

Eintragung in das Handelsregister

You want to know more about the commercial register? The Commercial Register contains entries about registered merchants and companies.

Competent Department

- [Registergericht](#)

Basic information

The Commercial Register is a public register that keeps records of registered merchants and companies in the district of the competent registration court and that provides information on the documents deposited there. The Commercial Register provides information about essential legal and economic circumstances ("facts") of merchants and companies and can be inspected by anyone.

Task of the Commercial Register

The purpose of the Commercial Register is to create legal certainty (for example, for the conclusion of contracts). It therefore contains information on the factual and legal circumstances of companies (for example, the exact company name, the company's registered office, branches, any limitations of liability, persons authorized to represent the company).

Lists of shareholders or minutes of general meetings can also be inspected at the local court.

Freely accessible information

All interested parties can inspect the Commercial Register at the District Court for information purposes and request an extract from the Commercial Register (subject to a fee).

Structure

The Commercial Register consists of 2 sections:

- Department A
Among others, sole traders (e.K.), general partnerships (OHG) and limited partnerships (KG) are registered here.

- Section B
This is where corporations such as limited liability companies (GmbH), stock corporations (AG) or partnerships limited by shares (KGaA) are entered.

Commercial rights and duties

Businessmen have the following rights and duties:

- Procuration
- Jurisdiction
- Guarantees
- Bookkeeping and accounting regulations

Procedure

To file an application, contact a notary public.

- The notary will advise you on the formulation of the application.
- The application is made exclusively by electronic means, and a publicly certified document is created for this purpose.
- The declaration is provided with a qualified electronic signature (within the meaning of § 39a Beurkundungsgesetz/BeurkG) and sent to the electronic court mailbox of the registry court.
- The registration court disposes of the registration in the internal court database and also publishes the registration on the Internet (www.handelsregisterbekanntmachungen.de).

Legal bases

- [§ 8 Handelsgesetzbuch \(HGB\)](#)
- [Handelsregisterverordnung](#)
- [§ 374 ff. Familienverfahrensgesetz \(FamFG\)](#)

More information

Electronic Commercial Register

Since January 1, 2007, the commercial register has been maintained exclusively electronically. Data from the following public registers is available on the joint Internet portal of the German register courts:

- Commercial Register
- Register of Cooperatives
- Partnership register
- Register of associations (in part)

Entry of a small business

Small businesses are companies that do not require business operations in a commercial manner.

If you run a small business, you do not have to register in the Commercial Register.

However, you may register in the Commercial Register. If you register, you can also get the registration "Kauffrau" or "Kaufmann" as a small trader.

What deadlines must be paid attention to?

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?

Fixed fees are charged for entries in the Commercial Register in accordance with the Commercial Register Fees Ordinance.