

Ordinance
amending the Hamburg Insolvency Table Ordinance and the Ordinance on electronic
legal transactions in Hamburg¹

Dated...

Article 1
Amendment of the Hamburg Insolvency Table Ordinance

Based on Section 5(4), second and third sentences, of the Insolvency Code of 5 October 1994 (BGBl. (Federal Law Gazette) I p. 2866), last amended on 15 July 2024 (BGBl. I No. 236, p. 1, 51), in conjunction with Section 1(3) of the Ordinance on the further transfer of electronic legal transactions of 2 January 2007 (HmbGVBl. p. 1, 2), last amended on 3 September 2024 (HmbGVBl. P. 197, 198), the following is decreed:

The Hamburg Ordinance on the automated management and electronic submission of tables under the Insolvency Code of 9 December 2025 (HmbGVBl. p. 804), is amended as follows:

1. Section 1 is amended to read as follows:

“Section 1

Subject matter covered by the ordinance

(1). This ordinance governs the automated management of the tables under the Insolvency Code and the electronic submission of the tables and related documents.

(2). In proceedings under the Insolvency Code where electronic case management is used, the automated management of the tables is governed by the Ordinance on electronic case management in the Hamburg Judiciary of 11 November 2025 (HmbGVBl. p. 604), as amended on 12 February 2026 (HmbGVBl. p. 79, 80), as amended, unless otherwise stated in the following provisions. The Ordinance governs the electronic submission of the tables on electronic legal transactions in Hamburg of 9 January 2025 (HmbGVBl. p. 150), last amended on ... [insert the dates of the amendment to the Ordinance on electronic legal

¹ *Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council, of 9 September 2015, laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17/09/2015, p. 1).*

transactions in Hamburg by Article 3 of this ordinance] (HmbGVBl. p. ...), as currently amended, unless otherwise provided for in Section 2.”

2. § 2 is amended as follows:

a) Paragraph 1 is amended as follows:

aa) In the first sentence, the phrase ‘in the proceedings referred to in Section 1’ is deleted.

bb) The following sentence is added:

“By way of derogation from the first sentence of Section 2(1) of the Ordinance on electronic legal transactions in Hamburg, they have to transmit the tables and the associated documents exclusively to the directly addressable mailbox of the insolvency court.”

b) The following new Paragraph 2 is inserted after Paragraph 1:

“(2) By way of derogation from Section 3(1) of the Ordinance on electronic legal transactions in Hamburg, the tables may be transmitted in only the ITR file format (insolvency data transfer file) in accordance with the interface description published on the website www.poststelle.justiz.hamburg.de or as a structured machine-readable data set in accordance with Section 3(3) of the Ordinance on electronic legal transactions in Hamburg.”

c) The previous Paragraph 2 becomes Paragraph 3.

Article 2

Ordinance on electronic legal transactions in Hamburg

Based on Section 5(4), second and third sentences, of the Insolvency Code of 5 October 1994 (BGBl. I p. 2866), last amended on 15 July 2024 (BGBl. I No. 236, p. 51), in conjunction with Section 1(3) of the Ordinance on the further transmission of electronic legal transactions of 2 January 2007 (HmbGVBl. p. 1, 2), last amended on 3 September 2024 (HmbGVBl. p. 197, 198), the following is decreed:

The Ordinance on Electronic Legal Correspondence in Hamburg of 09 January 2025 (HmbGVBl. p. 150), last amended on 12 February 2026 (HmbGVBl. p. 79) is amended as follows:

1. Article 2 paragraph 2 is amended as follows:

a) In Point 1, the comma at the end is replaced by the word “and”.

b) In Point 2, the word “and” is deleted.

c) Point (3) is deleted.

2. The third sentence in Section 3(1) is deleted.

3. In Point 1 of the Annex, the following text is deleted:

“Submission of tables and lists in accordance with Section 5(4) of the Insolvency Code	Dataport	1 January 2018.
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Article 3

Further amendment to the Ordinance on electronic legal transactions in Hamburg

Pursuant to section 135(1), second sentence, of the Land Register Act, as amended on 26 May 1994 (BGBl. I p. 1115), last amended on 22 June 2026 (BGBl. I No. 192, p. 1, 6), and Section 101, first sentence, of the Land Register Act as amended on 24 January 1995 (BGBl. I p. 115), last amended on 24 April 2025 (BGBl. I No 122, p. 1), in conjunction with Points 7(a) to (e) and 10(b) of the Single Paragraph of the Transfer Ordinance Land Registry Act of 21 March 1995 (HmbGVBl. p. 65), last amended on 23 March 2021 (HmbGVBl. p. 158, 159), the following is decreed:

