

Timo U. Piller

Die Evolution der Partnerschaftsgesellschaft

*Eine Untersuchung der Entwicklung
der Partnerschaft als Gesellschaftsform der
Freien Berufe von den ersten Initiativen bis
zur Partnerschaft mit beschränkter Berufshaftung
unter Berücksichtigung der Limited Liability Partnership
des englischen Rechts und ihrer Einflüsse*

Verlag Dr. Kovač

Die Evolution Partnerschaftsgesellschaft Partnerschaft Gesellschaftsform

Carsten Schäfer, Peter Ulmer



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PartGmbH und UK-LLP als hybride Gesellschaftsformen Franziska Kühn, 2017-12-08 Long description Der in der Europäischen Union vorherrschende Wettbewerb der Gesellschaftsformen stellt die nationalen Gesetzgeber vor die Herausforderung den praktischen Bedürfnissen entsprechende Rechtsformen zur Verfügung zu stellen Ist es durch Einführung der PartGmbH gelungen ein aus der Perspektive der Freiberufler konkurrenzfähiges Modell zur UK LLP anzubieten *Die Haftung von Partnern einer Partnerschaftsgesellschaft für berufliche Fehler* Veronika Jäger, 2017-01-17 Long description Die Haftungsbeschränkung für berufliche Fehler stellt die zentrale Regelung des Partnerschaftsgesellschaftsgesetzes dar Veronika Jäger untersucht die Entstehungsgeschichte und Voraussetzungen der einzelnen Haftungsregelungen und entwickelt Abgrenzungskriterien und Definitionen mit deren Hilfe die persönliche Haftung in der Partnerschaftsgesellschaft mit beschränkter Berufshaftung kalkulierbar wird *Die Evolution der Partnerschaftsgesellschaft* Timo U. Piller, 2015

Die Partnerschaftsgesellschaft - Entstehungsgeschichte, Merkmale, juristische Einzelheiten Tanja Wendland, 2011 Studienarbeit aus dem Jahr 2002 im Fachbereich Jura Zivilrecht Handelsrecht Gesellschaftsrecht Kartellrecht Wirtschaftsrecht Note 2 Universität Hamburg HWP Veranstaltung Unternehmensrecht Sprache Deutsch Abstract Die ersten Diskussionen um eine Gesellschaft für Freiberufler wurden in den 50er Jahren bereits geführt Aus diesen Diskussionen wurden Gesetzesvorschläge erarbeitet aber diese sind gescheitert Erst das Partnerschaftsgesetz PartGG von 1994 hatte dann Erfolg Das Gesetz wurde am 10.06.1994 verabschiedet und trat endgültig am 01.07.1995 in Kraft Die Freiberufler wollten diese Rechtsform damit sie überregional und fächerübergreifend bzw. interprofessionell zusammenarbeiten können und zwar mit einer Regelung der Haftungsfrage Die Regelung wollte dem Streben der Freiberufler in Richtung GmbH entgegenwirken was sich bei der Gestaltung der Haftung der Partner zeigen wird **Die Partnerschaftsgesellschaft** Evelyn Butter-Berking, Hans Kloth, 2004 *Die Partnerschaftsgesellschaft - Rechtsform für Freiberufler* Peter Hogarth, 2011

Die Partnerschaftsgesellschaft Wolf-Martin Nentwig, 1995 **Die Partnerschaftsgesellschaft als Rechtsform der Zusammenarbeit von Rechtsanwälten** Joachim Gores (jurist.), 1996 Die Partnerschaftsgesellschaft Stephan J. Bossle, Hannelore Zacher-Röder, 1995 **Die Partnerschaftsgesellschaft** Christoph Meurer, 1997 Am 01.07.1995 ist das Gesetz zur Schaffung von Partnerschaftsgesellschaften PartGG in Kraft getreten Es schafft eine neue Gesellschaftsform die den Angehörigen freier Berufe eine zusätzliche Möglichkeit eröffnet sich zur Ausübung ihrer Berufe zusammenzuschließen Das Buch befasst sich mit der Vorgeschichte des PartGG und zeigt Probleme bestimmter Regelungen auf Es werden Alternativen zur Partnerschaft behandelt Zudem wird die neue Gesellschaftsform einer kritischen Würdigung unterzogen

Die Partnerschaftsgesellschaft und ihre zivil- und steuerrechtlichen Aspekte. Eine Rechtsformalternative für freie Berufe? Timm Bennewitz, 2021-09-23 Bachelorarbeit aus dem Jahr 2021 im Fachbereich Jura Steuerrecht Note 1,2 Hochschule für öffentliche Verwaltung und Finanzen Ludwigsburg ehem. Fachhochschule Ludwigsburg Sprache Deutsch Abstract Die Arbeit

gibt einen Einblick in die Grundlagen der Partnerschaftsgesellschaft und erläutert im Anschluss die zivilrechtlichen Aspekte sowie die steuerliche Handhabung. Abschließend wird ein Vergleich zwischen den Rechtsformen PartG, GbR und GmbH durchgeführt. Der Vergleich findet im Wesentlichen hinsichtlich der Gründungskosten, der steuerlichen Belastung sowie der einschlägigen Gewinnermittlungsmethode und Möglichkeit der Haftungsbeschränkung statt. Über die letzten 20 Jahre hinweg nimmt die Anzahl der selbstständigen Freiberufler in Deutschland stetig zu und notiert zum 01.01.2020 einen neuen Höchststand mit 1.450.000 entsprechenden Berufsangehörigen. Durch diesen fortwährenden Anstieg nimmt ebenfalls die Nachfrage nach Zusammenschlüssen gleicher Berufsangehörigen zu. Der Vorteil eines Zusammenschlusses kann mehrere Gründe haben wie zum Beispiel die Reduzierung des finanziellen Risikos einer Neugründung oder die Möglichkeit der Spezialisierung auf einzelne Fachbereiche. Seit dem 01.07.1995 bietet die Partnerschaftsgesellschaft Angehörigen freier Berufe die Option sich zu einer Personengesellschaft zusammenzuschließen. Diese neue Rechtsform wurde ins Leben gerufen, um die Nische zwischen der Gesellschaft des bürgerlichen Rechts und den Kapitalgesellschaften zu schließen. So ist es dank der Partnerschaftsgesellschaft möglich, die Haftung der einzelnen Gesellschafter zu konzentrieren und seit der Einführung der PartG mbB auch zu beschränken, ohne dass die freiberufliche Ausübung im Sinne des 18 EStG angegriffen wird.

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