

99044001060001

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/108586/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99044001060001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Register of Cooperatives; Registration of a European Cooperative Society
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	08.01.2025
Fachlich freigegeben durch	Bundesministerium der Justiz und für Verbraucherschutz
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:32003R1435&from=SK https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:32003R1435&from=SK https://www.gesetze-im-internet.de/sceag/_3.html https://www.gesetze-im-internet.de/sceag/_3.html https://www.gesetze-im-internet.de/sceag/_17.html https://www.gesetze-im-internet.de/sceag/_17.html https://www.gesetze-im-internet.de/sceag/_35.html https://www.gesetze-im-internet.de/sceag/_35.html https://www.gesetze-im-internet.de/geng/_10.html https://www.gesetze-im-internet.de/geng/_10.html https://www.gesetze-im-internet.de/geng/_14.html https://www.gesetze-im-internet.de/geng/_14.html https://www.gesetze-im-internet.de/geng/_157.html https://www.gesetze-im-internet.de/geng/_157.html https://www.gesetze-im-internet.de/aktg/_36.html https://www.gesetze-im-internet.de/aktg/_36.html https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/hgb/_12.html https://www.gesetze-im-internet.de/hdlregvfg/_26.html https://www.gesetze-im-internet.de/hdlregvfg/_26.html https://www.gesetze-im-internet.de/genregv/inhalts_bersicht.html https://www.gesetze-im-internet.de/genregv/inhalts_bersicht.html https://www.gesetze-im-internet.de/scebg/ https://www.gesetze-im-internet.de/scebg/ https://www.gesetze-im-internet.de/umwg_1995/ https://www.gesetze-im-internet.de/umwg_1995/
Teaser	You can establish a cooperative as a European Cooperative Society. The registration must be made electronically in publicly certified form by a notary public.
Volltext	You can apply for entry in the register of cooperatives through your notary public in the following cases:

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- in case of a new foundation of a European Cooperative Society
- in the case of a merger of already existing cooperatives
- in the case of conversion of an existing cooperative

A registered European Cooperative Society (SCE - "Societas Cooperativa Europaea") is considered a legal entity which is itself the bearer of rights and obligations. If the SCE has its registered office abroad but operates branches in Germany, you must register this branch as such for entry in the register of cooperatives and register a trade for it.

Erforderliche Unterlagen

- Required document/s When founding a European Cooperative, you must submit the following documents: Articles of Association of the cooperative Certificate of appointment of the Supervisory Board Certificate from a cooperative auditing association that the European Cooperative has been approved for membership. Depending on the structure of your case, different or additional documents may be required, which your notary will advise you on.

Voraussetzungen

- They must establish a new European Cooperative Society, merge at least 2 cooperatives into one European Cooperative, or convert an existing cooperative into a European Cooperative.
- A European Cooperative may be founded by at least 5 natural persons whose residences are located in at least 2 different Member States of the European Union (EU).
- A European Cooperative may also be formed jointly by a total of at least 5 natural persons and legal entities if the residences of the natural persons or the law governing the legal entities are located in at least 2 different member states of the EU.
- Without the participation of natural persons, at least 2 legal entities may establish a European Cooperative Society if the establishing legal entities are governed by the laws of at least 2 different Member States of the EU.
- 2 or more cooperatives may merge with each other to

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form a European Cooperative, if at least 2 of the merging cooperatives are governed by the laws of different member states of the EU.

- An existing cooperative can be converted into a European Cooperative if the existing cooperative has been founded in a member state of the EU, has its registered office or head office in a member state of the EU and has a branch office or cooperative subsidiary which has existed for at least 2 years in another member state of the EU and is subject to the law applicable there.
- You must involve your employees when establishing, merging or converting the cooperative. In principle, this requires have an agreement on employee participation, the negotiating body has decided not to enter into negotiations or to break off negotiations, or the negotiation period has expired.
- The European Cooperative must be admitted to join a cooperative auditing association.

Kosten

- If the cooperative is formed with a notary, notary fees will be incurred depending on the assets of the cooperative or the circumstances of the individual case: If the value of the cooperative is EUR 50,000.00, for example, the costs amount to at least EUR 330.00 plus VAT and expenses. If the value of the cooperative is EUR 250,000.00, the costs amount to at least EUR 1,070.00 plus VAT and expenses.
- For the registration of the new cooperative with the register of cooperatives, the notary incurs costs for certification and the generation of an XML structure file. These usually amount to EUR 134.40. In addition, there shall be writing expenses as well as the statutory value added tax.
- If the cooperative is founded by way of transformation, the notary incurs costs for the registration of the transformation with the previous companies or cooperatives. These generally amount to EUR 87.50 each. Writing expenses as well as the statutory value-added tax shall be added to this.
- You will incur costs for the entry in the register of cooperatives. These generally amount to EUR 210.00.
- If the cooperative is founded by way of conversion, the registration costs amount to EUR 360.00. In this case, further fees are added for the registration of the

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	conversion with the companies or cooperatives to be converted.
Verfahrensablauf	<p>You must prepare your application with the assistance of a notary public.</p> <ul style="list-style-type: none"> • The notary public advises you, prepares the application in accordance with the statutory requirements and sends the application in electronic form and with an electronic signature to the electronic court and administrative mailbox of the competent registry court. • The competent registry court will contact you and request an advance on costs in the amount of the anticipated costs. • If the registration court has any objections after checking your documents, it will contact you or your notary. You can send any further documents or evidence that may be required. • If the court refuses registration, you will receive a negative court decision. • If there are no objections after checking your documents, the entry is made in the register of cooperatives. You will receive a registration notice and a final cost invoice. • If there are any important changes, you must notify them again via a notary for entry in the register of cooperatives, for example, changes relating to Registered office or company name, legal form or authorized representative.
Bearbeitungsdauer	
Frist	- In principle, you do not have to observe any deadlines.
weiterführende Informationen	https://www.handelsregister.de/ https://www.handelsregister.de/
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • If your application for registration of a European Cooperative Society is rejected, you may file an appeal with the district court within one month of notification.
Kurztext	

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Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal