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Zugang zum MVP-Portal Fachverfahren zur Einreichung von Wertpapierprospekten, Vermögensanlagen-Verkaufsprospekten, Wertpapier-Informationsblättern und Vermögensanlagen-Informationsblättern Erteilung

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<https://fimportal.de/xzufi-services/102806738/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99142036001000
Leistungsbezeichnung I	Zugang zum MVP-Portal Fachverfahren zur Einreichung von Wertpapierprospekten, Vermögensanlagen-Verkaufsprospekten, Wertpapier-Informationsblättern und Vermögensanlagen-Informationsblättern Erteilung

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Leistungsbezeichnung II	Request access to submit prospectuses on securities to the German Federal Financial Supervisory Authority (BaFin)
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	Erteilung (1)
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	21.03.2022
Fachlich freigegeben durch	Federal Ministry of Finance (BMF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/wppg/_22.html https://www.gesetze-im-internet.de/vermanlg/_14.html
Teaser	Do you want to submit a prospectus for securities to the Federal Financial Supervisory Authority? Then you need access to the corresponding specialized procedure.
Volltext	If your company offers securities to the public in Germany, it must publish a sales prospectus. This prospectus must contain all the information necessary to evaluate the securities. The prospectus is published by the Federal Financial Supervisory Authority (BaFin). Please submit it there.

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On the reporting and publication platform (MVP Portal) of BaFin, there is the specialized procedure "Prospectuses (VO/WpPG/VermAnlG)" for this purpose. To use it, you must apply for access. The procedure applies to

- Direct notifier:
 - Issuers, i.e. companies that issue securities
 - providers
 - Applicants for admission or their contact person
- Third-party notifying parties: Authorized third parties, for example a law firm or its contact person

If you no longer work for your company or work for it in a different capacity, you must deregister from the specialized procedure. Your company should inform BaFin of this in writing.

Erforderliche Unterlagen

Directly registering persons:

- Application for the specialized procedure with the signature of the employee or contact person.
- Letter of confirmation from the issuer, the offeror or the applicant for admission
 - The letter confirms that individual or several employees or contact persons are authorized to submit documents electronically. Only valid with the signature of persons authorized to represent the issuer, the offeror or the applicant for admission individually or jointly.
- Proof of the power of representation of the signatory or signatories of the letter of confirmation
 - For example, excerpt from the commercial register of the issuer, offeror, applicant for admission.

Third party applicant:

- Application for the specialized procedure with the signature of the employee or contact person.

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- Power of attorney of the issuer, the offeror or the applicant for admission
 - The power of attorney confirms that one or more employees or contact persons are authorized to submit documents electronically on behalf of the issuer, provider, applicant for admission. Only valid with the signature of persons authorized to represent the issuer, the offeror, the applicant for admission individually or jointly.
 - Proof of the power of representation of the person or persons signing the letter of confirmation
 - For example, extract from the commercial register of the issuer, the offeror, the applicant for admission.

Foreign direct applicants:

- The documents mentioned in the above sections on direct and third party registrants, corresponding proof with apostille if applicable.

Voraussetzungen

They are related to securities:

- Issuer, which is a company that issues securities
- Provider
- Applicant for admission or its contact person or
- Entitled third party or its contact person

Kosten

There are no costs involved.

Verfahrensablauf

Apply for access to the specialized procedure as follows:

- Log in to the MVP portal with your access data.
 - If you do not have access yet: First register on the MVP portal.
 - Register for the specialized procedure "Prospectuses (VO/WpPG/VermAnlG)".
 - Under the heading "Fachverfahren", select "Fachverfahren beantragen" and then "Prospekte (VO/WpPG/VermAnlG)".
 - Select the so-called notification case. The decisive factor here is the function in which you wish to submit the documents electronically. Enter "direct declarant"

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or "third-party declarant" accordingly.

- Fill out the form. When you are finished, you will receive a PDF document with your information.
 - Print the PDF document and sign it.
 - Send it together with the required documents to the Federal Financial Supervisory Authority, Department WA 5 .
 - BaFin will review your application. If the review is successful, BaFin will activate you for the specialized procedure.
 - BaFin will inform you about the activation by e-mail.
- In the case of authorized third parties, BaFin will also inform the issuer, the offeror or the applicant for admission by e-mail about the activation of the authorized third party.

Bearbeitungsdauer

3 - 4 Werktag(e)

Frist

You must publish the prospectus at least 1 business day before the public offering. Accordingly, you need access to the specialized procedure "Prospectuses (VO/WpPG/VermAnlG)" beforehand.

weiterführende Informationen

https://www.bafin.de/SharedDocs/Downloads/DE/dl_mv_portal_Infoblatt_zum_fachverfahren_einreichung_prospekte.pdf?__blob=publicationFile&v=17
https://www.bafin.de/SharedDocs/Downloads/DE/dl_mv_portal_Infoblatt_META_Daten.pdf?__blob=publicationFile&v=4
<https://portal.mvp.bafin.de/MvpPortalWeb/app/help.html>

Hinweise

There are no clues or specifics.

Rechtsbehelf

- Objection
 - Objection
- Detailed information on how to file an appeal can be found in the notice of your application.
- Tax court action

Kurztext

- Access to the MVP Portal Specialized Procedure for the Submission of Securities Prospectuses, Asset Sales Prospectuses, Securities Information Sheets and Asset Information Sheets Issuance
- Prospectuses for securities must be submitted to

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the German Federal Financial Supervisory Authority (BaFin) via the reporting and publication platform (MVP Portal).

- Specialized procedure "Prospectuses (VO/WpPG/VermAnlG)" for:
 - Direct notifier
 - Issuers, i.e. companies that issue securities
 - Offerors
 - Applicants for admission or their contact persons
 - Third-party notifying parties: Authorized third parties, e.g. a law firm or its contact person.
 - Access to the specialized procedure upon request
 - responsible: Federal Financial Supervisory Authority

Ansprechpunkt
Zuständige Stelle
Formulare

Forms available: No

Written form required: No

Informal application possible: No

Personal appearance required: No

Online services available: Yes

Ursprungsportal

Zugang zum MVP-Portal Fachverfahren zur Einreichung von Wertpapierprospekten, Vermögensanlagen-Verkaufsprospekten, Wertpapier-Informationenblätter und Vermögensanlagen-Informationenblätter Erteilung, Zugang zum MVP-Portal Fachverfahren zur Einreichung von Wertpapierprospekten, Vermögensanlagen-Verkaufsprospekten, Wertpapier-Informationenblätter und Vermögensanlagen-Informationenblätter Erteilung