Ordnungsamt Treptow-Köpenick / Gewerbeangelegenheiten 2
Address 2
Contact 2
Barrier-free access 2
Opening hours 2
Changes in opening hours 2
Verkehrsanbindungen 2
Payment options 3
Financial investment broker - Apply for permission 4
Prerequisites 4
Documents required 5
Forms 6
Fees 6
Legal basis 6
Average time to process request 7
More information 7
Average time to process request 7
Hinweise zur Zuständigkeit 7

Ordnungsamt Treptow-Köpenick / Gewerbeangelegenheiten

Bezirksamt Treptow-Köpenick

Address

Salvador-Allende-Str. 80 A
12559 Berlin

Contact

Telephone: (030) 90297-4629
Fax: (030) 90297-664621
E-mail: ordnungsamt@ba-tk.berlin.de

Barrier-free access

Zugang für Rollstuhlfahrer hinter dem Haus

Explanation of symbols (https://service.berlin.de/hinweise/artikel.2699.php)

Opening hours

Monday:	09:00-15:00 Uhr (nur nach vorheriger Terminvereinbarung)
Tuesday:	09:00-15:00 Uhr (nur nach vorheriger Terminvereinbarung)
Wednesday:	keine Sprechzeit
Thursday:	10:00-18:00 Uhr (nur nach vorheriger Terminvereinbarung)
Friday:	09:00-14:00 (nur nach vorheriger Terminvereinbarung)

Changes in opening hours

Für eine persönliche Vorsprache im Ordnungsamt ist unbedingt eine telefonische Terminvereinbarung nötig!
Weitere Informationen finden Sie unter:
https://www.berlin.de/ba-treptow-koepenick/politik-und-verwaltung/aemter/ordnungsamt/artikel.86065.php

Verkehrsanbindungen

Bus

0.2km Salvador-Allende-Brücke
269, N65, 169, N64

0.3km Neuer Weg
N65, 169, 269, N64

0.4km Berlin, Hirschgarten
S3, N65

0.4km S.-Allende-Str./Wendenschloßstr.

165, 269, N65, X69, 169

0.5km Bellevuestr.

N65

Tram

0.4km Berlin, Hirschgarten

60, 61, 63

0.5km Bellevuestr.

60, 61, 63

Payment options

Girocard (mit PIN)

Financial investment broker - Apply for permission

As a financial investment intermediary, you independently broker financial products to clients, receiving a commission from the provider of the financial product. If you receive your fee from the client, please apply for a licence as a fee-based financial investment adviser (see "More information"). You may not act as a financial investment intermediary and a fee-based financial investment adviser at the same time.

- As a financial investment intermediary, you are restricted to certain financial products by the so-called area exception of the German Banking Act. The permit covers (optionally) three product categories:
- Units or shares in domestic open-ended, investment funds, open EU investment funds or foreign open-ended investment funds that are may be distributed in accordance with the German Capital Investment Code are permitted
- Units or shares in domestic closed-ended investment funds, closed-ended EU investment funds or foreign closed-ended investment funds that may be distributed in accordance with the German Capital Investment Code.Investment Act (Kapitalanlagegesetzbuch) Asset investments
- Asset investments within the scope of the Asset Investment Act, investment brokerage in the sense of the Banking Act (including participation loans, subordinated loans and crowd funding), on a commercial basis.

Register of Intermediaries
In addition to the licence, you must also be entered in the Register of Intermediaries. You can submit the application for this together with the permit application. Staff members of financial investment brokers, who perform tasks in the area of financial investment brokerage and consultation, must also be registered in the Register of Financial Investment Brokers.
The CCI Berlin is in charge of registrations for companies based in Berlin. (see „More information").

Exceptions
Intermediaries, who perform financial brokering activities solely as a service for providers or issuers of asset investments in the sense of the Asset Investment Act or of closed-end alternative investment funds in the sense of capital investment legislation are exempt from the licensing obligation. They are registered in a public register kept by the Federal Financial Supervisory Authority (BaFin) (register of contractually bound brokers).

In the case of business partnerships (e. g. GbR, OHG, KG), each managing partners is considered a business person. In the case of legal entities (GmbH, UG or AG) permission is granted to the company.

Prerequisites

- **Personal reliability**
  Reliability is verified based on various documents. The applicant must submit

an excerpt from the Federal Central Criminal Register (certificate of good conduct) and an excerpt from the Commercial Central Register.

- **Orderly financial situation**
  It is checked whether the applicant has debts (private or public) or whether insolvency proceedings are known.
- **Adequate insurance cover**
  Proof of professional insurance cover for the business.
- **Expert knowledge**
  Proof of successfully passed examination of competence before a CCI or a similar approved professional qualification.
- **For online applications: registration/login via BundID**

