 (1) sentence 2 no. 1 ThürAGInsO,
2. the articles of association and a current excerpt from the register of associations,
3. proof that a certificate of good conduct for the director has been applied for in accordance with Section 30 (5) of the Federal Central Criminal Register Act,
4. a written assurance from the director that no criminal proceedings are pending against him/her, that he/she is living in good financial circumstances and that he/she does not provide credit, financial, financial brokerage or similar services or has not done so in the five years prior to the application,
5. proof of the number of full-time counseling specialists as well as their qualifications and professional experience in debt counseling in accordance with §§ 2 and 3 ThürVIBSVO,
6. a business plan or a description of the financing of the office for which recognition is requested as proof of permanence in accordance with Section 1 (1) sentence 2 no. 3 ThürAGInsO,
7. a description of how the required legal advice is ensured in accordance with Section 1 (1) sentence 2 no. 5 ThürAGInsO,
8. a written assurance that none of the services listed in Section 1 (2) ThürAGInsO are provided in addition to consumer insolvency advice, as well as a declaration by the provider in accordance with Section 6 ThürVIBSVO,
9. a description of the facilities and location of the premises and details of opening hours
10. a concept for counseling activities and
11. confirmation of non-profit status in the case of non-municipal facilities.

## Voraussetzungen

The requirements for recognition are set out in Section 1 (1) of the Thuringian Act on the Implementation of the Insolvency Code (ThürAGInsO). According to this, advice centers can be recognized as suitable if

1. they are sponsored by a non-statutory welfare

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	<p>association or a member of an association, a district or a district-free city, a municipality, other legal entities under public law or a consumer advice center,</p> <ol style="list-style-type: none"> <li>2. they are managed by a reliable and sufficiently knowledgeable person who also monitors the reliability of the individual employees,</li> <li>3. they are established on a permanent basis,</li> <li>4. they employ at least one person who has sufficient practical experience in debt counseling,</li> <li>5. they provide the necessary legal advice and</li> <li>6. they meet the other professional requirements to be regulated by the ministry responsible for consumer insolvency advice by statutory order.</li> </ol> <p>Furthermore, according to Section 1 (2) ThürAGInsO, advice is excluded if credit, financial, financial brokerage or similar services are provided commercially in addition to consumer insolvency advice.</p>
Kosten	none
Verfahrensablauf	The application for recognition must be submitted in writing to the TMMJV. A decision on recognition will be made in the form of a notice containing information on legal remedies. An appeal against the negative decision can be lodged with the administrative court.
Bearbeitungsdauer	
Frist	Applications must be submitted in good time before the start of the consultation.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	It is possible to file a complaint with the competent administrative court.
Kurztext	<ul style="list-style-type: none"> <li>• In order to be allowed to advise debtors as part of consumer insolvency proceedings, state recognition is required.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Certain requirements must be met.</li> <li>• A written application must be submitted.</li> <li>• Responsible: Thuringian Ministry for Migration, Justice and Consumer Protection (TMMJV) - Department 40.</li> </ul>
Ansprechpunkt	Please contact the Thuringian Ministry for Migration, Justice and Consumer Protection - Department 40.
Zuständige Stelle	
Formulare	Informal application for recognition as a suitable body in consumer insolvency proceedings
Ursprungsportal	Schuldner- und Verbraucherinsolvenzberatungsstelle - Anerkennung, Debtor and consumer insolvency advice center - recognition