

99089051169002, 99089051169002

Notification of suspected money laundering or terrorist financing Notification of the outsourcing of internal security measures

Heruntergeladen am 27.06.2025

<https://fimportal.de/xzufi-services/108988183/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99089051169002, 99089051169002
Leistungsbezeichnung I	Notification of suspected money laundering or terrorist financing Notification of the outsourcing of internal security measures
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)

Modul	Sachverhalt
Verrichtungskennung	Anzeige (169)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Gerichtliche Verfahren, Anzeige und Klage (1150200), Gerichtliche Entscheidungen (2140300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.11.2020
Fachlich freigegen durch	Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg
Handlungsgrundlage	<p>§ Section 6 (1) of the Money Laundering Act (GwG) for the basic obligation to take security measures</p> <p>§ Section 6 (7) GwG regarding the obligation to report outsourcing</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_6.html</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_6.html</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_4.html</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_6.html</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_4.html</p> <p>https://www.gesetze-im-internet.de/gwg_2017/_6.html</p>
Teaser	If you do not wish to carry out the internal security measures required by the Money Laundering Act yourself, you can transfer these to an (external) third party under certain conditions.
Volltext	<p>As an obliged entity under the German Money Laundering Act (GwG), you must create appropriate business and customer-related internal security measures to manage and mitigate the risks of money laundering and terrorist financing through suitable principles, procedures and controls. You can also transfer the implementation of internal security measures to an (external) third party within the framework of contractual agreements.</p> <p>However, you must first notify the competent supervisory authority of the intended outsourcing.</p>

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The GwG contains standard examples of the security measures to be taken (Section 6 (2) GwG). This list is not exhaustive. Further internal security measures may be required in individual cases.

The internal security measures still require the approval of the person responsible for money laundering prevention at management level in your company.

As the obligated party, you may have the internal security measures carried out by an (external) third party within the framework of contractual agreements if you have notified the supervisory authority in advance. The supervisory authority may prohibit the transfer if

- The third party does not guarantee that the security measures will be carried out properly.
- the control options of the obligated party are impaired or
- the supervision by the supervisory authority is impaired.

For you as the obligated party, this means that you must state in your notification that the conditions for prohibiting the transfer are not met.

You must also state in the notification which internal security measures are the subject of the outsourcing.

The notification must be made by the obligated company itself or, if applicable, by the appointed money laundering officer.

Important note:

Responsibility for the fulfillment of the internal security measures remains with the obliged entity. If the third party does not properly fulfill the contractually assigned obligations, for example, you remain responsible for non-compliance with the internal security measures.

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Erforderliche Unterlagen

Notification of the outsourcing of internal security measures

The notification must clearly state which internal security measures are to be outsourced.

In addition, the notification of outsourcing must state in full and in writing that all requirements have been met and that there are no grounds for prohibiting the intended outsourcing.

Proof of authorization to notify

Proof of appointment as money laundering officer or money laundering officer or

Contract on the outsourcing of internal security measures or

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

Contract with the third party

Copy of the contractual agreement with the third party to whom the security measures are to be outsourced.

Current excerpt from the commercial register

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

Voraussetzungen

Obligated parties under the Money Laundering Act

Only natural or legal persons who are obligated parties under the Money Laundering Act are entitled to report money laundering.

The person making the report must be a member of management or an internal or external money laundering officer of the company.

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	<p>The third party must be sufficiently qualified and reliable to carry out the internal security measures and offer the guarantee that the security measures will be carried out properly.</p> <p>In addition, the outsourcing must not impair the control options of the obliged entity or the supervision of the supervisory authority.</p>
Kosten	
Verfahrensablauf	<p>As an obligated company, you submit the report to the competent supervisory authority yourself or, if applicable, through the appointed anti-money laundering officer.</p> <p>Your notification will be reviewed by the competent authority.</p> <p>After notification, the internal security measures can be carried out by a third party; prior approval from the authority is not required.</p> <p>The supervisory authority may prohibit the transfer to a third party if</p> <ul style="list-style-type: none"> • the third party does not guarantee that the security measures will be carried out properly, • the control options of the obligated party are impaired as a result, or • supervision by the supervisory authority is impaired
Bearbeitungsdauer	
Frist	<p>Notification of the outsourcing of internal security measures must be made prior to outsourcing After notification, the internal security measures can be implemented; prior approval by the authority is not required.</p>
weiterführende Informationen	<p>https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf</p> <p>https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf</p>
Hinweise	

Modul	Sachverhalt
Rechtsbehelf	Reference to general legal action only in the event of prohibition
Kurztext	<p>Notification of the outsourcing of internal security measures</p> <p>Obligated parties must create appropriate business and customer-related internal security measures in accordance with the Money Laundering Act.</p> <p>The internal security measures may be carried out by a third party company.</p> <p>The outsourcing must be notified to the supervisory authority in advance.</p> <p>Outsourcing may be prohibited by the supervisory authority under certain conditions.</p>
Ansprechpunkt	
Zuständige Stelle	<p>Financial companies, insurance brokers, service providers for companies and for trust assets or trustees, real estate brokers, goods traders</p> <p>(§ 2 para. 1 no. 6, 8, 13, 14, 16 GwG):</p> <p>Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg</p> <p>Heinrich-Mann-Allee 107,</p> <p>14473 Potsdam</p> <p>Tel.: +49 (0) 331 866 -1778 or +49 (0) 331 866 -1735</p> <p>FAX: +49 (0) 331 866 1583</p> <p>Mail: geldwaesche@mwae.brandenburg.de</p> <p>Gambling (Section 2 (1) No. 15 GwG):</p> <p>Ministry of the Interior and Municipal Affairs</p> <p>of the State of Brandenburg</p>

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	<p>Henning-von-Tresckow-Straße 9 - 13</p> <p>14467 Potsdam</p> <p>Phone: +49 (0) 331 866 -2221</p> <p>Gluecksspielaufsicht@mik.brandenburg.de</p> <p>Bookmakers, totalizers (Section 2 (1) No. 15 GwG):</p> <p>Ministry of Agriculture, Environment and Climate Protection Henning-von-Tresckow-Str. 2-13, House S 14467 Potsdam</p> <p>Telephone: +49 (0) 331 866-7001 https://mluk.brandenburg.de/mluk/de/ https://mluk.brandenburg.de/mluk/de/</p>
Formulare	<p>Forms: no</p> <p>Online procedure possible: yes</p> <p>Written form required: no</p> <p>Personal appearance required: no</p>
Ursprungsportal	<p>Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung Anzeige über die Auslagerung interner Sicherungsmaßnahmen, Notification of suspected money laundering or terrorist financing Notification of the outsourcing of internal security measures</p>