

99142050058000

Streitschlichtung bei der Schlichtungsstelle der BaFin Durchführung

Heruntergeladen am 09.07.2025

<https://fimportal.de/xzufi-services/102806767/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99142050058000
Leistungsbezeichnung I	Streitschlichtung bei der Schlichtungsstelle der BaFin Durchführung
Leistungsbezeichnung II	Settling a dispute at the BaFin arbitration board
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)
SDG-Informationsbereich	Besitz eines Bankkontos in einem anderen Mitgliedstaat

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Lagen Portalverbund	Außergerichtliche Verfahren und Streitschlichtung (1150100), Beschwerden und Petitionen (2140200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	26.10.2023
Fachlich freigegeben durch	Federal Ministry of Finance (BMF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/uklag/_14.html
Teaser	Are you in dispute with a bank or financial services company? Then under certain circumstances you can turn to the arbitration board of the Federal Financial Supervisory Authority (BaFin).
Volltext	<p>Consumers can settle disputes with companies out of court. There are dispute resolution bodies for this purpose, where lawyers strive to resolve disputes independently and impartially. The Federal Financial Supervisory Authority (BaFin) operates such a dispute resolution body, which intervenes in disputes with banks and financial services companies. However, this body is an initial arbitration body. It will only act if no other recognized arbitration body is responsible for your case.</p> <p>Before contacting BaFin's dispute resolution body, please check that none of the other recognized dispute resolution bodies are responsible for your case. These so-called consumer arbitration boards are recognized by the Federal Office of Justice (BfJ) and operate within a defined area of responsibility. You can find the consumer arbitration boards on the subject of finance with their specific areas of responsibility on the BfJ website. You will find the link to the site in the "Further information" section. If none of the consumer arbitration boards is responsible for your case, you can submit an application for dispute resolution to BaFin.</p>
Erforderliche Unterlagen	<p>Please enclose all documents necessary to understand the dispute, such as</p> <ul style="list-style-type: none"> • correspondence • contractual terms and conditions

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	<ul style="list-style-type: none"> • cost calculations
Voraussetzungen	<p>Arbitration proceedings can only be initiated if</p> <ul style="list-style-type: none"> • a sufficient application has been submitted • the arbitration board is responsible for the dispute • no proceedings have yet been filed with a consumer arbitration board or have already been conducted for the same dispute • in the case of disputes concerning the entitlement to conclude a basic account contract, neither administrative proceedings are pending nor has the claim been decided incontestably in such proceedings • the dispute has not been decided by a court in a judgment on the merits • the dispute has not been brought before a court • the dispute has not been resolved by settlement or otherwise • an application for legal aid has not been rejected due to the dispute because the intended legal action did not offer sufficient prospect of success or appeared unreasonable
Kosten	<p>Note: The conciliation procedure is free of charge for consumers. However, expenses such as postage, telephone charges, copies or lawyers' fees will not be reimbursed. The conciliation body generally charges a fee of EUR 200.00 from the companies involved.</p>
Verfahrensablauf	<p>Before arbitration proceedings can be initiated, you must submit an application to the Federal Financial Supervisory Authority (BaFin).</p> <ul style="list-style-type: none"> • Go to the BaFin website and open the "Request for conciliation" form. • Complete the form in full. This can be done using the online form, on the computer or by hand. In the form, state what you are accusing the company of and what you want to achieve with your request for conciliation. • If necessary, print out the form and sign it. • Attach the supplementary documents or upload them and send it to BaFin's dispute resolution body. You can send the application online, by e-mail, by fax or by post. • Once the application has been received, BaFin will

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check whether it is responsible for dispute resolution in your case. If BaFin is responsible, you will receive a confirmation of receipt and your documents will be checked. If BaFin is not responsible, you will be informed. If necessary, BaFin will forward your case to the competent consumer arbitration board if a board can be assigned.

- You will receive written notification of the acceptance of the dispute resolution procedure or a rejection with reasons.
- If your request for conciliation is approved, BaFin's conciliation body will contact the company with which you are in dispute and ask for a statement on the case.
- In the best case scenario, the company will then agree to your claims and the conciliation procedure will be concluded.
- If the company does not agree, you have the opportunity to submit additional comments.
- Once the conciliation body has received all the necessary documents, the conciliator will draw up a conciliation proposal. This is presented to both parties, i.e. you and the company. Both parties must decide whether they agree to the proposal.
- The arbitration board will inform you of the result. This concludes the procedure.
- If you are not satisfied with the result of the arbitration, you are free to take legal action against the company.

Bearbeitungsdauer

As soon as the conciliator has all the necessary documents, he or she informs the parties involved and draws up a conciliation proposal within 90 days.

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- If the application is incorrect: BaFin gives you the opportunity to correct any errors in the application within 1 month.
- The company has 1 month to respond to your application for conciliation.
- If the company states that it will not comply with your application, you have the opportunity to submit additional comments within 1 month.
- Once you have received the conciliation proposal, you have 6 weeks to inform the conciliation body whether you wish to accept it or not.

weiterführende

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Informationen	<p>https://www.bafin.de/DE/Verbraucher/BeschwerdenStreitschlichtung/StreitschlichtungBaFin/StreitschlichtungBaFin_node.html</p> <p>https://www.bundesjustizamt.de/DE/Themen/Buergerdiensten/Verbraucherstreitbeilegung/Verbraucherschlichtungsstellen/Uebersicht_node.html</p>
Hinweise	
Rechtsbehelf	<p>There are no legal remedies available to you against the decision of an arbitrator.</p> <p>However, if you are not satisfied with the outcome of the arbitration, you are free to take legal action against the company.</p>
Kurztext	<ul style="list-style-type: none"> • Dispute resolution at the conciliation body of BaFin Implementation • Out-of-court dispute resolution possible via dispute resolution bodies • Federal Financial Supervisory Authority (BaFin) operates dispute resolution body • acts as a conciliation body for disputes with credit institutions and financial services companies if no other recognized consumer conciliation body is responsible for the case • Written application required (application form available) • if the application is admissible, arbitration proceedings will be initiated • responsible: Arbitration board at the Federal Financial Supervisory Authority (BaFin)
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Streitschlichtung bei der Schlichtungsstelle der BaFin Durchführung, Streitschlichtung bei der Schlichtungsstelle der BaFin Durchführung