Documents required

- **Application for a licence pursuant to § 34f of the Trade Regulations (GewO) (financial investment broker)**
  Possible online; or you can use the form.
- **Identity document**
  Identity card or other official identification document containing a photograph (not required for electronic applications).
  Residence permit, if the applicant is not an EU national
- **Certificate of good conduct for presentation to an authority** (https://service.berlin.de/dienstleistung/120926/)
  To verify personal reliability, information from the Federal Central Register (certificate of good conduct) is required for submission to an authority (document type O).
  The information must not be older than three months.
- **Excerpt from the central business register for presentation to an authority** (https://service.berlin.de/dienstleistung/327835/)
  To verify personal reliability, information from the central business register is required for submission to an authority (document type 9).
  The information must not be older than three months.
- **Information from the debtors' register (Central Enforcement Portal)** (https://service.berlin.de/dienstleistung/327028/)
  Information on entries can be requested online at the Central Enforcement Portal of the Federal States. (see "More information")
- **Information from the insolvency register** (https://service.berlin.de/dienstleistung/327527/)
  - **Two certificates** are required for initiating insolvency proceedings for natural persons who are residents of Berlin. The first certificate for consumer insolvency proceedings must be applied for with the local court responsible for your place of residence, and the second one for regular insolvency proceedings is available from the District Court Charlottenburg Amtsgerichtsplatz 1, 14057 Berlin.
  - The District Court Charlottenburg, Amtsgerichtsplatz 1, 14057 Berlin is responsible for insolvency proceedings for legal entities and private trade companies based in Berlin.
  - Applicants residing / operating outside of Berlin please inform themselves about the respective responsibilities of the insolvency courts via the central place and court directory (see "More

Information").

- **Proof of competence**
  (https://service.berlin.de/dienstleistung/330156/en/)
  Chamber of Industry and Commerce (Industrie- und Handleskammer or IHK) proof of professional qualification or another comparable recognised professional qualification.
- **Professional liability insurance**
  (https://www.gesetze-im-internet.de/finvermv/__9.html)
  Confirmation from an insurance company that the financial investment broker has professional liability insurance cover.
  The confirmation must be no older than three months.
- **Up-to-date excerpt from the Trade Register**
  (https://www.handelsregister.de/rp_web/welcome.xhtml)
  Registered companies please submit a current excerpt from the commercial register when applying. Legal entities in the process of formation (GmbH, AG) must submit the articles of association.

Forms

- **Application for a licence pursuant to § 34f of the Trade Regulations (GewO) (financial investment broker)**
  (https://www.berlin.de/formularverzeichnis/?formular=/ordnungsamt/stehendes-gewerbe/_assets/mdb-f382443-winr222_gewo_finanzanlagevermittler_antrag__01_2017.pdf)

Fees

90.00 to 1,740.00 euros per expense

Legal basis

- **Trade regulations (GewO) § 34 f sec. 1**
  (https://www.gesetze-im-internet.de/gewo/__34f.html)
- **Financial investment brokerage regulation (Finanzanlagenvermittlungsverordnung (FinVermV))**
  (https://www.gesetze-im-internet.de/finvermv/)
- **Banking Act (Kreditwesengesetz (KWG)) § 2 section 6 sentence 1 no. 8 - Derogation**
  (https://www.gesetze-im-internet.de/kredwg/__2.html)
- **Banking Act (Kreditwesengesetz (KWG)) § 1 section 1a no. 1 - Definition of investment brokerage**
  (https://www.gesetze-im-internet.de/kredwg/__1.html)
- **Banking Act (Kreditwesengesetz (KWG)) § 2 section 1 no. 10 - Exemptions from the permit requirement**
  (https://www.gesetze-im-internet.de/kredwg/__2.html)
- **Investment Act (Vermögensanlagengesetz (VermAnlG)) § 1 section 2 - Scope of application of investments**
  (https://www.gesetze-im-internet.de/vermanlg/__1.html)
- **Schedule of Administrative Fees (Verwaltungsgebührenordnung (VGebO))**
  (https://gesetze.berlin.de/perma?a=VwGebO_BE)

Average time to process request

1 month

More information

- **Informationen to Financial investment broker (IHK Berlin)** (https://www.ihk.de/berlin/service-und-beratung/recht-und-steuern/gewerberecht/erlaubnis-registrierungsverfahren-ihk/gesetzgebungsverfahren-zu-neuregelungen-fuer-finanzanlagevermit-2264966)
- **Information sheet on the exemption for the brokerage of investment funds and investments (BaFin)** (https://www.bafin.de/SharedDocs/Veroeffentlichungen/DE/Merkblatt/mb_150416_ausnahme_investmentfondsvermittlung.html)
- **Financial investment broker - Register for the expert examination (service)** (https://service.berlin.de/dienstleistung/330156/en/)
- **Fee-based financial investment advisor - Apply for a license (service)** (https://service.berlin.de/dienstleistung/327481/en/)
- **Register der vertraglich gebundenen Vermittler nach § 2 Abs. 10 Satz 6 KWG (BaFin)** (https://www.bafin.de/DE/PublikationenDaten/Datenbanken/Vermittler/vermittler_artikel.html)
- **Auskunft aus dem Schuldnerverzeichnis (zentrales Vollstreckungsportal der Länder)** (https://www.vollstreckungsportal.de/zponf/allg/willkommen.jsf)
- **Insolvency announcements online (Justizportal der Länder)** (https://neu.insolvenzbekanntmachungen.de/ap/)
- **Search for the competent court (central directory of places and courts)** (https://www.justizadressen.nrw.de/de/justiz/suche)
- **Privacy policy (Public Order Offices of Berlin)** (https://www.berlin.de/formularverzeichnis/?formular=/wirtschaft/gewerberecht/_assets/winr_105_merkblatt_dsgvo.pdf)
- **Register of intermediaries IHK - Apply for registration (service)** (https://service.berlin.de/dienstleistung/329370/en/)

Average time to process request

https://www.berlin.de/ea/en/application/login-service-account-berlin/

Hinweise zur Zuständigkeit

The application for approval must be submitted to the Public Order Office that is responsible for the place of business. If the place of business is not yet known, approval can also be applied for with the Public Order Office that is responsible for the applicant’s place of residence.