99089152019000, 99089152019000

Registration obligation for service providers in the context of money laundering supervision Registration

Modul	**Sachverhalt**
Leistungsschlüssel	99089152019000, 99089152019000
Leistungsbezeichnung I	Registration obligation for service providers in the context of money laundering supervision Registration
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)
Verrichtungskennung	Registrierung (019)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Eintragung in Register (2020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.03.2022
Fachlich freigegen durch	Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg
Handlungsgrundlage	§ Section 51 (5b) of the Money Laundering Act (GwG) https://www.gesetze-im-internet.de/gwg_2017/__51.html https://www.gesetze-im-internet.de/gwg_2017/__51.html
Teaser	Certain service providers who work for third parties must register with the supervisory authority.
Volltext	Service providers for companies and for trust assets or trustees who do not also belong to the professions listed under Section 2 (1) numbers 10 to 12 of the German Money Laundering Act (GwG) must register with the competent supervisory authority if they do not already require registration, entry, permission or authorization under other regulations. This obligation only applies to service providers who provide one of the following services for third parties: (a) Establishing a legal entity or partnership, b) Exercising the management or executive function of a legal entity or partnership, exercising the function of a partner in a partnership or exercising a comparable function, c) providing a registered office, a business, administrative or postal address and other related services for a legal entity, for a partnership or for a legal arrangement pursuant to Section 3 (3) AMLA, d) exercising the function of a trustee for a legal

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	arrangement pursuant to Section 3 para. 3 AMLA, e) exercising the function of a nominal shareholder for another person who is not a company listed on an organized market pursuant to Section 2 (11) of the German Securities Trading Act (Wertpapierhandelsgesetz) that is subject to transparency requirements under Community law with regard to voting rights or equivalent international standards, f) creating the possibility for another person to exercise the functions referred to in letters b, d and e, Note: Unless authorized to do so under other provisions, the supervisory authority may remove members of the senior management of the obliged entity if there are reasonable grounds to believe that they are not fit and proper. The supervisory authority may prohibit obliged entities where there are reasonable grounds to believe that the beneficial owner does not possess the necessary aptitude or reliability from providing the aforementioned services.
Erforderliche Unterlagen	Information on the type, scope and location of the activity by the responsible person
Voraussetzungen	You are a service provider for companies and for trust assets or a trustee and do not simultaneously belong to the professions listed in Section 2 (1) Nos. 10 to 12 of the Money Laundering Act. They do not require any application, registration, authorization or approval under other regulations outside the Money Laundering Act. They provide one of the following services for third parties: (a) Establishment of a legal entity or partnership,

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	b) Exercising the management or executive function of a legal entity or a partnership, exercising the function of a partner in a partnership or exercising a comparable function, c) providing a registered office, a business, administrative or postal address and other related services for a legal entity, for a partnership or for a legal arrangement pursuant to Section 3 (3), d) performing the function of a trustee for a legal arrangement in accordance with Article 3 paragraph 3 AMLA, e) exercising the function of a nominal shareholder for another person who is not a company listed on an organized market pursuant to Section 2 (11) of the German Securities Trading Act that is subject to transparency requirements under Community law with regard to voting rights or equivalent international standards, f) creating the possibility for another person to exercise the functions referred to in letters b, d and e
Kosten	none
Verfahrensablauf	The obligated party notifies the supervisory authority of their specific activity. The supervisory authority confirms the registration.
Bearbeitungsdauer	approx. 2 weeks
Frist	none
weiterführende Informationen	https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf
Hinweise	
Rechtsbehelf	
Kurztext	Obligated parties pursuant to Section 2 (1) no. 13 of

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	the German Money Laundering Act (GwG) must register with the supervisory authority, stating their specific activity, if they do not already require registration, entry, permission or authorization under other regulations.
Ansprechpunkt	
Zuständige Stelle	Service providers for companies and for trust assets or trustees (§ 2 para. 1 no. 13 GwG): Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg Heinrich-Mann-Allee 107, 14473 Potsdam Tel.: +49 (0) 331 866 -1778 or +49 (0) 331 866 -1735 FAX: +49 (0) 331 866 1583 Mail: geldwaesche@mwae.brandenburg.de
Formulare	
Ursprungsportal	Registrierungspflicht für Servicedienstleister im Rahmen der Geldwäscheaufsicht Registrierung, Registration obligation for service providers in the context of money laundering supervision Registration