3.6.2022

OPINION

of the Committee on Constitutional Affairs

for the Committee on Economic and Monetary Affairs and the Committee on Civil Liberties, Justice and Home Affairs


Rapporteur for opinion: Helmut Scholz
PA_Legam
SHORT JUSTIFICATION

Anti Money Laundering Authority (AMLA) is a key institutional element of the package of proposals on Anti-Money-Laundering and Countering Terrorist Financing. Although the AMLA should join the family of the European Supervisory Agencies, it has very distinct roles, tasks and powers given the nature of AML/CFT mission which puts it at the nexus of supervision, law-enforcement and administrative cooperation. Your rapporteur therefore believes that in order to respond most efficiently to this mission, it is essential to enhance both internal and external governance of the new Authority, including accountability and transparency arrangements.

Due to the nature of their responsibilities, the Chair, the Vice-Chair and Executive director should be subject to stricter accountability and integrity rules and responsibilities in which the European Parliament should play a major role.

In its supervisory function, the capacity of the AMLA to ensure compliance and harmonized approach can be usefully enhanced through increased transparency and reporting measures. In its investigative function, given its crucial coordination role, its leadership of joint analysis teams should be also bolstered.

The challenges related to AML/CFT mission require the Authority to avail itself of plurality of expertise. Is should therefore draw not only from the experience of the relevant EU institutions, agencies and bodies, but also from organisations outside of the EU institutional orbit. Therefore the governance mechanisms should provide for an active involvement of civil society and other organisations with relevant expertise on an ad-hoc basis as well as through establishment of a permanent advisory body drawn from the representatives of the civil society.

Finally, the proposal should guarantee that the AMLA is set up in a timely manner, in line with the principles of Joint Statement and Common Approach, and that its operation is regularly reviewed so that it has means commensurate with its missions and is able to adapt flexibly to future challenges.
AMENDMENTS

The Committee on Constitutional Affairs calls on the Committee on Economic and Monetary Affairs and the Committee on Civil Liberties, Justice and Home Affairs, as the committees responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Combining both direct and indirect supervisory competences over obliged entities, and also functioning as a support and cooperation mechanism for FIUs, is the most appropriate means of bringing about supervision and cooperation between FIUs at Union level. This should be achieved by creating an Authority which should combine independence and a high level of technical expertise and which should be established in line with the Joint Statement and Common Approach of the European Parliament, the Council of the European Union and the European Commission on decentralised agencies.32

Amendment

(6) Combining both direct and indirect supervisory competences over obliged entities, and also functioning as a support and cooperation mechanism for FIUs, is the most appropriate means of bringing about supervision and cooperation between FIUs and other EU institutions, offices, bodies and agencies involved in the AML/CFT framework at Union level. This should be achieved by creating an Authority which should combine independence and a high level of technical expertise and which should be established in line with the principles of the Joint Statement and Common Approach of the European Parliament, the Council of the European Union and the European Commission on decentralised agencies, including the decision on its seat.32 The Authority should be fully independent, should be accountable to the European Parliament and to the Council.

________________________________________

Amendment 2
Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) A seat agreement should be established between the Authority and the host Member State, stipulating the conditions of establishment of the seat and advantages conferred by the Member State on the Authority and its staff.

Amendment

(7) The arrangements concerning the Authority’s seat should be laid down in a headquarters agreement between the Authority and the host Member State. That agreement should stipulate the conditions of establishment of the seat and the facilities to be provided by the Member State to the Authority and its staff. In line with the Point 9 of the Common approach, the Agency should conclude such agreement with the host Member State in a timely manner, before it begins its operational phase.

Amendment 3

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The powers of the Authority should allow it to improve AML/CFT supervision in the Union in various ways. With respect to selected obliged entities, the Authority should ensure group-wide compliance with the requirements laid down in the AML/CFT framework and any other legally binding Union acts that impose AML/CFT-related obligations on financial institutions. Furthermore, the Authority should carry out periodic reviews to ensure that all financial supervisors have adequate resources and powers necessary for the performance of their tasks. It should facilitate the functioning of the AML supervisory colleges and contribute to convergence of supervisory practices and promotion of high supervisory standards. With respect to non-financial supervisors, including self-regulatory bodies where appropriate, the Authority should coordinate peer reviews of supervisory standards and practices and request non-

