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Honorary Financial Investment Advisor Permission Grant

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011589/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99050109001000
Leistungsbezeichnung I	Honorary Financial Investment Advisor Permission Grant
Leistungsbezeichnung II	Investment advice as a commercial fee financial investment advisor - granting of permission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">consultation</div> , <div lang="en-x-mtfrom-de">Business</div> , <div lang="en-x-mtfrom-de">Investment advice</div> , <div lang="en-x-mtfrom-de">Businesses requiring a license</div> , <div lang="en-x-mtfrom-de">Financial assets</div> , <div lang="en-x-mtfrom-de">Funds</div> , <div lang="en-x-mtfrom-de">fee</div> , <div lang="en-x-mtfrom-de">Commercial approval</div>
Leistungstyp	

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Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	01.12.2021
Fachlich freigegeben durch	
Handlungsgrundlage	§ 34h trade regulations (GewO)
Teaser	Permission for investment advice as a professional honorary financial investment advisor
Volltext	<p>You need a commercial license for your work as a fee-based financial investment advisor if you</p> <ul style="list-style-type: none"> • advise on transactions with certain financial instruments and your recommendation is based on an examination of the investor's personal circumstances (section 1 (1a) number 1a of the Banking Act), • Advise on a commercial basis about financial investments within the meaning of Section 34f paragraph 1 number 1, 2, or 3 of the trade regulations and • this advice is not remunerated on a commission basis from a provider of financial investments, but only against a fee from your customer. <p>The systems mentioned in § 34f paragraph 1 number 1, 2, or 3 of the trade regulations are</p> <ul style="list-style-type: none"> • Units or shares in domestic open-ended investment funds, open-ended EU investment funds or foreign open-ended investment funds that may be sold under the Capital Investment Code (open-ended funds), • Units or shares in domestic closed-end investment funds, closed-end EU investment funds or foreign closed-end investment funds that may be marketed under the Capital Investment Code (closed-end funds) and

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- Asset investments within the meaning of Section 1 Paragraph 2 of the Asset Investment Act (e.g. company investments, profit participation rights, profit-participating loans, subordinated loans).

The fee-based financial investment advisor may also broker these products to the customer, but must then pass on an inducement (commission) that he receives from the product provider to the customer.

Erforderliche Unterlagen

For the examination for permission to work as a fee-based financial investment advisor, you must submit the following documents:

- a certificate of good conduct for submission to an authority
- an excerpt from the central trade register,
- if applicable, a certificate in tax matters from the tax office,
- if applicable, a clearance certificate from the municipal tax office,
- an extract from the register of debtors of the central enforcement court,
- if necessary, the information from the insolvency court on the freedom from insolvency and the dismissal of the opening of proceedings due to insufficient assets,
- proof of professional liability insurance,
- proof of the required expertise and
- for legal entities and commercial partnerships: the extract from the commercial register

Voraussetzungen

Permission to trade as a fee-based financial investment advisor is granted to you if you

- are reliable
- live in orderly financial circumstances,
- be able to provide proof of professional indemnity insurance and
- have successfully passed a proficiency test at a chamber of industry and commerce or be able to demonstrate this required proficiency through an equivalent professional qualification.

Kosten

There will be charges. Please call to inquire about the

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	fee.
Verfahrensablauf	<p>1\ Request for Permission You must apply to the competent authority for permission to work as a fee-based financial investment advisor. Depending on the federal state, this is the trade authority or the chamber of industry and commerce. Individuals (natural persons) apply for permission themselves or through authorized third parties. In the case of legal entities, the application is submitted by their legal representatives or by third parties authorized in writing.</p> <p>2, notice of permission Permission is granted to you in the form of a permit notice.</p> <p>3\ Entry of Permission After starting work as a fee-based financial investment broker, you must immediately apply for entry in the register in accordance with Section 11a Paragraph 1 of the Commercial Code</p>
Bearbeitungsdauer	
Frist	
weiterführende Informationen	https://www.gesetze-im-internet.de/gewo/_34h.html https://www.gesetze-im-internet.de/gewo/_34h.html
Hinweise	<p>1\ Scope of Permission You can apply for permission to work as a fee-based financial investment advisor for all product categories (open funds, closed funds, investments within the meaning of Section 1 Paragraph 2 of the Investment Act), but it can also be restricted to individual categories.</p> <p>2\ No dual license for financial investment brokers and fee-based financial investment advisors Permission to act as a financial investment broker according to Section 34f of the Trade Code and as a fee-based financial investment advisor according to Section 34h of the Trade Code are mutually exclusive. Anyone who already has a license as a financial investment broker can only obtain a license as a fee-based financial investment advisor if they waive</p>

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	their license as a financial investment broker.
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Honorary Financial Investment Advisor Permission Grant • Permission to work as a fee-based financial investment advisor: <ul style="list-style-type: none"> • Advice on transactions with certain financial instruments • Commercial advice on certain financial investments • Advice for a fee from the customer • Responsible: Hamburg Chamber of Commerce
Ansprechpunkt	
Zuständige Stelle	Authority for Economy and Innovation
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)