



EUROPEAN CENTRAL BANK
BANKING SUPERVISION

Andrea ENRIA

Chair of the Supervisory Board

Mr Sven Giegold
Member of the European Parliament
European Parliament
60, rue Wiertz
B-1047 Brussels

Frankfurt am Main, 30 April 2020

Re: Your letter (QZ-019)

Honourable Member of the European Parliament, dear Mr Giegold,

Thank you for your letter on the exchange of information with anti-money laundering authorities, which was passed on to me by Ms Irene Tinagli, Chair of the Committee on Economic and Monetary Affairs, accompanied by a cover letter dated 27 March 2020.

I would first like to stress that the European Central Bank (ECB) is actively engaged in exchanging information on anti-money laundering and combating the financing of terrorism (AML/CFT) under a multilateral agreement (the AML Agreement)¹, which the ECB concluded in 2019 with a number of AML/CFT supervisory authorities across the European Economic Area (EEA). Under the AML Agreement, the ECB has already shared information with more than 20 AML/CFT authorities in 154 cases.²

Regarding your question concerning the signatories of the AML Agreement, as of 22 April 2020 the ECB has received notifications of signatures of 49 AML/CFT supervisory authorities from 28 EEA countries (see attached list). While in many cases the national frameworks allowed for the signature even before the Fifth Anti-Money Laundering Directive (AMLD5) transposition in the respective country, in other cases the finalisation of AMLD5 implementation seems to be necessary for ensuring the signatures.

Regarding your second question on whether the ECB has access to on-site inspection reports, please be informed that several of the signatories to the AML Agreement have already shared the relevant findings of their on-site inspection reports with the ECB, either on an ad hoc basis or in the context of a regular

¹ Multilateral agreement on the practical modalities for exchange of information pursuant to Article 57a(2) of Directive (EU) 2015/849. The text of the agreement is available on the European Banking Authority (EBA) website at <https://eba.europa.eu/esas-announce-multilateral-agreement-on-the-exchange-of-information-between-the-ecb-and-aml-cft-competent-authorities>.

² As of 23 April 2020.

annual exchange of information that the ECB recently set up. This concerns the AML/CFT supervisory authorities of Austria, Belgium, Cyprus, Germany, Estonia, Spain, Finland, France, Greece, Croatia, Hungary, Ireland, Italy, Lithuania, Luxembourg, Malta, Norway, Portugal, Romania and Slovenia.

As regards the exchange of confidential information under the AML Agreement, it needs to be taken into account that for some of the authorities the divergence between the date of conclusion of the AML Agreement and the transposition date for the AMLD5³ may have presented obstacles to the signing of the Agreement in the course of 2019 and to the transmission of confidential information under the Agreement. We believe that, at the latest once the transposition of AMLD5 is completed in the Member States, all the AML/CFT supervisory authorities of credit and financial institutions in the Member States will have signed the AML Agreement and will be transmitting the relevant excerpts from their on-site inspection reports to the ECB.

With regard to your final question regarding information exchange agreements with non-EU countries, please note that currently the ECB does not have in place cooperation agreements with non-EEA AML/CFT authorities similar to the AML Agreement. However, the ECB stands ready to exchange relevant and necessary information where possible, either through ad hoc procedures or on the basis of existing prudential cooperation agreements.

You can thus rest assured that ECB Banking Supervision will continue to actively cooperate with AML/CFT authorities in all areas of common concern.

Yours sincerely,

[signed]

Andrea Enria

³ Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43).

Annex: Overview of AML/CFT supervisory authorities that have notified to the ECB their signature of the *Multilateral agreement on the practical modalities for exchange of information pursuant to Article 57a(2) of Directive (EU) 2015/849* (situation as at 22 April 2020).

EEA country	Name of the authority responsible for the supervision of compliance with Directive (EU) 2015/849 (AMLD)
Austria	Austrian Financial Market Authority (FMA)
Belgium	Nationale Bank van België/Banque Nationale de Belgique
	Financial Services and Markets Authority
Bulgaria	Българска народна банка (Bulgarian National Bank)
	Financial Supervision Commission
Croatia	Croatian Financial Services Supervisory Agency
	Hrvatska narodna banka
Cyprus	Insurance Companies Control Service (ICCS)
	Cyprus Securities and Exchange Commission
	Central Bank of Cyprus (CBC)
Czech Republic	Česká národní banka (CNB)
	Financial Analytical Office of the Czech Republic (FAO)
Estonia	Finantsinspektsioon (Estonian Financial Supervision and Resolution Authority)
Finland	Finanssivalvonta (Finnish Financial Supervisory Authority, FIN-FSA)
	The Regional State Administrative Agency for Southern Finland
France	Autorité des marchés financiers (AMF)
	Autorité de contrôle prudentiel et de résolution (ACPR)
Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)
Hungary	Magyar Nemzeti Bank
Iceland	Central Bank of Iceland
Ireland	Central Bank of Ireland
Italy	Banca d'Italia (BdI)
	IVASS – the Institute for the Supervision of Insurance
	Organismo Agenti in attività finanziaria e Mediatori creditizi (OAM)

EEA country	Name of the authority responsible for the supervision of compliance with Directive (EU) 2015/849 (AMLD)
Latvia	Consumer Rights Protection Centre of Latvia (CRPC)
	Latvijas Banka
	Financial and Capital Markets Commission
Liechtenstein	Financial Market Authority Liechtenstein (FMA)
Lithuania	Lietuvos bankas
Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)
	Commissariat aux Assurances (CAA)
Malta	Financial Intelligence Analysis Unit (FIAU)
Netherlands	The Dutch Authority for the Financial Markets (AFM)
	De Nederlandsche Bank (DNB)
Norway	The Financial Supervisory Authority of Norway
Poland	Generalny Inspektor Informacji Finansowej (GIIF)
	Komisja Nadzoru Finansowego (FSA Poland)
Portugal	Banco de Portugal
	Autoridade de Supervisão de Seguros e Fundos de Pensões (ASF)
	Comissão do Mercado de Valores Mobiliários (CMVM)
Romania	Autoritatea de Supraveghere Financiară (ASF)
	Banca Națională a României
Slovakia	Finančná spravodajská jednotka/Financial Intelligence Unit
	Národná banka Slovenska
Slovenia	Securities Market Agency
	Banka Slovenije
	Office for Money Laundering Prevention
	Insurance Supervision Agency (AZN)
Spain	Servicio Ejecutivo de la Comisión de Prevención del Blanqueo de Capitales e Infracciones Monetarias (Sepblac), in cooperation with Banco de España, Comisión Nacional de Mercado de Valores (CNMV) and Dirección General de Seguros y Fondos de Pensiones (DGSFP)
Sweden	Finansinspektionen