Amendment

(8) The powers of the Authority should allow it to improve AML/CFT supervision in the Union in various ways. With respect to selected obliged entities, the Authority should ensure group-wide compliance with the requirements laid down in the AML/CFT framework and any other legally binding Union acts that impose AML/CFT-related obligations on financial institutions. Furthermore, the Authority should carry out periodic reviews to ensure that all financial supervisors have adequate resources and powers necessary for the performance of their tasks. It should facilitate the functioning of the AML supervisory colleges and contribute to convergence of supervisory practices and promotion of high supervisory standards. With respect to non-financial supervisors, including self-regulatory bodies where appropriate, the Authority should coordinate peer reviews of supervisory standards and practices and request non-
financial supervisors to investigate possible breaches of AML/CFT requirements. In addition, the Authority should coordinate the conduct of joint analyses by FIUs and make available to FIUs IT and artificial intelligence services and tools for secure information sharing, including through hosting of FIU.net.

Amendment 4

Proposal for a regulation

Recital 9

_text proposed by the Commission_

(9) With the objective to strengthen AML/CFT rules at Union level and to enhance their clarity while ensuring consistency with international standards and other legislation, it is necessary to establish the coordinating role of the Authority at Union level in relation to all types of obliged entities to assist national supervisors and promote supervisory convergence, in order to increase the efficiency of the implementation of AML/CFT measures, also in the non-financial sector. Consequently, the Authority should be mandated to prepare regulatory technical standards, to adopt guidelines, recommendations and opinions with the aim that where supervision remains at national level, the same supervisory practices and standards apply in principle to all comparable entities. The Authority should be entrusted, due to its highly specialised expertise, with the development of a supervisory methodology, in line with a risk-based approach. Certain aspects of the methodology, which can incorporate harmonised quantitative benchmarks, such as approaches for classifying the inherent

_text amended by the Commission_

(9) With the objective to strengthen AML/CFT rules at Union level and to enhance their clarity while ensuring consistency with international standards and other legislation, it is necessary to establish the coordinating role of the Authority at Union level in relation to all types of obliged entities to assist national supervisors and promote supervisory convergence, in order to increase the efficiency of the implementation of AML/CFT measures, also in the non-financial sector. The authority's coordinating role is also necessary to ensure cohesion and avoid duplication of tasks with other EU institutions, offices, bodies and agencies involved in the AML/CFT framework. Consequently, the Authority should be mandated to prepare regulatory technical standards, to adopt guidelines, recommendations and opinions with the aim that where supervision remains at national level, the same supervisory practices and standards apply in principle to all comparable entities. The Authority should be entrusted, due to its highly specialised expertise, with the development of a supervisory
risk profile of obliged entities should be detailed in directly applicable binding regulatory measures – regulatory or implementing technical standards. Other aspects, which require wider supervisory discretion, such as approaches to assessing residual risk profile and internal controls in the obliged entities should be covered by non-binding guidelines, recommendations and opinions of the Authority. The harmonised supervisory methodology should take due account of, and where appropriate, leverage the existing supervisory methodologies relating to other aspects of supervision of the financial sector obliged entities, especially where there is interaction between AML/CFT supervision and prudential supervision. Specifically, the supervisory methodology to be developed by the Authority should be complementary to guidelines and other instruments developed by the European Banking Authority detailing approaches of prudential supervisory authorities with respect to factoring ML/TF risks in prudential supervision, in order to ensure effective interaction between prudential and AML/CFT supervision.

Amendment 5

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) The Authority should have the opportunity to request a transfer of supervisory tasks and powers relating to a specific obliged entity on its own initiative in case of inaction or failure to follow its instructions within the provided deadline.

Since the transfer of tasks and powers methodology, in line with a risk-based approach. Certain aspects of the methodology, which can incorporate harmonised quantitative benchmarks, such as approaches for classifying the inherent risk profile of obliged entities should be detailed in directly applicable binding regulatory measures – regulatory or implementing technical standards. Other aspects, which require wider supervisory discretion, such as approaches to assessing residual risk profile and internal controls in the obliged entities should be covered by non-binding guidelines, recommendations and opinions of the Authority. The harmonised supervisory methodology should take due account of, and where appropriate, leverage the existing supervisory methodologies relating to other aspects of supervision of the financial sector obliged entities, especially where there is interaction between AML/CFT supervision and prudential supervision. Specifically, the supervisory methodology to be developed by the Authority should be complementary to guidelines and other instruments developed by the European Banking Authority detailing approaches of prudential supervisory authorities with respect to factoring ML/TF risks in prudential supervision, in order to ensure effective interaction between prudential and AML/CFT supervision.

