

99089051010001

Money laundering Exemption from the obligation to appoint a money laundering officer

Heruntergeladen am 28.07.2025

<https://fimportal.de/xzufi-services/121378054/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99089051010001
Leistungsbezeichnung I	Money laundering Exemption from the obligation to appoint a money laundering officer
Leistungsbezeichnung II	Applying for exemption from the obligation to appoint an anti-money laundering officer
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)
Verrichtungskennung	Befreiung (010)

Modul	Sachverhalt
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Mitarbeiterbezogene Meldepflichten (2030400), Gerichtliche Entscheidungen (2140300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	26.09.2022
Fachlich freigegeben durch	Ministry of Economic Affairs, Industry, Climate Protection and Energy of the State of North Rhine-Westphalia
Handlungsgrundlage	<p>§ Section 7 (2) of the Money Laundering Act (GWG)</p> <p>https://www.gesetze-im-internet.de/gwg_2017/__7.html https://www.gesetze-im-internet.de/gwg_2017/__7.html https://www.gesetze-im-internet.de/gwg_2017/__7.html</p>
Teaser	Upon request, the supervisory authority can exempt you from the obligation to appoint an anti-money laundering officer under certain conditions.
Volltext	<p>As a financial company within the meaning of Section 1 (24) of the German Money Laundering Act (GwG) and as an organizer or broker of games of chance in accordance with Section 2 (1) No. 15 GwG, you are obliged to appoint a money laundering officer and a deputy.</p> <p>In some federal states, goods traders who deal in high-value goods may be obliged by general decree to appoint a money laundering officer</p> <p>Under certain conditions, you can be exempted from the obligation to appoint an anti-money laundering officer upon application. It must be ensured that all obligations specified in the Money Laundering Act are complied with even without an anti-money laundering officer. This includes you, as the obligated party under the Money Laundering Act, proving that</p>

Modul

Sachverhalt

- all relevant areas of your company are provided with the necessary information to prevent money laundering and that there is no risk of information being lost, especially in the case of a division of labor structure
- following a risk-based assessment, other precautions are taken to prevent business relationships and transactions related to money laundering or terrorist financing.

Both requirements must be met.

Erforderliche Unterlagen

Application for exemption from the obligation to appoint an anti-money laundering officer

The application must demonstrate in a comprehensible and justified manner that all obligations specified in the AMLA will be complied with even without an anti-money laundering officer.

- Proof of eligibility to apply

- Proof that the person submitting the application is a member of the company's management (e.g. extract from the commercial register or shareholders' agreement).

- Risk analysis

Assessment of the individual company, customer, product and transaction risk;

- Presentation of the internal security measures derived from the risk analysis which make the appointment of a money laundering officer unnecessary.

- If applicable, a current excerpt from the commercial register

Registered companies should submit a current excerpt from the commercial register with their application. Legal entities in the process of being established (GmbH, AG) must submit the articles of association.

Modul	Sachverhalt
Voraussetzungen	<ul style="list-style-type: none"> • Obligated parties under the Money Laundering Act <p>Only natural or legal persons who are obliged by law or by order of the supervisory authority to appoint an anti-money laundering officer are eligible to apply.</p> <ul style="list-style-type: none"> • Clear internal communication <p>The flow of information on the topic of money laundering prevention within the company must be guaranteed. Staff must be adequately informed, instructed and monitored.</p> <ul style="list-style-type: none"> • Other security measures <p>Other precautions must be taken to prevent business relationships and transactions that may be associated with money laundering or terrorist financing.</p>
Kosten	Fee range: EUR 50.00 - EUR 800.00
Verfahrensablauf	<ul style="list-style-type: none"> • The obliged entity shall apply to the competent supervisory authority for exemption from the obligation to appoint an anti-money laundering officer. • The application is reviewed by the competent authority • After completion of the procedure, the obligated party receives a decision.
Bearbeitungsdauer	approx. 6 weeks
Frist	
weiterführende Informationen	https://www.bezreg-koeln.nrw.de/brk_internet/leistung/en/abteilung03/34/geldwaeschepraevention/pflichten/risikomanagement/merkblatt_risikomanagement.pdf https://rp-darmstadt.hessen.de/sites/rp-darmstadt.hessen.de/files/Schema%20Risikomanagement_in_f%C3%BCnf_Schritten_0.pdf https://rp-darmstadt.hessen.de/sites/rp-darmstadt.hessen.de/files/Handreichung%20Risikoanalyse_0.pdf
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Appeal (depending on state law, the appeal may be excluded)

Modul	Sachverhalt
	<ul style="list-style-type: none"> • Administrative court action
Kurztext	<ul style="list-style-type: none"> • Applying for exemption from the obligation to appoint an anti-money laundering officer • Under certain conditions, obliged entities under the Money Laundering Act must appoint an anti-money laundering officer and a deputy; under certain conditions, obliged entities can apply for exemption from the obligation to appoint an anti-money laundering officer. It must be ensured that all obligations specified in the GwG are complied with even without an anti-money laundering officer • Responsible authority: District governments
Ansprechpunkt	
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> • Forms: yes • Written form required: no • Personal appearance required: no
Ursprungsportal	Geldwäsche Befreiung von der Pflicht, einen Geldwäschebeauftragten zu bestellen, Money laundering Exemption from the obligation to appoint a money laundering officer