In Section 3(1) of the Ordinance on electronic legal transactions in Hamburg of 9 January 2025 (HmbGVBl. p. 150), as last amended by Article 2 of this ordinance, the following sentences are inserted after the second sentence:

“In the case of submission pursuant to Section 1(2), for the permits, certificates and acknowledgements pursuant to § 20(1) of the Electronic Legal Transactions Ordinance (ERVV) of 24 November 2017 (BGBl. I p. 3803), last amended on 22 June 2026 (BGBl. I No. 192, p. 1, 3), as currently amended and, in the case of data records under Section 17(2) of the ERVV, the submission of such records as structured, machine-readable data records in XML (Extensible Markup Language) format is also permitted. If, for technical reasons, the land registry offices are unable to process a document submitted as a structured, machine-readable data set, a notice may be published on the website referred to in Section 2(1), third sentence, stating that submission is permitted solely in the formats specified in the first sentence.”

Article 4

Entry into force

Based on the legislation referred to in the preambles to Articles 1 to 3, the following is also decreed:

Article 3 shall enter into force on 1 January 2027. Otherwise, this act comes into force on the day following its promulgation.

Hamburg, this ...

The Authority for Justice and Consumer Protection

Justification for the ordinance

A. General part

This amending ordinance systematically reorganises the specific provisions governing the automated management and electronic submission of tables under the Insolvency Code within Hamburg's federal state legislation. The specific provisions previously set out in the Ordinance on electronic legal transactions in Hamburg (ERVV HA 2025) of 9 January 2025 (HmbGVBl. 2025, p. 150] regarding insolvency tables are incorporated into the more detailed Hamburg ordinance on the automated management and electronic submission of tables under the Insolvency Code (HmbInsTabVO) of 9 December 2025 (HmbGVBl. 2025, p. 804) [insert the dates of the amendment to the ordinance on electronic legal correspondence in Hamburg made by Article 3 of this ordinance](HmbGVBl. p.). At the same time, this amending ordinance is intended to introduce adjustments to the ERVV HA 2025 in line with the Act on the digitalisation of the execution of property contracts, the Judicial approval of notarial legal acts and the Tax Returns of Notaries of 22 June 2026 (eNoVA Act, BGBl. I No 192, p. 1).

B. Special part

Re: Article 1

Consolidating the special provisions set out in the HmbInsTabVO clarifies the legal position. It facilitates their application by bringing together all specific provisions relating to insolvency tables in a single ordinance. At the same time, the permissible electronic transmission channel and the technical requirements for transmission are clarified.

These changes will facilitate seamless, automatable processing of transmitted data within the court systems.

Re: Point 1

Section 1(1) defines the scope of application of the HmbInsTabV.

Insofar as the HmbInsTabV does not make any special arrangements for the automated management of the tables and their electronic submission, the Ordinance on electronic case management in the Hamburg judiciary of 11 November 2025 (HmbGVBl. P. 604) and the Ordinance on electronic legal transactions in Hamburg of 9 January 2025 (HmbGVBl. p. 150) apply. This is clarified in the new paragraph 2. This essentially corresponds to the previous single sentence of Section 1. However, we amended the wording to reflect that electronic submission of the tables will be mandatory in future, regardless of the file management format (see the amendment to Section 2(1)).

Re: Point 2

The amendments to Section 2 concretise the requirements for electronic submission. This clarifies the relationship between the general provisions of the ERVV HA 2025 and the specific statutory requirements for the insolvency tables.

Re: Letter a

Re: Double letter aa

In future, electronic submission of the tables and associated documents will be mandatory not only in proceedings where case files are managed electronically, but also in all other proceedings. In practice, paper submissions are already no longer accepted. Furthermore, it is not always clear to the person submitting the application whether the procedure is conducted electronically. A uniform regulation therefore avoids uncertainty as to the permissible form of submission.

Re: Double letter bb

The insertion of a further sentence determines the directly addressable mailbox of the insolvency court as the exclusive means of transmission for the submission of tables pursuant to Section 5(4) of the Insolvency Code and the associated documents. This prevents any uncertainty regarding responsibility and assignment when documents are received electronically. Section 2(1), second sentence, replaces the provision previously set out in Section 2(2) Point 3 ERVV HA 2025.

