

Eintragung in das Handelsregister als juristische Person

Legal entities whose entry in the Commercial Register must be made with regard to the subject matter or the nature and scope of their business operations must be applied for entry by all members of the Management Board. You can find more information here.

Competent Department

- [Registergericht](#)

Basic information

The commercial register is a public register kept by the district courts. It serves to ensure legal certainty in commercial transactions by providing complete and reliable evidence of the factual and legal circumstances whose disclosure is of particular interest to the general public. Two sections are maintained:

- Department A: For sole traders and partnerships (e.K., OHG, KG).
- Department B: For corporations (GmbH, AG)

The commercial register enjoys public faith. This means that bona fide legal transactions are protected to a limited extent in their trust in the correctness of the entries and announcements.

The content of the entry is published ex officio in the electronic Federal Gazette. In principle, all entries are published in their full wording.

The entry in the commercial register must be filed in electronic form with the locally competent district court. The signature of the person or body authorized to represent the company must be certified by a notary public. Depending on the form of the company, different information must be provided and attachments must be included.

The obligation to register concerns those companies whose registration is not already guaranteed by other statutory provisions. This applies in particular to certain legal entities under public law (e.g. corporations, institutions or foundations under public law).

The management board required to register therefore also includes the representative body provided for under the relevant provisions of public law, e.g. the respective proprietary company.

Procedure

The registration of a company in the commercial register is generally carried out by a notary public.

The entry itself is made by the district court.

Legal bases

- [§ 12 Handelsgesetzbuch \(HGB\)](#)
- [Gerichts und Notarkostengesetz \(GNotKG\)](#)
- [Verordnung über Gebühren in Handels-, Partnerschafts- und Genossenschaftsregistersachen \(HRegGebV\)](#)
- [§§ 33, 34 Handelsgesetzbuch \(HGB\)](#)

More information

Please note that you must also notify the registry court of any changes relevant to the company, such as changes to the company name, registered office, granting or revocation of procuration, etc.

How long does it take to process

The registration court must decide on the registration immediately after receipt of the application. If all documents are available and no objections by the court are necessary, registrations are usually made within a few working days.

What are the costs?

The amount of the fee for the registration is determined by the Court and Notary Fees Act in conjunction with the Ordinance on Fees in Commercial, Partnership and Cooperative Register Matters. In addition, expenses are incurred for the public announcement of the registration.