Amendment

(29) The Authority should have the opportunity to exercise itself all powers relating to a specific obliged entity in case of inaction or failure to follow its instructions within the provided deadline. The Authority shall notify the Commission. The notification of the
over an obliged entity without the specific request of the financial supervisor to the Authority would require a discretionary decision on the part of the Authority, the Authority should address a specific request to that end to the Commission. In order for the Commission to be able to take a decision coherent with the framework of the tasks allocated to the Authority within the AML/CFT framework, the request of the Authority should enclose an appropriate justification, and should indicate a precise duration of the reallocation of tasks and powers towards the Authority. The timeframe for the reallocation of powers should correspond to the time the Authority requires to deal with the risks at entity level, and should not exceed three years. The Commission should adopt a decision transferring powers and tasks for supervising the entity to the Authority swiftly, and in any case within a month.

Amendment 6

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to analyse suspicious activity affecting multiple jurisdictions, the relevant FIUs that received linked reports should be able to efficiently conduct joint analyses of cases of common interest. To this end, the Authority should be able to propose, coordinate and support with all appropriate means the joint analyses of cross-border suspicious transactions or activities. The joint analyses should be triggered where there is a need to conduct just such joint analyses pursuant to the relevant provisions in Union law. Upon the explicit consent of the FIUs participating in the joint analyses, the staff of the Authority supporting the conduct of joint analyses should be able to receive and

Amendment

(32) In order to analyse suspicious activity affecting multiple jurisdictions, the relevant FIUs that received linked reports should be able to efficiently conduct joint analyses of cases of common interest. To this end, the Authority should be able to propose, coordinate and support with all appropriate means the joint analyses of cross-border suspicious transactions or activities. The joint analyses should be triggered where there is a need to conduct just such joint analyses pursuant to the relevant provisions in Union law. It should also be empowered to settle potential disagreements between the participating FIUs, the staff of the Authority coordinating the conduct of joint analyses.
process all necessary data and information, including the data and information pertaining to the analysed cases. should be able to receive and process all necessary data and information, including the data and information pertaining to the analysed cases. In order to collect all relevant information in an early stage of the joint analysis and to understand the underlying criminal context, the involvement of Europol in the joint analysis may also be solicited on case-by-case basis.

Amendment 7
Proposal for a regulation
Recital 33

Text proposed by the Commission

(33) In order to improve the effectiveness of the joint analyses, the Authority should be able to initiate reviews of methods, procedures and conduct of the joint analyses, with the aim of determining the lessons learnt and of improving and promoting these analyses. The feedback on the joint analysis should enable the authority to issue conclusions and recommendations which would ultimately lead to the regular refinement and improvement of the methods and procedures for the conduct of joint analyses.

Amendment

(33) In order to improve the effectiveness of the joint analyses, the Authority should be able to develop methods and procedures for the conduct of joint analyses. It should also review these methods and procedures with the aim of determining the lessons learnt and of improving and promoting these analyses. The feedback on the joint analysis should enable the authority to issue conclusions and recommendations which would ultimately lead to the regular refinement and improvement of the methods and procedures for the conduct of joint analyses.

Amendment 8
Proposal for a regulation
Recital 34

Text proposed by the Commission

(34) In order to facilitate and improve cooperation between FIUs and the Authority, including for the purposes conducting joint analyses, the FIUs should be able to delegate one staff member per

Amendment

(34) In order to facilitate and improve cooperation between FIUs and the Authority, including for the purposes conducting joint analyses, the FIUs should be able to delegate one staff member per
FIU to the Authority on a voluntary basis. The national FIU delegates should support the Authority’s staff in carrying out all the tasks relating to FIUs, including the conduct of joint analyses and the preparation of threat assessments and strategic analyses of money laundering and terrorist financing threats, risks and methods. Apart from the joint analyses, the Authority should encourage and facilitate various forms of mutual assistance between FIUs, including training and staff exchanges in order to improve capacity building and enable the exchange of knowledge and good practices amongst FIUs.

