

99142048261000

Anzeige der Absicht zur Bestellung eines Geschäftsleiters Entgegennahme

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/102806763/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99142048261000
Leistungsbezeichnung I	Anzeige der Absicht zur Bestellung eines Geschäftsleiters Entgegennahme
Leistungsbezeichnung II	indicate the intention to appoint a manager of a capital management company
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	26.07.2021
Fachlich freigegeben durch	Federal Ministry of Finance
Handlungsgrundlage	https://www.gesetze-im-internet.de/kagb/__34.html https://www.gesetze-im-internet.de/kagb/__119.html https://www.gesetze-im-internet.de/kagb/__128.html https://www.gesetze-im-internet.de/kagb/__147.html https://www.gesetze-im-internet.de/kagb/__153.html
Teaser	Your capital management company wants to appoint a new managing director? You must notify the Federal Financial Supervisory Authority (BaFin) of this.
Volltext	Capital management companies have various notification obligations vis-à-vis the Federal Financial Supervisory Authority. Among other things, they must report if they intend to appoint a managing director. An intention is deemed to be a corresponding decision by the competent body of your company, for example the supervisory board. This is also the case if the selection is subject to the decision of other bodies or the feedback of BaFin. The duty of disclosure also applies • the appointment of a representative as well as • the extension of a temporary appointment of a managing director (not of the legal relationship on which the appointment is based). Managing directors must meet the following criteria: • professional suitability, • reliability and • sufficient time availability

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	BaFin assesses these criteria on the basis of the documents submitted.
Erforderliche Unterlagen	In each case in single copy: • Curriculum vitae: signed and dated by the applicant's own hand. • Information on the reliability of the managing director: signed and dated in his/her own hand • "Certificate of good conduct for submission to a public authority", "European certificate of good conduct for submission to a public authority" or "corresponding documents" from abroad in the original • Extract from the Central Trade Register in the original • Overview of other mandates as a business manager and in administrative and supervisory bodies • Information on availability in terms of time Detailed information on the required documents can be found in BaFin's "Merkblatt zu den Geschäftsleitern gemäß KWG, ZAG und KAGB".
Voraussetzungen	The responsible committee of your capital management company has decided on a candidate for the management board.
Kosten	The advertisement will cost you EUR 1.485,00.
Verfahrensablauf	Submit the Notice of Intent to Appoint an Executive Director by mail: • Go to the BaFin website and download the following forms there: "Suitability Matrix" form Form "Notification of Changes in the Members of the Management Body". Form "Information on reliability and time availability pursuant to Article 4 DELEGATED REGULATION (EU) 2017/1943" Form "Changes in personnel of the management body according to the KAGB Form "Information on reliability according to the KAGB Form "Secondary activities of managing directors, supervisory board members and advisory board members according to KAGB". • Fill out the forms completely and truthfully. You can do this directly on the computer and print it out. • For a clear assignment of the advertisement and the

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required documents, please indicate the name of the company as well as the reference number.

- In your advertisement, indicate the date on which you want to appoint the business manager or manager.
- Compile all the necessary documents. BaFin provides a "checklist" on its website which you can use to check whether your documents are complete.
- Send the required documents to BaFin.
- BaFin may request further documents and information if it appears necessary in the individual case.
- After BaFin has checked your documents, you will receive a decision.

Bearbeitungsdauer

If BaFin decides to impose restrictions or to reject a manager, it shall notify a capital management company thereof within one month of receipt of the notification. BaFin may extend this period by up to one month if it deems this necessary due to the particular circumstances of the investment management company's individual case. It must inform the capital management company of the extension of the period.

Frist

They must give immediate notice of their intention to appoint a manager.

weiterführende Informationen

https://www.bafin.de/SharedDocs/Downloads/DE/Merkblatt/dl_mb_29_12_2020_GL_KWG_ZAG_KAGB.pdf?__blob=publicationFile&v=2
https://www.bafin.de/SharedDocs/Downloads/DE/Formular/dl_fo_160104_Checkliste_KAGB_GL.docx?__blob=publicationFile&v=2

Hinweise
Rechtsbehelf

- Objection Detailed information on how to lodge an objection can be found in the notification.
- In the absence of remedy, administrative court action

Kurztext

- Notification of the intention to appoint a managing director Acceptance
- Duty of notification of capital management companies with regard to the intention to appoint a managing director
- required documents: Curriculum vitae: signed and dated by the applicant's own hand Information on the

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reliability of the managing director: signed and dated in his/her own hand "Certificate of good conduct for submission to a public authority", "European certificate of good conduct for submission to a public authority" or "corresponding documents" from abroad in the original Extract from the Central Trade Register in the original Overview of further mandates as a business manager and in administrative and supervisory bodies

Information on availability in terms of time

- BaFin leaflet informs about the details of the duty of disclosure
- Costs: EUR 1,485.00
- Deadlines: Notification must be made without delay
- Processing time: If BaFin decides to impose restrictions or to reject a manager, it will notify a capital management company within one month of receiving the notification. BaFin may extend this period by up to one month if it deems this necessary due to the particular circumstances of the investment management company's individual case. It must inform the capital management company of the extension of the period.
- responsible: Federal Financial Supervisory Authority (BaFin).

Ansprechpunkt
Zuständige Stelle
Formulare

Forms: yes

Online procedure possible: no

Written form required: yes

Personal appearance required: no

https://www.bafin.de/SharedDocs/Downloads/DE/Formular/BA/dl_Eignungsmatrix_ba.xlsx?__blob=publicationFile&v=2

https://www.bafin.de/SharedDocs/Downloads/DE/Formular/BA/dl_Mitgl_Leitungsgorg_Angh_Ill_der_DurchfVO_ba.docx?__blob=publicationFile&v=2

https://www.bafin.de/SharedDocs/Downloads/DE/Formular/BA/dl_ZuverlErklaerg_u_Angaben_zur_zeitl_Verfuegbark_gem_Del_VO_ba.docx?__blob=publicationFile&v=2

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Ursprungsportal	Anzeige der Absicht zur Bestellung eines Geschäftsleiters Entgegennahme, Anzeige der Absicht zur Bestellung eines Geschäftsleiters Entgegennahme