

99089165010000, 99089165010000

Notification of suspicion of money laundering or terrorist financing Exemption from documenting a risk analysis

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/108992572/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99089165010000, 99089165010000
Leistungsbezeichnung I	Notification of suspicion of money laundering or terrorist financing Exemption from documenting a risk analysis
Leistungsbezeichnung II	
Typisierung	1 - Bund: Regelung und Vollzug, 3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sicherheit und Ordnung (089)

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Verrichtungskennung	Befreiung (010)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.11.2020
Fachlich freigegeben durch	Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwg_2017/_5.html https://www.gesetze-im-internet.de/gwg_2017/_5.html
Teaser	Upon request, the supervisory authority may exempt obligated parties from the obligation to document the risk analysis under certain conditions.
Volltext	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 transactions you conduct and properly document them in a risk analysis. Under the conditions that your company 1. existing concrete risks are clearly recognizable and 2. the risks are understood, be exempted from the obligation to document a risk analysis upon request. You must continue to identify and assess money laundering and terrorist financing risks on an ongoing basis and take suitable internal security measures to prevent them. You can only be exempted from the regular documentation obligation. Re 1. the existing specific risks may be clearly recognizable if, for example, your business activities

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- 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.

Re 2: A sufficient understanding of the specific risks can be assumed if the internal security measures you have taken (e.g. regular briefings of the personnel deployed and security checks) are appropriate to the risk.

Erforderliche Unterlagen

Application for exemption from the documentation of a risk analysis

The application must demonstrate in a comprehensible and justified manner that the risks of money laundering and terrorist financing in your company are manageable and clearly recognizable.

Proof of eligibility to apply

- Proof of appointment as money laundering officer or 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)

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 or legal persons who are obliged entities under the GWG are eligible to apply:

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	1. are active. Authorized representatives Applicant must be a member of management or an internal or external money laundering officer of the company. Clear recognizability of the risks z. E.g. presentation of the risks to which your company is exposed and how susceptible it is to abuse against money laundering or terrorist financing Sufficient understanding of the risks z. E.g. presentation of the security measures taken on the basis of the specific risks identified
Kosten	different, depending on the effort
Verfahrensablauf	As an obligated company, you apply to the competent supervisory authority for exemption from the obligation to document a risk analysis. Your application will then be reviewed by the competent authority. You will receive a decision once the procedure has been completed.
Bearbeitungsdauer	approx. 6 weeks (depending on the size of the company)
Frist	
weiterführende Informationen	https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf https://mwae.brandenburg.de/media/bb1.a.3814.de/Auslegungshinweise_GwG_Stand_05_2023.pdf
Hinweise	
Rechtsbehelf	Action for annulment

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Kurztext

Persons subject to obligations 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.

Ansprechpunkt

Zuständige Stelle

Financial companies, insurance brokers, service providers for companies and for trust assets or trustees, real estate brokers, goods traders

(§ 2 para. 1 no. 6, 8, 13, 14, 16 GwG):

Ministry of Economic Affairs, Labor and Energy of the State of Brandenburg

Heinrich-Mann-Allee 107,

14473 Potsdam

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FAX: +49 (0) 331 866 1583

Mail: geldwaesche@mwae.brandenburg.de

Gambling (Section 2 (1) No. 15 GwG):

Ministry of the Interior and Municipal Affairs

of the State of Brandenburg

Henning-von-Tresckow-Straße 9 - 13

14467 Potsdam

Phone: +49 (0) 331 866 -2221

Gluecksspielaufsicht@mik.brandenburg.de

Modul	Sachverhalt
	Bookmakers, totalizers (Section 2 (1) No. 15 GwG): Ministry of Agriculture, Environment and Climate Protection Henning-von-Tresckow-Str. 2-13, House S 14467 Potsdam Telephone: +49 (0) 331 866-7001 https://mluk.brandenburg.de https://mluk.brandenburg.de
Formulare	Forms: no Online procedure possible: yes Written form required: no Personal appearance required: no
Ursprungsportal	Notification of suspicion of money laundering or terrorist financing Exemption from documenting a risk analysis, Meldung des Verdachts auf Geldwäsche oder Terrorismusfinanzierung Befreiung von der Dokumentation einer Risikoanalyse