Amendment 9

Proposal for a regulation
Recital 34 a (new)

Text proposed by the Commission

(34a) In order to ensure a close cooperation with Union law enforcement and to avoid duplication of efforts between the Authority and Europol, the working arrangement between both organisations should ensure the possibility for each of them of having a liaison officer stationed at the premises of the other entity.

Amendment 10

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) In order to establish consistent, efficient and effective supervisory and FIU-related practices and ensure common, uniform and coherent application of Union law, the Authority should be able to issue
guidelines and recommendations addressed to all or a category of obliged entities and all or a category of supervisory authorities and FIUs. The guidelines and recommendations could be issued pursuant to a specific empowerment in the applicable Union acts, or on the own initiative of the Authority, where there is a need to strengthen the AML/CFT framework at Union level.

In the development of guidelines and recommendations the Authority could also draw upon expertise of other EU institutions, offices, bodies and agencies involved in the AML/CFT framework.

Amendment 11

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) The establishment of a solid governance structure within the Authority is essential for ensuring effective exercise of the tasks granted to the Authority, and for an efficient and objective decision-making process. Due to the complexity and variety of the tasks conferred on the Authority in both the supervision and FIU areas, the decisions cannot be taken by a single governing body, as is often the case in decentralised agencies. Whereas certain types of decisions, such as decisions on adoption of common instruments, need to be taken by representatives of appropriate authorities or FIUs, and respect voting rules of the TFEU, certain other decisions, such as the decisions towards individual selected obliged entities, or individual authorities, require a smaller decision-making body, whose members should be subject to appropriate accountability arrangements. Therefore, the Authority should comprise a General Board, and an Executive Board composed of five full-time independent members and of the

Amendment

(37) The establishment of a solid governance structure within the Authority is essential for ensuring effective exercise of the tasks granted to the Authority, and for an efficient and objective decision-making process. Due to the complexity and variety of the tasks conferred on the Authority in both the supervision and FIU areas, the decisions cannot be taken by a single governing body, as is often the case in decentralised agencies. Whereas certain types of decisions, such as decisions on adoption of common instruments, need to be taken by representatives of appropriate authorities or FIUs, and respect voting rules of the TFEU, certain other decisions, such as the decisions towards individual selected obliged entities, or individual authorities, require a smaller decision-making body, whose members should be subject to appropriate accountability arrangements. Therefore, the Authority should comprise a General Board, and an Executive Board composed of five full-time independent members and of the
Chair of the Authority.

Chair and the Vice-Chair of the Authority.

Amendment 12
Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) For the purposes of voting and taking decisions, each Member State should have one voting representative. Therefore, the heads of public authorities should appoint a permanent representative as the voting member of the General Board in supervisory composition. Alternatively, depending on the subject-matter of the decision or agenda of a given General board meeting, public authorities of a Member State may decide on an ad-hoc representative. The practical arrangements related to decision-making and voting by the General Board members in supervisory composition should be laid down in the Rules of Procedure of the General Board, to be developed by the Authority.

Amendment

(40) For the purposes of voting and taking decisions, each Member State should have one voting representative. Therefore, the heads of public authorities should appoint a permanent representative as the voting member of the General Board in supervisory composition. Alternatively, depending on the subject-matter of the decision or agenda of a given General board meeting, public authorities of a Member State may decide on an ad-hoc representative. In their appointments to the General Board, the public authorities of Member States should ensure gender balance, in particular with regard to the composition of the Board as a body. The practical arrangements related to decision-making and voting by the General Board members in supervisory composition should be laid down in the Rules of Procedure of the General Board, to be developed by the Authority.

Amendment 13
Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) The Chair of the Authority should chair the General Board meetings and have a right to vote when decisions are taken by simple majority. The Commission should be a non-voting member on the General Board. To establish good cooperation with other relevant institutions, the General

Amendment

(41) The Chair of the Authority should chair the General Board meetings and have a right to vote when decisions are taken by simple majority. The Commission should be a non-voting member on the General Board. A representative of the Civil Society Advisory Body should be entitled
Board should also be able to admit other non-voting observers, such as a representative of the Single Supervisory Mechanism and of each of the three European Supervisory Authorities (EBA, EIOPA and ESMA) for the General Board in its Supervisory Composition and Europol, the EPPO and Eurojust for the General Board in its FIU composition, where matters that fall under their respective mandates are discussed or decided upon. To allow a smooth decision making process, decisions of the General Board should be taken by a simple majority, except for decisions concerning draft regulatory and implementing technical standards, guidelines and recommendations which should be taken by a qualified majority of Member State representatives in accordance with voting rules of the TFEU.

