

99050091001000

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/74640/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050091001000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Financial investment intermediary; application for a permit
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	21.01.2024
Fachlich freigegeben durch	Deutscher Industrie- und Handelskammertag e.V.
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gewo/_11a.html">https://www.gesetze-im-internet.de/gewo/_11a.html</a> <a href="https://www.gesetze-im-internet.de/gewo/_11a.html">https://www.gesetze-im-internet.de/gewo/_11a.html</a> <a href="https://www.gesetze-im-internet.de/gewo/_34f.html">https://www.gesetze-im-internet.de/gewo/_34f.html</a> <a href="https://www.gesetze-im-internet.de/gewo/_34f.html">https://www.gesetze-im-internet.de/gewo/_34f.html</a> <a href="https://www.gesetze-im-internet.de/finvermv/">https://www.gesetze-im-internet.de/finvermv/</a> <a href="https://www.gesetze-im-internet.de/finvermv/">https://www.gesetze-im-internet.de/finvermv/</a>
Teaser	If you wish to become a self-employed financial investment broker, you must apply for a permit.
Volltext	<p>As a financial investment broker, you independently broker financial products to customers, receiving a commission from the provider of the financial product. If you receive your fee from the customer, please apply for a permit as a fee-based financial investment advisor. You may not act as a financial investment broker and fee-based financial investment advisor at the same time.</p> <p>As a financial investment intermediary, you are restricted to certain financial products by the so-called area exception of the German Banking Act. The permit covers (optionally) three product categories:</p> <ul style="list-style-type: none"> <li>• Units or shares in domestic open-end</li> <li>• investment funds, open-ended EU investment funds</li> </ul> <p>or foreign open-ended investment funds that may be distributed in accordance with the German Investment Code (Kapitalanlagegesetzbuch)</p> <ul style="list-style-type: none"> <li>• Units or shares in domestic closed-end investment funds, closed-end EU investment funds or foreign closed-end investment funds that may be distributed in accordance with the German Investment Code (Kapitalanlagegesetzbuch) Asset investments</li> </ul> <p>In addition to the permit, you must also be entered in the register of intermediaries. You can submit the</p>

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## Sachverhalt

application for this together with the permit application.

The content of your permit can be restricted and linked to ancillary provisions if the authority considers this to be necessary for the protection of the general public or the clients.

Under the same conditions, the subsequent inclusion, amendment and supplementation of conditions is also permitted.

The competent authority depends on your federal state. You will find an overview in the additional information.

## Erforderliche Unterlagen

- Required document/s
  - Proof of personal reliability:
    - Certificate of good conduct and information from the central trade register
    - Proof of orderly financial circumstances:
      - Information from the insolvency court as to whether proceedings have been opened (so-called negative certificate)
  - Extract from the debtor register of the central enforcement court
    - Proof of existing financial loss liability insurance (certificate in sample wording)
      - Proof of expertise (IHK certificate of expertise or proof of equivalent professional qualification, see also further information)
    - For legal entities and commercial partnerships: Extract from the commercial register of the country in which the head office is located
      - Translation of the (foreign-language) extract from the commercial register, if applicable

## Voraussetzungen

- The reliability required for the business operation, i.e. you have not been convicted of fraud or other crimes in the last 5 years
  - Financial circumstances in order, i.e. you are not in private insolvency or entered in the debtors' register
  - Professional liability insurance with a minimum coverage of 1.130.000,00 Euro for each insured event

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	<p>and 1.700.000,00 Euro for all insured events in one year in total.</p> <ul style="list-style-type: none"> <li>• Expert knowledge through a passed IHK examination or through equivalent training qualifications and possibly corresponding professional experience</li> </ul>
Kosten	Costs are incurred. The exact amount can be found in the fee schedule of the competent authority .
Verfahrensablauf	<p>You send the application for permission with all supporting documents to the relevant authority.</p> <ul style="list-style-type: none"> <li>• The authority checks on the basis of your information and documents whether the legal requirements for the granting of permission are fulfilled.</li> <li>• If you meet the requirements, you will receive the permit in writing by mail.</li> </ul> <p>If you have not already applied for entry in the register of intermediaries together with the permit, you must still be entered in the register of intermediaries before you start working.</p>
Bearbeitungsdauer	As soon as all documents are complete, processing takes place within several weeks.
Frist	\\- none
weiterführende Informationen	<p><a href="https://www.dihk.de/resource/blob/4956/7dfda74a8788b5e00add968e8e258745/laenderzustaendigkeiten-fav-hof-34f-data.pdf">https://www.dihk.de/resource/blob/4956/7dfda74a8788b5e00add968e8e258745/laenderzustaendigkeiten-fav-hof-34f-data.pdf</a></p> <p><a href="https://www.dihk.de/resource/blob/4956/7dfda74a8788b5e00add968e8e258745/laenderzustaendigkeiten-fav-hof-34f-data.pdf">https://www.dihk.de/resource/blob/4956/7dfda74a8788b5e00add968e8e258745/laenderzustaendigkeiten-fav-hof-34f-data.pdf</a></p> <p><a href="https://www.gesetze-im-internet.de/versvermv_2018/_5.html">https://www.gesetze-im-internet.de/versvermv_2018/_5.html</a></p> <p><a href="https://www.gesetze-im-internet.de/versvermv_2018/_5.html">https://www.gesetze-im-internet.de/versvermv_2018/_5.html</a></p> <p><a href="https://www.bafin.de/SharedDocs/Veroeffentlichungen/DE/Merkblatt/mb_150416_ausnahme_investmentfondsvermittlung.html">https://www.bafin.de/SharedDocs/Veroeffentlichungen/DE/Merkblatt/mb_150416_ausnahme_investmentfondsvermittlung.html</a></p> <p><a href="https://www.bafin.de/SharedDocs/Veroeffentlichungen">https://www.bafin.de/SharedDocs/Veroeffentlichungen</a></p>

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	/DE/Merkblatt/mb_150416_ausnahme_investmentfond svermittlung.html
Hinweise	Intermediaries as defined in Section 2 (1) No. 10 of the German Banking Act (KWG) are exempt from the licensing requirement. They are entered in a public register maintained by the Federal Financial Supervisory Authority (BaFin).
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Objection</li> <li>• Administrative court proceedings, in some federal states only possible after objection</li> </ul>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal