

99142035058000

Billigung von Vermögensanlagen-Verkaufsprospekten (inkl. Wiedereinreichungen) Durchführung

Heruntergeladen am 26.05.2025

<https://fimportal.de/xzufi-services/102806704/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99142035058000
Leistungsbezeichnung I	Billigung von Vermögensanlagen-Verkaufsprospekten (inkl. Wiedereinreichungen) Durchführung
Leistungsbezeichnung II	Have asset sales prospectuses approved
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Durchführung (58)

Modul	Sachverhalt
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.05.2022
Fachlich freigegeben durch	Federal Ministry of Finance (BMF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/vermanlg/_8.html https://www.gesetze-im-internet.de/vermverkprospv/
Teaser	Before you publish a sales prospectus for investments, the publication must be approved by BaFin.
Volltext	The sales prospectus for investments enables investors to obtain information about the investment product and the issuer prior to purchase. In Germany, it is mandatory by law to file an associated sales prospectus for investments with BaFin and subsequently publish it. The sales prospectuses are intended to help investors make an informed investment decision. You can only offer new investments to the public once you have prepared a sales prospectus for them. This must first be approved by the Federal Financial Supervisory Authority (BaFin). There are statutory minimum requirements for the minimum content and structure of the sales prospectus, which are set out in the German Investment Schemes Act (VermAnlG) and the German Investment Schemes Sales Prospectus Ordinance (VermVerkProspV). You are required to file a sales prospectus and have it approved by BaFin beforehand if your public offering is subject to the prospectus requirement. This is regulated in § 6 VermAnlG. BaFin checks whether the prospectus complies with the legal requirements set out in the VermAnlG and the VermVerkProspV. In particular, it is important that it contains complete, comprehensible and consistent

Modul	Sachverhalt
	information about the investment product. However, BaFin does not assess whether the offer is serious or whether the contents of the prospectus are true. You can submit the prospectus for review and filing exclusively via BaFin's reporting and publication platform (MVP).
Erforderliche Unterlagen	Please submit the following documents for the endorsement and deposit process: • Cover letter (template available online) • Authorization of a (legal) representative, if applicable • Cross-checklist for asset sales prospectuses (available online) • Asset sales prospectus • Asset investment information sheet for the sales prospectus (VIB) If you as the issuer are domiciled abroad, you must also submit a power of attorney for service for an authorized person domiciled in Germany in accordance with Section 5 VermAnlG.
Voraussetzungen	The content and form of the sales prospectus must comply with the legal requirements of the VermAnlG and the VermVerkProspV.
Kosten	Fees are incurred in accordance with the Financial Services Supervision Fees Ordinance (FinDAGebV).
Verfahrensablauf	If your intended public offering is subject to the prospectus requirement, submit the application for approval and filing of a prospectus as well as for approval and filing of a VIB to the prospectus exclusively via BaFin's Notification and Publication Platform (MVP). • To do so, log in to the MVP with your access data. • If you do not have access yet: First register on the MVP. • Select the specialist procedure "Prospectuses (VO/WpPG/VermAnlG)". • Please note that you must be registered for the

Modul
Sachverhalt

specialist procedure. If you have not yet registered, you can do so in the "Specialized procedure" section ("Apply for specialized procedure").

- Select "Submit notification" and complete the online application.
- After activation, upload the approvable sales prospectus and the other required documents in a ZIP file.
- Submit all documents exclusively via MVP.
- Always check whether the transmission was successful in the menu item "View protocol". Only then can the transmission be considered successful.
- Only after the documents have been successfully transmitted will you receive confirmation of receipt from BaFin.

If the documents are complete and the prospectus and the VIB to the prospectus meet the legal requirements, you will receive a notification from BaFin that the documents have been approved and deposited. If the documents submitted do not meet the requirements, BaFin will inform you of this by means of a letter. You then have the opportunity to correct the identified deficiencies.

Bearbeitungsdauer

10 - 20 Tag(e)
Processing time per test run in working days.

Frist

- You are required to publish the prospectus one business day before the intended public offering of the investment. The approval and deposit procedure must be completed prior to publication of the sales prospectus.
- Sales prospectuses are valid for public offerings in Germany for 12 months from the date of their approval. If the investment is to continue to be offered to the public thereafter, you must prepare a new prospectus and submit it to BaFin for approval and filing (resubmission; so-called "continuation prospectus").
- If your application documents are incomplete, BaFin will generally inform you within 10 working days of receipt of the sales prospectus and the VIB for the sales prospectus.

Modul

Sachverhalt

weiterführende Informationen

https://www.bafin.de/DE/Aufsicht/Prospekte/Vermögensanlagen/Prospektarten/prospektarten_artikel.html
https://www.bafin.de/SharedDocs/Veroeffentlichungen/DE/FAQ/faq_1205_vermoegensanlageng.html;jsessionid=681C6C2544C66C6B6FEA9FE5CEFBC8F9.2_cid501?nn=7846408
https://www.bafin.de/DE/Verbraucher/Finanzwissen/WA/Vermögensanlage/Vermögensanlage_node.html
<https://www.gesetze-im-internet.de/findagebv/anlage.html>

Hinweise

Rechtsbehelf

Kurztext

- Approval of asset investment sales prospectuses (incl. resubmissions) Implementation
 - Prospectuses for the sale of investments must be approved by BaFin prior to publication.
 - Prospectuses are approved if they comply with the legal requirements of the VermVerkProspV and the VermAnlG.
 - an examination of completeness, comprehensibility and coherence (internal consistency) is carried out; an assessment of the seriousness or truthfulness of the intended public offerings is not carried out in this context.
 - Investments for which a so-called blind pool model is envisaged are not permitted for public offering in Germany.
 - if, during the period of the public offering (maximum 12 months per prospectus), material changes have been made to the information in the prospectus or if annual financial statements have been published within the shortened disclosure period applicable to issuers of investments, this results in the obligation to file a supplement to the prospectus without undue delay, which must also be approved by BaFin
 - an updated VIB to the sales prospectus must be filed and approved for publication without delay if the material changes also relate to the VIB to the sales prospectus
 - The obligation to publish a sales prospectus (including the VIB for the sales prospectus) applies to

Modul	Sachverhalt
	all investment products that constitute an investment pursuant to Section 1 (2) VermAnlG. - the application for approval and filing of a prospectus as well as for approval and filing of a VIB to the prospectus and all related documents may only be submitted via BaFin's Reporting and Publication Platform (MVP); the same applies to any supplements to the prospectus as well as to any updates regarding the VIB to the prospectus - responsible: Federal Financial Supervisory Authority (BaFin) - Division WA 54
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms available: No Written form required: No Informal application possible: No Personal appearance required: No
Ursprungsportal	Billigung von Vermögensanlagen-Verkaufsprospekten (inkl. Wiedereinreichungen) Durchführung, Billigung von Vermögensanlagen-Verkaufsprospekten (inkl. Wiedereinreichungen) Durchführung