to participate as non-voting member. Due to the complementary nature of their mandates, a representative of Europol should also be granted the status of non-voting member for the General Board in its FIU composition. To establish good cooperation with other relevant institutions, the General Board should also be able to admit other non-voting observers, such as a representative of the Single Supervisory Mechanism and of each of the three European Supervisory Authorities (EBA, EIOPA and ESMA) for the General Board in its Supervisory Composition and the EPPO and Eurojust for the General Board in its FIU composition, where matters that fall under their respective mandates are discussed or decided upon. In order to ensure that the General Board avails itself of plurality of expertise when taking its decisions, in both supervisory and FIU composition, other organisations dealing with AML/CTF should be invited in consultative capacity at its meetings. To allow a smooth decision making process, decisions of the General Board should be taken by a simple majority, except for decisions concerning draft regulatory and implementing technical standards, guidelines and recommendations which should be taken by a qualified majority of Member State representatives in accordance with voting rules of the TFEU. Upon reasoned recommendation of the Executive Board, justified by the need to preserve confidentiality of the proceedings, the General Board should in exceptional cases be able to decide to meet in a composition without observers.

Amendment 14
Proposal for a regulation
Recital 42

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(42) The governing body of the</td>
<td>(42) The governing body of the</td>
</tr>
</tbody>
</table>

AD\1249493EN.docx 13/55 PE700.579v02-00
Authority should be the Executive Board composed of the Chair of the Authority and of five full time members, appointed by the General Board based on the shortlist by the Commission. With the aim of ensuring a speedy and efficient decision making process, the Executive Board should be in charge of planning and execution of all the tasks of the Authority except where specific decisions are explicitly allocated to the General Board. In order to ensure objectivity and appropriate rapidity of the decision-making process in the area of direct supervision of the selected obliged entities, the Executive Board should take all binding decisions addressed to selected obliged entities. In addition, together with a representative of the Commission the Executive Board should be collectively responsible for the administrative and budgetary decisions of the Authority. The consent of the Commission should be required when the Executive Board is taking decisions related to the budget administration, procurement, recruitment, and audit of the Authority, given that a portion of funding of the Authority will be provided from Union budget.

Amendment 15

Proposal for a regulation
Recital 43

Text proposed by the Commission

(43) To allow for swift decisions, all decisions of the Executive Board, including the decision where the Commission has a right to vote, should be taken by simple majority, with the Chair holding a casting vote in case of a tied vote. To ensure sound financial management of the Authority, the

Amendment

(43) To allow for swift decisions, all decisions of the Executive Board, including the decision where the Commission has a right to vote, should be taken by simple majority, with the Chair holding a casting vote in case of a tied vote. To ensure sound financial management of the Authority, the
Commission’s consent should be required for decisions related to budget, administration and recruitment. The voting members of the Executive Board other than the Chair should be selected by the General Board, based on a short-list established by the Commission.

Amendment 16

Proposal for a regulation
Recital 44

Text proposed by the Commission

(44) To ensure the independent functioning of the Authority the five Members of the Executive Board and the Chair of the Authority should act independently and in the interest of the Union as a whole. They should behave, both during and after their term of office, with integrity and discretion as regards the acceptance of certain appointments or benefits. To avoid giving any impression that a Member of the Executive Board might use its position as a Member of the Executive Board of the Authority to get a high-ranking appointment in the private sector after his term of office and to prevent any post-public employment conflicts of interests, a cooling-off period for the five Members of the Executive Board, including the Chair of the Authority, should be introduced.

Amendment

(44) To ensure the independent functioning of the Authority all Members of the Executive Board including the Chair and the Vice-Chair of the Authority should act independently and in the interest of the Union as a whole. They should behave, both during and after their term of office, with integrity and discretion as regards the acceptance of certain appointments or benefits. To avoid giving any impression that a Member of the Executive Board might use its position as a Member of the Executive Board of the Authority to get a high-ranking appointment in the private sector after his term of office and to prevent any post-public employment conflicts of interests, a cooling-off period for the five Members of the Executive Board, including the Chair and Vice-Chair of the Authority, should be introduced.

