99089137261000

Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung von Verpflichteten und Aufsichtsbehörden Entgegennahme

Modul	**Sachverhalt**
Leistungsschlüssel	99089137261000
Leistungsbezeichnung I	Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung von Verpflichteten und Aufsichtsbehörden Entgegennahme
Leistungsbezeichnung II	Report suspicions of money laundering or terrorist financing
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	

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Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	nicht SDG-relevant
Lagen Portalverbund	Gerichtliche Verfahren, Anzeige und Klage (1150200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.06.2024
Fachlich freigegen durch	Federal Ministry of Finance (BMF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwg_2017/__30.html https://www.gesetze-im-internet.de/gwg_2017/__40.html https://www.gesetze-im-internet.de/gwg_2017/__43.html https://www.gesetze-im-internet.de/gwg_2017/__44.html https://www.gesetze-im-internet.de/gwg_2017/__45.html https://www.gesetze-im-internet.de/gwg_2017/__46.html https://www.gesetze-im-internet.de/gwg_2017/__56.html https://www.gesetze-im-internet.de/imgwgmeldv/
Teaser	As an obliged entity under the Money Laundering Act (GwG), you must report cases that indicate money laundering or terrorist financing.
Volltext	The Money Laundering Act (GwG) obliges you as an economic operator operating in Germany to cooperate in the prevention of money laundering. The persons and companies obliged to cooperate are therefore also referred to as "obliged entities". These include, among others • Credit institutions, financial companies, • insurance companies,

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	• casinos, • Lawyers and notaries public, • auditors and tax consultants, • real estate agents, • traders in goods, • art brokers. Regardless of the value of the asset concerned or the amount of the transaction, under certain conditions you are obliged to immediately send a suspicious activity report to the Financial Intelligence Unit (FIU). The FIU is a directorate within the General Directorate of Customs. The reporting obligation applies regardless of • regardless of the value of the asset or the amount of the transaction • and the method of payment (cash or non-cash). The threshold value of EUR 10,000 (or EUR 2,000 in certain cases) specified in the Money Laundering Act relates to the general due diligence obligations for traders in goods and art brokers and not to the reporting obligation. Failure to prevent money laundering, which also includes the prevention of terrorist financing, can have serious consequences for you. For breaches of duty under the Money Laundering Act that constitute an administrative offense and do not require a direct link to a money laundering offense, • fines of up to EUR 150,000 may be imposed for willful violations and fines of up to EUR 100,000 for reckless violations, depending on the individual case. • In the case of serious, repeated and systematic violations, the amount of the fine can even be up to EUR 5 million or up to 10 percent of the previous year's turnover.

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Erforderliche Unterlagen	• Verification document (e.g. copy of identity card or passport) • Depending on the type of obligor, further documents may be required: • Verification for legal entities/partnerships: written confirmation of the identity of the person with primary responsibility to be registered by the body authorized to represent them • Verification for obliged entities with money laundering officers: digital registration application and certificate of appointment • Verification for natural persons: digital registration application with notarized signature
Voraussetzungen	• You have evidence that • assets are of illegal origin or assets are possibly connected with the financing of terrorism or • a contracting partner has not disclosed to you whether he or she is acting on behalf of a beneficial owner.
Kosten	There are no costs.
Verfahrensablauf	You must always send suspicious activity reports to the FIU online via the "goAMLWeb" application program. It serves as a reporting portal. Submitting a report on the official form by fax is permitted if there is a two-hour delay in the electronic transmission of a suspicious activity report and for a first-time report. To use "goAML Web", you must first register once.Registration has been required by law for all obliged entities since 01.01.2024: • To register, select the "Register" tab, enter the required information in the input fields, upload the necessary documents and press the "Submit registration" button. • The registration is then checked by the FIU and access is activated. You will be informed about all steps of the registration process by e-mail to the address provided during registration.

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	After submitting a suspicious activity report, you may not initially carry out the underlying transaction. Once a report has been sent, a related transaction may only be carried out at the earliest when • the FIU or the public prosecutor's office have given their consent or • the third working day has elapsed since you sent the SAR without the FIU or the public prosecutor's office having issued a prohibition.
Bearbeitungsdauer	1 - 2 Werktag(e) It may take varying lengths of time to check your notification. You will not receive direct feedback. As a rule, it takes 1 to 2 working days to check your registration application for goAML Web. The time taken to check your application may vary. You will not receive any direct feedback.
Frist	3 Werktag(e) After this period, you may carry out the transaction on which the report is based. However, this only applies if no prohibition has been issued by the FIU or the public prosecutor's office in the meantime. If you suspect money laundering or terrorist financing, you must immediately send a suspicious activity report to the FIU.
weiterführende Informationen	Further information on money laundering prevention, suspected cases and reporting obligations on the Customs Administration website https://www.zoll.de/DE/FIU/Fachliche-Informationen/Geldwaeschepraevention-Nichtfinanzunternehmen/Verdachtsfaelle-Meldepflichten/verdachtsfaelle-meldepflichten_node.html;jsessionid=2E6E3826C044BA5E91E0AD9752791866.internet672 https://www.zoll.de/DE/FIU/Fachliche-Informationen/Registrierung/registrierung_node.html https://www.zoll.de/DE/FIU/Fachliche-Informationen/Verdachtsmeldungen/verdachtsmeldungen_node.html https://www.zoll.de/DE/FIU/fiu_node.html https://www.bundesfinanzministerium.de/Web/DE/Themen/Schlaglichter/Finanzkriminalitaet-bekaempfen/finanzkriminalitaet-bekaempfen.html
Hinweise	

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Rechtsbehelf	• Contradiction
Kurztext	• Notification of suspicion of money laundering or terrorist financing by obliged entities and supervisory authorities Receipt • Obliged parties and supervisory authorities under the Money Laundering Act (GwG) must immediately notify the Financial Intelligence Unit (FIU) in the event of suspicion of money laundering or terrorist financing • Suspicious activity reports are generally submitted electronically via the "goAML" application program • Indications for suspicious activity reports • the asset could originate from a criminal act or have an illegal origin • the transaction or the asset serves the purpose of terrorist financing or is associated with it • and/or the contracting party does not disclose to you whether it is acting on behalf of a beneficial owner. • The reporting obligation applies regardless of • regardless of the value of the asset or the amount of the transaction • and the method of payment • Responsible: Financial Intelligence Unit (FIU), the central office for financial transaction investigations
Ansprechpunkt	
Zuständige Stelle	
Formulare	• Forms: yes • Online procedure possible: yes • Written form required: no • Personal appearance required: no
Ursprungsportal	Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung von Verpflichteten und Aufsichtsbehörden Entgegennahme, Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung von Verpflichteten und Aufsichtsbehörden Entgegennahme