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Meldungen zur Überprüfung und Überwachung (Marktaufsicht) der Mitteilungs-, Veröffentlichungs- und sonstiger Pflichten nach §§ 33ff. WpHG und §§ 48ff. WpHG (Stimmrechtsmitteilungen) Entgegennahme

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/102806740/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99142037261000
Leistungsbezeichnung I	Meldungen zur Überprüfung und Überwachung (Marktaufsicht) der Mitteilungs-, Veröffentlichungs- und sonstiger Pflichten nach §§ 33ff. WpHG und §§ 48ff. WpHG (Stimmrechtsmitteilungen) Entgegennahme
Leistungsbezeichnung II	Submit a voting rights notification as an investor
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund

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Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Entgegennahme (261)
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	Sections 33ff, 48ff WpHG https://www.gesetze-im-internet.de/wphg/_33.html https://www.gesetze-im-internet.de/wphg/_38.html https://www.gesetze-im-internet.de/wphg/_39.html
Teaser	Your voting rights based on shares in a listed company and/or your financial instruments relating to such change? You may need to notify the company and the German Federal Financial Supervisory Authority of this.
Volltext	If, as an investor, you reach, exceed or fall below 3 percent, 5 percent, 10 percent, 15 percent, 20 percent, 25 percent, 30 percent, 50 percent or 75 percent of the voting rights from shares belonging to you in an issuer whose shares are admitted to trading on an organized market, you must probably notify the issuer and the Federal Financial Supervisory Authority (BaFin). This may also affect foreign issuers that are admitted to trading on an organized market in Germany. The same, with the exception of the 3 percent

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	threshold, applies if you hold financial instruments that allow you to acquire shares with voting rights, or if you touch a threshold with voting rights and financial instruments together. You must submit the notification within 4 trading days via BaFin's Reporting and Publication Platform Portal (MVP Portal) and subsequently send it to the issuer.
Erforderliche Unterlagen	Self-registration on the MVP portal: You do not need to submit any documents. Admission to the specialized procedure: Signed application form. Application form is automatically generated upon electronic application. Submission of voting rights notification: In individual cases, organizational chart in the case of group structures. BaFin reserves the right to request additional documents if necessary.
Voraussetzungen	As an investor, you reach, exceed or fall below 3 percent, 5 percent, 10 percent, 15 percent, 20 percent, 25 percent, 30 percent, 50 percent or 75 percent of the voting rights attached to shares belonging to you in an issuer whose shares are admitted to trading on at least one organized market, through acquisition, disposal or otherwise The same, with the exception of the 3 percent threshold, applies if you hold financial instruments that allow you to acquire shares with voting rights, or if you touch a threshold with voting rights and financial instruments together. This may also affect foreign issuers that are admitted to trading on an organized market in Germany.
Kosten	There are no costs involved.
Verfahrensablauf	You can submit the report via online form or as an upload in XML format via the MVP portal of the Federal Financial Supervisory Authority. To do so, proceed as follows:

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Log in and register:

- Open the MVP Portal of BaFin.
- If you already have user data, you can log in directly. If you do not yet have any user data, click on "Self-registration". Indicate whether you are registering as a natural person or as a company. In the next step, enter your personal data and confirm the form. Click on the link that will be sent to you by e-mail and fill in the form that will open. Confirm the registration.

Admission to electronic transmission of voting rights notifications in the MVP Portal:

- After you have logged in with your user data, you can apply for admission to the electronic transmission of voting rights notifications.
- To do so, click on "Apply for specialized procedure" and select the specialized procedure "Voting rights notifications".
- Select the notification case "Direct notifier" and click on "Apply".
- The completed application for admission will appear.
- Click on "Submit application".
- Print out the application form, sign it and send it to BaFin by mail or fax.
- BaFin will check your application for admission.
- You will receive the admission to the specialist procedure by e-mail.
- Now you can submit a voting rights notification electronically.

