

99089165010001, 99089165010001

Apply for exemption from the obligation to document the risk analysis in the gambling sector

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/411000662/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99089165010001, 99089165010001
Leistungsbezeichnung I	Apply for exemption from the obligation to document the risk analysis in the gambling sector
Leistungsbezeichnung II	Apply for exemption from the obligation to document the risk analysis in the gambling sector
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)
Verrichtungskennung	Befreiung (010)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

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	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	18.12.2024
Fachlich freigegeben durch	Ministry of the Interior of the State of North Rhine-Westphalia
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwg_2017/_5.html
Teaser	Upon request, the competent authority may exempt obligated parties from the obligation to document the risk analysis in the gambling sector under certain conditions.
Volltext	<p>As an obligated party under the German Money Laundering Act (GwG), you must identify and assess the risks of money laundering and terrorist financing for the business you conduct in the gaming sector and properly document them in a risk analysis.</p> <p>Provided that specific risks in your business area are clearly identifiable and</p> <ol style="list-style-type: none"> 1. existing specific risks are clearly identifiable and 2. the risks are understood, <p>be exempted from the obligation to document a risk analysis upon request. Re 1: The existing specific risks may be clearly recognizable, for example, if your business activities</p> <ul style="list-style-type: none"> • do not involve complex business activities, • the transactions you carry out are of a manageable size, • your customer structure is homogeneous and • there are no other risk-increasing circumstances. <p>Re 2: A sufficient understanding of the specific risks can be assumed if the internal security measures taken by you (e.g. regular briefings of the personnel deployed</p>

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and security checks) are appropriate to the risk.

Please note that the exemption from documenting a risk analysis does not exempt you from the obligation to prepare a risk analysis. Exemption can only be granted for the documentation.

You must continue to identify and assess risks of money laundering and terrorist financing on an ongoing basis and take suitable internal security measures to prevent them. You can only be exempted from the regular documentation obligation.

Erforderliche Unterlagen

- Application for exemption from the documentation of a risk analysis in the gaming sector: The application must demonstrate in a comprehensible and justified manner that the risks of money laundering and terrorist financing in your business area are manageable and clearly recognizable.
- Proof of eligibility to apply Proof of appointment as money laundering officer or Contract on the outsourcing of internal security measures or 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, organizational chart)
- Current risk analysis: A comprehensible presentation of the internal security measures taken based on the identified and assessed concrete risks of money laundering and terrorist financing in your business area.
- 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 founded (GmbH, AG) submit the articles of association or articles of incorporation.

Voraussetzungen

- Obligated parties under the Money Laundering Act: Only natural persons or legal entities that qualify as: Financial undertakings within the meaning of Section 1 (24) GwG (obliged entities pursuant to Section 2 (1) No. 6 GwG) Insurance intermediaries pursuant to § 59 of the Insurance Contract Act, insofar as they broker the

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activities, transactions, products or services covered by § 2 para. 1 no. 7 GwG, with the exception of insurance intermediaries operating pursuant to § 34d para. 6 or 7 no. 1 of the Trade, Commerce and Industry Regulation Act, and branches of such insurance intermediaries based abroad and located in Germany 3. Service providers for companies and for trust assets or trustees if they provide the services specified in Section 2(1)(13) GwG for third parties (obliged entities pursuant to Section 2(1)(13) GwG) Real estate agents (obliged entities pursuant to Section 2 (1) no. 14 GwG) Bookmakers within the meaning of Section 2 (1) RennwLottG (obliged entities pursuant to Section 2 (1) no. 15 GwG) Casinos (obliged entities pursuant to Section 2 (1) no. 15 GwG) Betting agencies (obliged entities pursuant to Section 2 (1) no. 15 GwG) Acceptance points within the meaning of Section 3 (5) of the Interstate Gambling Treaty, insofar as they offer the Oddset sports bet (obliged entities pursuant to Section 2 (1) no. 15 GwG) Organizers of online games of chance (virtual slot machines and online poker) within the meaning of Sections 22a and 22b of the State Treaty on Gambling 2021 (obliged entities pursuant to Section 2 (1) no. 15 GwG)

are active.

- Authorized representative: Applicant must be a member of management or an internal/external money laundering officer of the company.
- Clear recognizability of the risks: z. E.g. presentation:
 1. what risks your company is exposed to and
 2. how susceptible it is to abuse against money laundering or terrorist financing
- Sufficient understanding of the risks, e.g. presentation of the security measures taken based on the specific risks identified

Kosten

Gebühr: 50€ - 800€

Is based on the respective administrative fee schedule of the federal state or on the fee statutes of the authorities responsible under federal state law.

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Verfahrensablauf	<ul style="list-style-type: none"> • As an obliged entity, you apply to the competent authority for exemption from the obligation to document a risk analysis in the gambling sector • Your application will be reviewed by the competent authority • You will receive a decision once the procedure has been completed
Bearbeitungsdauer	approx. 6 weeks
Frist	none
weiterführende Informationen	Information page District Government of Cologne leaflet_risk_management.pdf (nrw.de)
Hinweise	There are no indications or special features.
Rechtsbehelf	Appeal (depending on the federal state) Administrative court action
Kurztext	<ul style="list-style-type: none"> • Documentation of the money laundering and terrorist financing risk analysis Exemption in the gaming sector • Obligated parties under the German Money Laundering Act (GwG) must identify and assess the risks of money laundering and terrorist financing for the transactions they conduct and properly document them in a risk analysis • Under certain conditions, it is possible to apply for exemption from the obligation to document a risk analysis. • Competent authority: Depends on the respective state law
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms available: No Written form required: No Informal application possible: No Personal appearance necessary: No

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Ursprungsportal

Apply for exemption from the obligation to document the risk analysis in the gambling sector, Befreiung von der Pflicht zur Dokumentation der Risikoanalyse im Glücksspielsektor beantragen