Amendment 17
Proposal for a regulation
Recital 45

Text proposed by the Commission

(45) The Chair of the Authority should be appointed based on objective criteria by the Council after approval by the European Parliament. He or she should represent the Authority externally and should report on the execution of Authority’s tasks.

Amendment

(45) The Chair and the Vice-Chair of the Authority should be appointed based on objective criteria by the Council after approval by the European Parliament. He or she should represent the Authority externally and should report on the execution of Authority’s tasks. The Chair and the Vice-Chair of the Authority should be appointed on the basis of a gender-balanced shortlist of candidates proposed by the Commission based on objective criteria by the Council after approval by the European Parliament. The shortlisted candidates should be heard by the competent committees prior to their approval by the Parliament. The Chair should represent the Authority externally and should report on the execution of Authority’s tasks. The Chair of the Authority should be able to delegate his/her tasks relating to representation to the Vice-Chair.

Amendment 18

Proposal for a regulation
Recital 46

Text proposed by the Commission

(46) The Executive Director of the Authority should be appointed by the Executive Board based on a shortlist from the Commission. The Executive Director of the Authority should be a senior administrative official of the Authority, in charge of the day-to-day management of the Authority, and responsible for budget administration, procurement, and recruitment and staffing.

Amendment

(46) The Executive Director of the Authority should be appointed by the Executive Board based on a gender-balanced shortlist from the Commission after approval by the European Parliament. The Executive Director of the Authority should be a senior administrative official of the Authority, in charge of the day-to-day management of the Authority, and responsible for budget administration, procurement, and recruitment and staffing.
Amendment 19

Proposal for a regulation
Recital 46 a (new)

*Text proposed by the Commission*

(46 a) To ensure close involvement of the representatives of the civil society, given the nature and extent of the powers exercised by the Authority, it should set up a Civil Society Advisory Body, with the support of the Commission. Its composition should be determined by the General Board after consultation of the European Parliament. The appointment of the chair of the Advisory body shall be approved by the European Parliament. Such advisory body should be consulted regularly, and in any case whenever the Authority is required by the regulation to conduct public consultation with regard to the adoption of regulatory technical standards, implementing technical standards or when issuing guidelines and recommendations. Such consultation should be conducted unless justified on the grounds of urgency or proportionality. The Body’s members should offer guarantees of acting in independent and objective manner and be provided with sufficient resources and expertise commensurate with its tasks.

Amendment 20

Proposal for a regulation
Recital 48

*Text proposed by the Commission*

(48) To guarantee the proper functioning of the Authority, funding should be provided by a combination of fees levied on certain obliged entities and a contribution from the Union budget, depending on the tasks and functions. The budget of the Authority should be part of

*Amendment*

(48) It is necessary to provide the Authority with the necessary financial and human resources in order to fulfil the objectives, tasks and responsibilities assigned to it under this Regulation. Its staff should be geographically and gender balanced. The Authority should have
the Union budget, confirmed by the Budgetary Authority on the basis of a proposal from the Commission. The Authority should submit to the Commission a draft budget and an internal financial regulation for approval.

Amendment 21
Proposal for a regulation
Recital 56

Text proposed by the Commission

(56) Without prejudice to the confidentiality obligations that apply to the Authority’s staff and representatives in accordance with the relevant provisions in Union law, the Authority should be subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council. In line with the confidentiality and professional secrecy restrictions related to supervisory and FIU support and coordination tasks of the Authority, such access should not be extended to confidential information handled by the staff of the Authority. In particular, any operational data or information related to such operational data of the Authority and of the EU FIUs that is in the possession of the Authority due to carrying out the tasks and activities related to support and coordination of FIUs should be deemed as confidential. With regard to supervisory tasks, access to information or data of the Authority, the financial supervisors, or the obliged entities obtained in the process of carrying out the tasks and activities related to direct supervision should in principle

