

99089151261000, 99089151261000

Appoint or dismiss ("disengage") group money laundering officers or group money laundering officers

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<https://fimportal.de/xzufi-services/543205080/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99089151261000, 99089151261000
Leistungsbezeichnung I	Appoint or dismiss ("disengage") group money laundering officers or group money laundering officers
Leistungsbezeichnung II	Appoint or dismiss ("disengage") group money laundering officers or group money laundering officers
Typisierung	1 - Bund: Regelung und Vollzug, 3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)
Verrichtungskennung	Entgegennahme (261)

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SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwg_2017/_9.html https://www.gesetze-im-internet.de/gwg_2017/_7.html https://www.gesetze-im-internet.de/gwg_2017/_9.html https://www.gesetze-im-internet.de/gwg_2017/_7.html
Teaser	<p>If you are obliged to appoint a group money laundering officer or a group money laundering officer, this must be reported to the supervisory authority in advance. This also applies if you wish to remove a group money laundering officer ("disengage").</p>
Volltext	<p>If you are an obliged entity and at the same time the parent company of a group under money laundering law, you are obliged to appoint a group money laundering officer and a deputy. The supervisory authority must be notified in advance of the appointment and dismissal of the group anti-money laundering officer and his or her deputy.</p> <p>The money laundering officer is responsible for drawing up a uniform group-wide strategy for the prevention of money laundering and terrorist financing and for coordinating and monitoring its implementation.</p> <p>The Group Money Laundering Officer **does not replace** any money laundering officers that may be required at the companies belonging to the group, but performs an **additional function**.</p> <p>The Group Money Laundering Officer must create binding cross-company procedures for implementing</p>

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the obligations under money laundering law in the branches, subsidiaries and group companies in Germany and abroad. He or she is authorized to issue instructions for their implementation.

As part of his or her duties, the Group Money Laundering Officer must obtain information on an ongoing basis from the branches, subsidiaries and group companies in Germany and abroad about their compliance with money laundering obligations. Furthermore, he or she must ensure at regular intervals - including through on-site visits - in particular that the obligations under money laundering law are being complied with and that the necessary measures are being taken and effectively implemented. If necessary, he or she must also take cross-company measures.

The parent company must ensure that the Group Money Laundering Officer or employees appointed by him or her are authorized to obtain audit reports, if available, for all branches, subsidiaries and group companies in Germany and abroad. This authority also includes the unrestricted right to carry out spot checks as part of the aforementioned tasks. The parent company must also ensure that the Group Money Laundering Officer, the employees appointed by him or her and Group Internal Audit have group-wide access to all information, documents and files relevant to the fulfillment of money laundering obligations, in particular regarding all customers, beneficial owners and all business relationships and transactions within or outside such business relationships. The Group Money Laundering Officer must take precautions to protect personal data.

Erforderliche Unterlagen

- Notification of the appointment or dismissal of a group money laundering officer and his or her deputy
 - **Proof of authorization to report**
 - Proof of appointment as a group money laundering officer or group money laundering officer
 - Proof that the applicant is a member of the company's management (e.g. extract from the commercial register or shareholders' agreement)
 - ****Current excerpt from the commercial register, if

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	<p>applicable****</p> <p>Registered companies must submit a current excerpt from the commercial register when submitting their application. Legal entities being established (GmbH, AG) submit the articles of association or articles of incorporation.</p> <ul style="list-style-type: none"> • The supervisory authority reserves the right to request additional information on the qualifications of the group money laundering officer (e.g. overview of professional career, proof of participation in money laundering training courses, etc.) and his/her reliability (e.g. in the form of information from the Federal Central Register or, if applicable, from the Central Trade Register).
Voraussetzungen	<p>****Obliged parties under the Money Laundering Act****</p> <p>Only natural or legal persons who are obligated parties under the Money Laundering Act are obliged to report.</p> <p>****Personal reliability and qualifications****</p> <p>The future money laundering officer and his or her deputy must have the necessary personal reliability and professional qualifications.</p>
Kosten	none
Verfahrensablauf	<ul style="list-style-type: none"> • As an obliged entity, you notify the supervisory authority in advance of the appointment or dismissal of a group anti-money laundering officer and his/her deputy for your company <ul style="list-style-type: none"> • Your notification will be reviewed by the competent authority • You will receive a final notification • If the person does not have the required qualifications or reliability, the appointment as group money laundering officer or deputy must be revoked at the request of the supervisory authority and a new person must be appointed

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Bearbeitungsdauer	not applicable, this is only an advertisement
Frist	<ul style="list-style-type: none"> • The notification of the group money laundering officer and/or the deputy must be made prior to the appointment. There is no deadline, i.e. the notification can also be made at very short notice. The notification is intended to give the authority the opportunity to review the qualifications and reliability of the newly appointed group money laundering officer and/or deputy and, if necessary, to object to the appointment in a timely manner. • The supervisory authority must also be notified in advance of the dismissal ("disengagement") of the group anti-money laundering officer and/or the deputy
weiterführende Informationen	https://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung03/34/geldwaeschepraevention/pflichten/risikomanagement/merkblatt_risikomanagement.pdf
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • In the event of a request for dismissal by the authority (Section 9 para. 1 no. 2 in conjunction with Section 7 para. 4 sentence 2 GwG): <ul style="list-style-type: none"> • Objection • Action for annulment
Kurztext	<ul style="list-style-type: none"> • Appointing or dismissing a group money laundering officer ("disengaging") <ul style="list-style-type: none"> • Under certain conditions, obliged entities under money laundering law are obliged to appoint a group money laundering officer and a deputy. • The appointment and dismissal of the group money laundering officer and their deputy must be reported to the supervisory authority.
Ansprechpunkt	
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> • Forms: yes • Online procedure possible: yes • Written form required: no • Personal appearance required: no
Ursprungsportal	Appoint or dismiss ("disengage") group money

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laundrying officers or group money laundrying officers,
Gruppen-Geldwäschebeauftragte oder
Gruppen-Geldwäschebeauftragten bestellen oder
abberufen („entpflichten“)