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Erlaubnis für Honorar-Finanzanlagenberater beantragen

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/6003379/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99050109001000
Leistungsbezeichnung I	Erlaubnis für Honorar-Finanzanlagenberater beantragen
Leistungsbezeichnung II	Erlaubnis für Honorar-Finanzanlagenberater beantragen
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	

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Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § 11a [Gewerbeordnung](http://www.gesetze-im-internet.de/gewo/index.html) (GewO)](http://www.gesetze-im-internet.de/gewo/index.html) – Vermittlerregister <ul style="list-style-type: none"> • §§ 34f bis h, 11a Absatz 3a [GewO](http://www.gesetze-im-internet.de/gewo/index.html) – Finanzanlagenvermittler, Honorar-Finanzanlagenberater, Immobiliardarlehensvermittler <ul style="list-style-type: none"> • § 1 Absatz 1 [Kreditwesengesetzes](http://www.gesetze-im-internet.de/kredwg/index.html) (KWG) – Begriffsbestimmungen <ul style="list-style-type: none"> • § 1 Absatz 2 [Vermögensanlagegesetz](https://www.gesetze-im-internet.de/vermanlg/inhalts_bersicht.html) (VermAnlG) – Anwendungsbereich und Begriffsbestimmungen
Teaser	To act as a fee-based financial investment adviser you require a licence under trade law if you
Volltext	<p>To act as a fee-based financial investment adviser you require a licence under trade law if you</p> <ul style="list-style-type: none"> • advise on transactions with certain financial instruments and your recommendation is based on an examination of the investor's personal circumstances, <ul style="list-style-type: none"> • you provide professional advice on financial investments, for example <ul style="list-style-type: none"> • units or shares in domestic open-ended investment funds, open-ended EU investment funds or foreign open-ended investment funds which may be distributed in accordance with the German Investment Code (open-ended funds), <ul style="list-style-type: none"> • units or shares in domestic closed-ended investment funds, closed-ended EU investment funds

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or foreign closed-ended investment funds that may be marketed in accordance with the German Investment Code (closed-end funds),

- investments within the meaning of section 1(2) of the German Investment Act (Vermögensanlagegesetz) (e.g. participations in companies, profit participation rights, participating loans, subordinated loans) and
- this advice is not provided on a commission basis by a provider of financial investments, but only in return for a fee from your client.

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

****Note:**** In addition to the license, you must also be entered in the Register of Intermediaries. You can submit the application for this together with the permit application.

Erforderliche Unterlagen

You must submit the following documents for the examination to obtain permission to act as a fee-based financial investment advisor:

- 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 certificate of no objection from the municipal tax office,
- an extract from the debtors' register of the central enforcement court,
- if applicable, information from the insolvency court regarding freedom from insolvency and rejection of the opening of proceedings for lack of assets,
- proof of professional liability insurance,
- proof of the required expertise

in the case of legal entities and commercial

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	<p>partnerships:</p> <ul style="list-style-type: none"> • the extract from the commercial register
Voraussetzungen	<p>Permission to act commercially as a fee-based financial investment adviser is granted if you</p> <ul style="list-style-type: none"> • are reliable, • you are in good financial standing, • can prove that you have professional liability insurance, and • have successfully passed an examination of professional competence at a chamber of industry and commerce or can prove this required professional competence by an equivalent professional qualification.
Kosten	<p>Procedural fee (according to the fee schedule of the responsible department).</p>
Verfahrensablauf	<p>You apply for permission to act as a fee-based financial investment advisor in writing to the trade authority (-> responsible department). You can obtain the necessary forms here via Amt24 or from the responsible department.</p> <ul style="list-style-type: none"> • The permit is issued to you in the form of a permit notice. • After commencement of activity as a fee-based financial investment intermediary, you must immediately submit an application for entry in the register. <p>**Tip:** Individuals (natural persons) apply for the permit themselves or through authorised third parties. In the case of legal entities, the application is made by their legal representatives or by third parties authorised in writing.</p> <p>**Attention!** If you have not already applied for entry in the Register of Intermediaries together with the permit, you must still be entered in the Register of Intermediaries before you start working.**</p>

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Bearbeitungsdauer	As soon as all documents are complete, the application will be processed within several weeks.
Frist	before starting the activity
weiterführende Informationen	
Hinweise	<p>Scope of the licence</p> <ul style="list-style-type: none"> You can apply for permission to act as a fee-based financial investment adviser for all product categories (open-end funds, closed-end funds, asset investments within the meaning of Section 1 (2) of the Asset Investment Act), but it can also be restricted to individual categories. <p>No double licence for financial investment brokers and fee-based financial investment advisors</p> <ul style="list-style-type: none"> Permission to act as a financial investment intermediary and as a fee-based financial investment adviser are mutually exclusive. Therefore, anyone who already has a licence as a financial investment intermediary can only obtain a licence as a fee-based financial investment adviser if they waive their licence as a financial investment intermediary.
Rechtsbehelf	Objection (details in the notice)
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	