

99066002058000

Insolvency proceedings implementation

Heruntergeladen am 19.07.2025

<https://fimportal.de/xzufi-services/S1000020010000013154/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99066002058000
Leistungsbezeichnung I	Insolvency proceedings implementation
Leistungsbezeichnung II	Conducting insolvency proceedings
Typisierung	4 - Land: Regelung
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Consumer bankruptcy, district court</div>, <div lang="en-x-mtfrom-de">Debt discharge, district court</div>, <div lang="en-x-mtfrom-de">Over-indebtedness, District Court</div>, <div lang="en-x-mtfrom-de">Insolvency, District Court</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	06.08.2024
Fachlich freigegeben durch	
Handlungsgrundlage	Section 13 paragraph 1 of the Insolvency Code (InsO) https://www.gesetze-im-internet.de/insol/_13.html
Teaser	You can apply for insolvency proceedings as debtor or as a creditor.
Volltext	You can apply for the opening of insolvency proceedings against the assets of a debtor if You are the debtor yourself (so-called self-application) or You are a creditor (so-called third-party application). Insolvency proceedings can be conducted, among other things, as consumer insolvency proceedings, Standard insolvency proceedings or Insolvency proceedings.
Erforderliche Unterlagen	Consumer insolvency proceedings: The application forms prescribed by law must be used. Standard insolvency proceedings against a company: There are no legally required forms. Insolvency courts generally have forms available on their websites. You can use them.
Voraussetzungen	The requirements vary depending on the type of insolvency proceedings.
Kosten	Insolvency proceedings are subject to costs. Court fees are charged. The amount depends on the value of the insolvency estate in each individual case. Under certain conditions, you can apply for a deferral of the procedural costs.
Verfahrensablauf	If an insolvency application is received by an insolvency court, the insolvency court will examine whether the application is admissible and well-founded during the insolvency opening proceedings. The insolvency court examines whether the costs of the insolvency

Modul	Sachverhalt
	proceedings can be paid. If all requirements are met, the insolvency court opens insolvency proceedings.
Bearbeitungsdauer	Consumer insolvency proceedings: The decision on the insolvency application usually takes only a few days. The procedure itself typically takes between six and 12 months. The procedure for discharge from residual debt takes three years from the opening of the insolvency proceedings. Standard insolvency proceedings against a company: The decision on the insolvency application takes between a few weeks and three months. The proceedings themselves, if initiated, usually take several years, on average three to five years, but often longer, in exceptional cases over ten years.
Frist	Different deadlines apply depending on the type of insolvency proceedings.
weiterführende Informationen	https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg https://justiz.hamburg.de/gerichte-segmente/ https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/gerichte-und-segmente/amtsgerecht-hamburg-mitte/segment-familie-betreuung-insolvenz/start-636986 https://justiz.hamburg.de/justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992 https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992 https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992
Hinweise	The residual debt relief procedure is particularly important for individuals. It allows you to be released from debts that were not paid off in the insolvency proceedings. The Insolvency Code also offers the possibility of making a different arrangement in an insolvency plan, particularly to preserve the company. Restructuring can also be carried out without judicial involvement on the basis of a restructuring plan pursuant to the provisions of the Corporate Stabilization and Restructuring Act (StaRUG). This Act provides judicial instruments to support the

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	stabilization and restructuring process (such as a preliminary judicial review of a plan or the appointment of a restructuring officer).
Rechtsbehelf	immediate complaint
Kurztext	Joint satisfaction of the creditors of an insolvent debtor Realisation of the debtor's assets Distribution of proceeds If necessary, different arrangements may apply to maintain the company.
Ansprechpunkt	
Zuständige Stelle	District Court of Hamburg
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)