

99066007188000

Creditors' meeting convening

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/S1000020010000013443/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99066007188000
Leistungsbezeichnung I	Creditors' meeting convening
Leistungsbezeichnung II	Convening of the creditors' meeting in insolvency proceedings
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Control body insolvency administration</div>, <div lang="en-x-mtfrom-de">Court date insolvency</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	17.06.2025
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Section 27 of the Insolvency Code (InsO) – Opening order https://www.gesetze-im-internet.de/insol/_27.html</p> <p>Section 29 InsO – Deadlines https://www.gesetze-im-internet.de/insol/_29.html</p> <p>Section 30 InsO – Announcement of the opening decision https://www.gesetze-im-internet.de/insol/_30.html</p> <p>Sections 74 et seq. InsO – Convening of the creditors' meeting https://www.gesetze-im-internet.de/insol/_74.html</p>
Teaser	<p>The creditors' meeting is a central body in insolvency proceedings. Here, the creditors jointly decide on the further course of the proceedings. It is convened by the court or at the request of a certain majority of creditors.</p>
Volltext	<p>As a creditor, you can actively participate in the insolvency proceedings. For this purpose, creditors' meetings are convened during the insolvency proceedings. Decisions regarding the further proceedings are made there. The creditors' meeting represents the interests of the creditors vis-à-vis the debtor and the insolvency administrator. The court can appoint a provisional creditors' committee even before the insolvency proceedings are opened. If the debtor company exceeds a certain size, this is even mandatory. The creditors vote on the further course of the proceedings at the meeting. The most important dates on which the creditors' meeting discusses and decides are Reporting date Examination date Discussion and voting date (in case of possible restructuring) Deadline In addition, you as a creditor or the insolvency administrator can request further meetings if certain conditions are met. The following may participate in the creditors' meeting: insolvency creditors creditors entitled to separate satisfaction</p>

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(representatives with written power of attorney)
 insolvency administrator Without voting rights, the following may attend the meeting: subordinated creditors the debtor Third parties (upon application with permission from the court) The tasks of the creditors' meeting are: Election or removal of the insolvency administrator: The creditors can decide whether the administrator appointed by the court remains in office or is replaced. Decision on the insolvency plan: If an insolvency plan exists (for example in the case of restructuring), the creditors must vote on it. Decision on the realisation of the insolvency estate, for example, whether the company is sold, closed down or continued. Monitoring of the insolvency administrator: Creditors can request reports. Appointment of a creditors' committee: The meeting may appoint a smaller committee for ongoing monitoring and participation. Decision on liabilities of the estate, i.e. liabilities that arise during the insolvency proceedings (for example through the continuation of the business).

Erforderliche Unterlagen

No

Voraussetzungen

The creditors' meeting is convened ex officio for:
 Reporting and audit date Discussion and voting date
 Deadline A creditors' meeting can be requested by the insolvency administrator the creditors' committee
 Separate satisfaction creditors and non-subordinated insolvency creditors who hold at least 40% of all separate satisfaction rights and principal claims. For five or more applicants, a share of 20% is sufficient. You are not making the request arbitrarily, but for an objectively justifiable reason. Your concerns are not outside the jurisdiction of the creditors' meeting.

Kosten

Gebühr: Es fallen keine Kosten an

Verfahrensablauf

You apply for a creditors' meeting at the insolvency court. The insolvency court sets the date for the creditors' meeting. The time, place, and agenda of the creditors' meeting will be publicly announced. If no written procedure has been decided upon, the insolvency court usually sets the first two dates (reporting and examination date) when the insolvency proceedings are opened. The further course of the

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	procedure depends on the specific circumstances of each individual case.
Bearbeitungsdauer	No
Frist	No
weiterführende Informationen	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 District Court does not provide legal advice. Please contact a lawyer or notary of your choice for advice. The Public Legal Information Service (ÖRA) offers affordable legal advice for people with low incomes.
Rechtsbehelf	The right of immediate appeal exists if the court rejects a requested creditors' meeting – for applicants revokes a resolution of the creditors' meeting – for creditors entitled to vote does not grant the requested annulment of a creditors' resolution – for applicants (except insolvency administrators)
Kurztext	<p>Creditors have the right to actively participate in the insolvency proceedings through a creditors' meeting. Decisions on further proceedings will be made there. The creditors' meeting represents the interests of the creditors vis-à-vis the debtor and the insolvency administrator. The court may appoint a provisional creditors' committee even before the insolvency proceedings are opened. This is mandatory for debtor companies of a certain size. The creditors vote on the further course of the proceedings at the meeting.</p> <p>Dates: Reporting date Examination date Discussion and voting date (in case of possible restructuring)</p> <p>Deadline Insolvency administrators and creditors may request further meetings if certain conditions are met.</p>

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 application with permission from the court) The tasks
 of the creditors' meeting are: Election or removal of the
 insolvency administrator Decision on the insolvency
 plan Decision on the realisation of the insolvency
 estate Monitoring of the insolvency administrator
 Appointment of a creditors' committee Decision on
 liabilities of the estate

Ansprechpunkt

Zuständige Stelle

Hamburg District Court

Formulare

Ursprungsportal

Hamburg Service, Hamburg Service (Currently this link
 is only available in german)