Electronic submission of voting rights notifications in the MVP Portal as an XML file:

- Create your voting rights notification in XML format. You can find instructions on how to do this on the BaFin website under "Information sheets and manuals".
- Open the MVP portal and log in with your user data.
- Select "Submit report" in the menu and enter all required data.
- Select "Submit XML file", select the XML file and click on "Send file".

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- You will receive a transmission confirmation.
- Under "View log" you can view the processing status of the message.
- If the message has been accepted, you will find a ZIP archive with a PDF and an XML file for download in the "Protocol" area. Both must be forwarded to the issuer. A voting rights notification is only legally valid once it has been sent to both the issuer and BaFin.

Electronic transmission of voting rights notifications in the MVP Portal via online form:

- Open the MVP portal and log in with your user data.
- Select "Submit notification" in the menu and enter all required data.
- Select "Submit online form" and fill out the form completely.
- Click on "Submit message" at the end of the form.
- You will receive a transmission confirmation.

Under "View log" you can view the processing status of the notification.

If the message has been accepted, you will find a ZIP archive with a PDF and an XML file for download in the "Protocol" section. Both must be forwarded to the issuer. A voting rights notification is only legally valid once it has been sent to both the issuer and BaFin.

Alternatively, you can first perform all steps as a test. To do this, select the "Test_Voting Rights Notifications" specialist procedure in the MVP Portal and carry out all the steps mentioned above.

Voting rights notifications to the issuer can be sent electronically to the e-mail address specified in the imprint of the issuer's homepage. The transmission must additionally include the notification as an XML file, which you will receive from BaFin in the MVP upon successful transmission to BaFin.

Bearbeitungsdauer

Within a few minutes, you will receive feedback on the successful submission of the notification in the MVP portal ("View protocol") and, together with this, 2 files of the notification (ZIP file) for submission to the issuer.

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	Further feedback from BaFin will only be provided in individual cases in the event of queries regarding the submitted notification.
Frist	You must submit the voting rights notification within 4 trading days at the latest.
weiterführende Informationen	https://www.bafin.de/DE/DieBaFin/AufgabenGeschichte/Wertpapieraufsicht/wertpapieraufsicht_node.html https://www.bafin.de/dok/7846308 https://www.bafin.de/DE/DieBaFin/Service/MVPportal/Stimmrechtsmitteilungen/stimmrechtsmitteilungen_artikel.html https://www.bafin.de/DE/DieBaFin/Service/MVPportal/Test_Stimmrechtsmitteilungen/test_stimmrechtsmitteilungen_node.html https://portal.mvp.bafin.de/MvpPortalWeb/app/login.html
Hinweise	If the notification is not submitted, not submitted correctly, not submitted in full, not submitted in the prescribed manner or not submitted on time, a fine may be imposed for this.
Rechtsbehelf	Opposition
Kurztext	• Submission of voting rights notifications pursuant to section 33 et seq. of the German Securities Trading Act (WpHG) • Voting rights notification required if certain percentage thresholds of voting rights from shares and/or financial instruments relating to shares with voting rights are reached, exceeded or fallen below • Reporting requirement only for issuers admitted to at least one organized market • Notification of voting rights to Federal Financial Supervisory Authority and issuer • Issuer must publish voting rights notification and submit publication to the companies register for storage • Submission of voting rights notification electronically, vis-à-vis BaFin via portal of the reporting and publication platform (MVP Portal), vis-à-vis issuers via e-mail • Responsible: Federal Financial Supervisory Authority

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Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms available: No Written form required: No Informal application possible: No Personal appearance required: No
Ursprungsportal	Meldungen zur Überprüfung und Überwachung (Marktaufsicht) der Mitteilungs-, Veröffentlichungs- und sonstiger Pflichten nach §§ 33ff. WpHG und §§ 48ff. WpHG (Stimmrechtsmitteilungen) Entgegennahme, Meldungen zur Überprüfung und Überwachung (Marktaufsicht) der Mitteilungs-, Veröffentlichungs- und sonstiger Pflichten nach §§ 33ff. WpHG und §§ 48ff. WpHG (Stimmrechtsmitteilungen) Entgegennahme