

99089051010001, 99089051010001

Apply for exemption from the obligation to appoint an anti-money laundering officer

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/410126638/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99089051010001, 99089051010001
Leistungsbezeichnung I	Apply for exemption from the obligation to appoint an anti-money laundering officer
Leistungsbezeichnung II	Apply for exemption from the obligation to appoint an anti-money laundering officer
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)
Verrichtungskennung	Befreiung (010)

Modul	Sachverhalt
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Gerichtliche Entscheidungen (2140300), Mitarbeiterbezogene Meldepflichten (2030400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.07.2024
Fachlich freigegen durch	Ministry of Economic Affairs, Industry, Climate Protection and Energy of the State of North Rhine-Westphalia
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwg_2017/_7.html
Teaser	Upon request, the competent authority may exempt you from the obligation to appoint an anti-money laundering officer under certain conditions.
Volltext	<p>As a financial company, you are obliged to appoint an anti-money laundering officer and a deputy.</p> <p>In some federal states, goods traders who trade in high-value goods may be obliged by general decree to appoint an anti-money laundering officer.</p> <p>Under certain conditions, they can apply to be exempted from the obligation to appoint an anti-money laundering officer. It must be ensured that all obligations specified in the Money Laundering Act are complied with even without an anti-money laundering officer.</p> <p>This includes you, as an obligated party under the Money Laundering Act, proving that</p> <ul style="list-style-type: none"> • all relevant areas of your company are provided with the necessary information to prevent money laundering and that there is no risk of information being lost, especially in the case of a division of labor structure • following a risk-based assessment, other precautions are taken to prevent business relationships and

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transactions related to money laundering or terrorist financing.

Both requirements must be met.

Erforderliche Unterlagen

- Application for exemption from the obligation to appoint an anti-money laundering officer: The application must demonstrate in a comprehensible and well-founded manner that all obligations specified in the Money Laundering Act are complied with even without a money laundering officer.
- Proof of eligibility to apply
- Proof that the person submitting the application is a member of the company's management (e.g. extract from the commercial register or shareholders' agreement)
- Risk analysis: assessment of the individual company, customer, product and transaction risk
- Presentation of the internal security measures derived from the risk analysis which make the appointment of a money laundering officer unnecessary.
- If applicable, a current excerpt from the commercial register: Registered companies should submit a current excerpt from the commercial register with their application. Legal entities in the process of being established (GmbH, AG) submit the articles of association or articles of incorporation.

Voraussetzungen

- Obligated parties under the Money Laundering Act Only natural or legal persons who are obligated parties under the Money Laundering Act are eligible to apply. Money Laundering Act are obliged by law or by order of the competent authority to appoint a money laundering officer.
- Clear internal communication: The flow of information on the subject of money laundering prevention within the company must be guaranteed. Staff must be adequately informed, instructed and monitored.
- Other security measures: Other precautions must be taken to prevent business relationships and transactions that may be related to money laundering or terrorist financing.

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Kosten	
Verfahrensablauf	<ul style="list-style-type: none"> • The obliged entity shall apply to the competent authority for exemption from the obligation to appoint an anti-money laundering officer. • The application is reviewed by the competent authority. • Once the procedure has been completed, the obligated party receives a decision.
Bearbeitungsdauer	Approximately 6 weeks
Frist	None
weiterführende Informationen	
Hinweise	There are no indications or special features.
Rechtsbehelf	<ul style="list-style-type: none"> • Appeal (depending on state law, the appeal may be excluded) • Administrative court action
Kurztext	<ul style="list-style-type: none"> • Notification of suspected money laundering or terrorist financing Exemption from the obligation to appoint an anti-money laundering officer • Under certain conditions, obliged entities under the Money Laundering Act must appoint an anti-money laundering officer and a deputy. • Under certain conditions, obliged entities can apply to be exempted from the obligation to appoint an anti-money laundering officer. • It must be ensured that all obligations specified in the AMLA are complied with even without an anti-money laundering officer. • Competent authority: Depends on the respective state law.
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Apply for exemption from the obligation to appoint an anti-money laundering officer, Befreiung von der Pflicht zur Bestellung einer/eines

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Geldwäschebeauftragten beantragen