

99050109001000, 99050109001000

Licence as a professional fee-based financial investment advisor - Granting

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/352143586/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99050109001000, 99050109001000
Leistungsbezeichnung I	Licence as a professional fee-based financial investment advisor - Granting
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und

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	Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.06.2017
Fachlich freigegeben durch	Federal Ministry for Economic Affairs and Energy / Hessian Ministry of Economic Affairs, Energy, Transport and Regional Development
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_34h.html https://www.gesetze-im-internet.de/gewo/_34f.html https://www.gesetze-im-internet.de/finvermv/ https://www.gesetze-im-internet.de/gewo/_34h.html https://www.gesetze-im-internet.de/gewo/_34f.html https://www.gesetze-im-internet.de/finvermv/
Teaser	
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 in certain financial instruments and your recommendation is based on an examination of the investor's personal circumstances (Section 1 (1a) No. 1a of the German Banking Act), • provide professional advice on financial investments within the meaning of § 34f paragraph 1 numbers 1, 2, or 3 of the Industrial Code and • this advice is not remunerated on the commission basis of a provider of financial investments, but only against a fee from your customer. <p>The plants mentioned in § 34f paragraph 1 numbers 1, 2, or 3 of the Industrial Code are</p> <ul style="list-style-type: none"> • shares or shares in domestic open-ended

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investment funds, open-ended EU investment funds or foreign open-ended investment funds that may be distributed under the German Investment Code (open-ended funds),

- shares or shares in domestic closed-end investment funds, closed-end EU investment funds or foreign closed-end investment funds that may be distributed under the German Investment Code (closed-end funds) and

- Investments within the meaning of § 1 paragraph 2 of the Asset Investment Act (e.g. company participations, profit participation rights, participatory loans, subordinated loans).

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

Erforderliche Unterlagen

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

- a certificate of good conduct for submission to an authority
- an extract 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 applicable, the information provided by the insolvency court on freedom from insolvency and on the rejection of the opening of proceedings for lack of assets,
- proof of professional indemnity insurance,
- proof of the required expertise and
- for legal entities and commercial partnerships: the extract from the commercial register

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Voraussetzungen	<p>You are granted permission to engage commercially as a fee-based financial investment advisor if you:</p> <ul style="list-style-type: none"> • are reliable, • live in orderly financial circumstances, • can prove professional indemnity insurance and • have successfully passed an examination of competence at a chamber of industry and commerce or can prove this required competence by means of an equivalent professional qualification.
Kosten	
Verfahrensablauf	<p>1\.. Application for permission</p> <p>You must apply to the competent authority for permission to work as a fee-based financial investment advisor. In Hesse, these are the chambers of industry and commerce.</p> <p>Individuals (natural persons) apply for permission themselves or through authorized third parties. In the case of legal persons, the application is made by their legal representatives or by third parties authorised in writing.</p> <p>2\.. Notification of permission</p> <p>The permission will be granted to you in the form of a permission notice.</p> <p>3\.. Entry of permission</p> <p>After commencing your activity as a fee-based financial investment broker, you must immediately submit an application for entry in the register in accordance with § 11a paragraph 1 of the Industrial Code, unless an entry is made in parallel in the event that the permit is granted.</p>

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Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	<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 in certain financial instruments and your recommendation is based on an examination of the investor's personal circumstances, • provide professional advice on certain financial assets, and <p>this advice is not remunerated on the commission basis of a provider of financial investments, but only against a fee from your customer.</p>
Ansprechpunkt	<p>To the locally competent Chamber of Commerce and Industry.</p> <p>You can also complete the procedure electronically via the Point of Single Contact. https://eah.hessen.de/ https://eah.hessen.de/</p>
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Licence as a professional fee-based financial investment advisor - Granting, Erlaubnis als gewerbsmäßiger Honorar-Finanzanlagenberater - Erteilung</p>