

GmbH & Co KG						
	GmbH & Co KG	Compulsory	Yes	No	Prohibited	GmbH & Co KG

Capital		Stammkapital etc.				
	minimum capital					25.000,- Euro for the GmbH
	initial paid-up capital					12.500,- Euro for the GmbH
	capital paying-up					The KG itself does not require any minimum capital. But the GmbH & Co KG is a KG, where the illimited liable shareholder (Komplementar) is a GmbH and the GmbH requires a minimum capital. See our comments to GmbH.
Shares		Gesellschaftsanteile				
	minimum amount					100,- Euro for the GmbH
	bearer shares					
	registered shares					
	multiple shares					
Shareholder		Gesellschafter				
	minimum number of shareholders		X			2
	maximum number of shareholders			X		
	minimum number of founders		X			2
	public shareholder					
	private shareholder					
	state's participation					
	nationality or residence requirements			X		
	shareholder meeting		X			

Board of directors						
	executive board					See comments to KG
	supervisory board					
	full managing powers					
	necessity an administrator of being partner					
	resident requirement			X		
President						
	elected by the shareholders meeting					
	elected by supervisory board					
	full managing powers					
	limitation of the power to third parties					

Rules of Governance						
	Memorandum of Association					
	Articles of Assosiation		X			
Account						
	publicity of annual financial statement			X		But the GmbH yes
statutory auditor						

Liabilities				Haftung	
	illimited liability		X		Basically the "Komplementar" is illimited liable, but in the case of the GmbH & Co KG the liability of the GmbH is limited and there is no liability of the shareholder of the GmbH.
	joint and several liability				
	liability limited by shares (to the contribution)		X		For the "Kommanditisten"
	limited by guarantee				
	criminal liability of the company				

Legal existence				Entstehung	
	prior administrative authorization or permit		X		
	beginning of the legal existence				With establishment of GmbH and beginning of activities.
	incorporation				
	Full legal capacity		X		
	partial legal capacity				
	power to go to the court		X		
Legal representative				Gesetzliche Vertreter	
	president				See our comments to board of directors
	delegated director (general power)				
	delegated director (special power)				
	delegated partner (general power)				
	delegated partner (special power)				
	third part (general power)				
	third part (special power)				
Execution of the documents by the company					
	required number of signatures				Depends on Articles of Association
	dry stamp				

Need of Notarised formalities					
			X		For registration in the Commercial Register and limitation of liability.

Other	
	The difference between the KG an the GmbH & Co KG is that in the case of the GmbH & Co KG the "Komplementar" (shareholders with illimited liability) is a GmbH. As the shareholder of the GmbH are not liable for action in the GmbH & Co KG, there is no illimited personal liability in the GmbH & Co KG.

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