Re: Letter b

The new Section 2(2) clarifies the permissible technical formats for transmitting tables pursuant to Section 5(4) of the Insolvency Code to the insolvency court. This clarifies that, by way of derogation from Section 3(1) ERVV HA 2025, data may be transmitted in only the ITR format, which is suitable for further processing, or as a structured, machine-readable data record in accordance with Section 3(3) ERVV HA 2025. This takes up the previous provision in Section 3(1), second sentence, ERVV HA 2025. This provision previously also allowed submission in TAB format (MapInfo TAB format); this will no longer be the case. This format is obsolete and no longer maintained.

The restriction to the formats specified in Section 2(2) is intended to ensure that the data transmitted by liquidators is imported into the court systems in a uniform, seamless and technically reliable manner. For further details regarding the interface, please refer to the website www.poststelle.justiz.hamburg.de . The document already refers to the 'Interface specification for the transfer of data from liquidators to court systems', which was adopted by the Federal-State Commission for Data Processing and Rationalisation in the Judiciary (now the Federal-State Commission for information technology in the judiciary). In particular, the interface description regulates the file name convention, the character set, the structure of the data sets and the structural specifications required for processing.

The reference to the interface description published on page www.poststelle.justiz.de ensures that the transmitted tables are received in a standardised format that is geared towards automated processing in the specialist judicial procedure.

Re: Letter c

This is an editorial renumbering due to the insertion of a new Paragraph 2.

Re: Article 2

The amendments to the ERVV HA 2025 reflect changes made necessary by the amendment to the Hamburg Ordinance on the automated management and electronic submission of tables under the Insolvency Code. The deletions of the corresponding provisions are

intended to avoid any contradictions or duplications. The amendments are therefore purely consequential and have no substantive purpose beyond aligning the legislation with the special provisions of insolvency law.

Re: Article 3

The further amendments to ERVV HA 2025, which are to enter into force on 1 January 2027 in accordance with Article 4, are necessary in the light of the eNoVA Act. As a result of the amendments to the Building Code pursuant to Article 1 of the eNoVA Act, in conjunction with the new Chapter 7 of the Electronic Legal Transactions Ordinance of 24 November 2017 (BGBl. I p. 3803), last amended on 22 June 2026 (BGBl. I No. 192, p. 1, 3), (ERVV), from 1 January 2027, public authorities will transmit certain documents to notaries as structured, machine-readable data records in XML format. Notaries will then submit these to the land registry offices. To ensure that notaries do not have to convert these documents into PDF format, but can instead submit them to the land registry offices in their original format, the permissible file formats for submission by notaries to the land registry offices are expanded accordingly in Section 3.

In addition, according to Section 17 ERVV, certain judicial documents (authorisation decisions, negative certificates and certificates of legal force pursuant to Sections 41a and 46(2) of the Act on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction) are to be transmitted to the notaries in the future with an accompanying XML data set. Notaries must also submit these judicial documents to the land registry offices. In this case, the associated XML file is merely a supporting document, and submitting it to the land registry office alongside the main PDF should not be mandatory (see the explanatory memorandum to Section 17(2) ERVV, BR-Drs. 644/25, p. 70). Nevertheless, notaries should be enabled to transmit this structural file to the land registry office in addition to the documents, especially since it is not excluded that the land registry offices may use such structural data in the future.

The requirements for the two aforementioned structured machine-readable data sets are not to be regulated in the ERVV HA 2025 or in the notice pursuant to Section 5 ERVV HA 2025, as they arise directly from the ERVV (cf. Section 17(2) ERVV in the version in force from 1 October 2026, Section 20 ERVV in the version in force from 1 January 2027).

Although the SolumSTAR system currently used by land registry offices cannot yet process structured, machine-readable data records in XML format, current plans say the court will be able to process such data using a stylesheet from 1 January 2027.

If, contrary to expectations, a stylesheet will not yet be available at this point that enables the processing of the documents transmitted as a structured machine-readable data set, the new Section 3(1), fourth sentence, stipulates that in this case the submission of the document in PDF or TIFF format may be ordered on the website www.poststelle.justiz.de. In the future, this sentence can be repealed in a subsequent adaptation of the ERVV HA 2025 as soon as it is ensured that stylesheets at least guarantee processing.

Re: Article 4

Article 4 governs the entry into force. The amendments relating to the management and submission of insolvency tables should come into force immediately, whilst the amendments relating to the eNoVA Act are to come into force on 1 January 2027, in line with the entry into force of the new Chapter 7 ERVV. Although Section 17 ERVV is due to come into force on 1 October 2026, it is intended that it should come into force uniformly on 1 January 2027, particularly in view of the availability of the stylesheet required for processing the structural data sets. Since Section 17 ERVV concerns only accompanying structural data sets and the relevant document is available from the notaries in PDF format, this delay is harmless.