Amendment

(56) Without prejudice to the confidentiality obligations that apply to the Authority’s staff and representatives in accordance with the relevant provisions in Union law, the Authority should be subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council and apply its principles in the light of the relevant jurisprudence of the Court of Justice. In line with the confidentiality and professional secrecy restrictions related to supervisory and FIU support and coordination tasks of the Authority, such access should not be extended to confidential information handled by the staff of the Authority. In particular, any operational data or information related to such operational data of the Authority and of the EU FIUs that is in the possession of the Authority due to carrying out the tasks and activities related to support and coordination of FIUs should be deemed as confidential. With regard to supervisory tasks, access to information or data of the Authority, the financial supervisors, or the obliged entities obtained in the process of
also be treated as confidential and not subject to any disclosure. However, confidential information listed that relates to a supervisory procedure can be fully or partially disclosed to the obliged entities which are parties to such supervisory procedure, subject to the legitimate interest of legal and natural persons other than the relevant party, in the protection of their business secrets. 

carrying out the tasks and activities related to direct supervision should in principle also be treated as confidential and not subject to any disclosure. However, confidential information listed that relates to a supervisory procedure can be fully or partially disclosed to the obliged entities which are parties to such supervisory procedure, subject to the legitimate interest of legal and natural persons other than the relevant party, in the protection of their business secrets. *In order to allow for the public and other institutions to scrutinize the handling of the implementation of the Regulation (EC) No 1049/2001, the Authority should issue an annual report on its implementation with regard to the access to documents held by it.*

---


---

**Amendment 22**

**Proposal for a regulation**

**Recital 59**

*Text proposed by the Commission*

(59) The Authority should establish cooperative relations with the relevant Union agencies and bodies, including Europol, Eurojust, the EPPO, and the European Supervisory Authorities, namely the European Banking Authority, the European Securities and Markets Authority and the European Insurance and Occupational Pensions Authority. To improve cross-sectoral supervision and a better cooperation between prudential and AML/CFT supervisors the Authority should also establish cooperative relations with the authorities competent for

*(59) The Authority should establish cooperative relations with the relevant Union agencies and bodies, including Europol, Eurojust, the EPPO, and the European Supervisory Authorities, namely the European Banking Authority, the European Securities and Markets Authority and the European Insurance and Occupational Pensions Authority. To improve cross-sectoral supervision and a better cooperation between prudential and AML/CFT supervisors the Authority should also establish cooperative relations with the authorities competent for*
prudential supervision of financial sector obliged entities, including the European Central Bank with regard to matters relating to the tasks conferred on it by Council Regulation (EU) No 1024/2013, as well as with resolution authorities as defined in Article 3 of Directive (EU) 2014/59/EU of the European Parliament and the Council and designated Deposit Guarantee Schemes authorities as defined in Article 2 (1), point 18 of Directive 2014/49/EU of the European Parliament and the Council. To this end, the Authority should be able to conclude agreements or memoranda of understanding with such bodies, including with regard to any information exchange which is necessary for the fulfilment of the respective tasks of the Authority and these bodies. The Authority should make its best efforts to share information with the bodies on their request, within the limits posed by legal constraints, including data protection legislation. In addition, the Authority should enable effective information exchange between all financial supervisors in the AML/CFT supervisory system and the aforementioned authorities, such cooperation and information exchanges should take place in a structured and efficient way.

---


44 Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/55/EU, 2012/30/EU and 2013/36/EU, prudential supervision of financial sector obliged entities, including the European Central Bank with regard to matters relating to the tasks conferred on it by Council Regulation (EU) No 1024/2013, as well as with resolution authorities as defined in Article 3 of Directive (EU) 2014/59/EU of the European Parliament and the Council and designated Deposit Guarantee Schemes authorities as defined in Article 2 (1), point 18 of Directive 2014/49/EU of the European Parliament and the Council. To this end, the Authority should be able to conclude agreements or memoranda of understanding with such bodies, including with regard to any information exchange which is necessary for the fulfilment of the respective tasks of the Authority and these bodies. The Authority should make its best efforts to share information with the other, within the limits posed by legal constraints, including data protection legislation. In addition, the Authority should enable effective information exchange between all financial supervisors in the AML/CFT supervisory system and the aforementioned authorities, such cooperation and information exchanges should take place in a structured and efficient way.


Amendment 23

Proposal for a regulation
Recital 62

Text proposed by the Commission

(62) Since both predicate offenses as well as the crime of money laundering itself often are of global nature, and given that the Union obliged entities also operate with and in third countries, effective cooperation with all the relevant third country authorities in the areas of both supervision and functioning of FIUs are crucial for strengthening the Union AML/CFT framework. Given the Authority’s unique combination of direct and indirect supervision and FIU cooperation-related tasks and powers, it should be able to take an active role in such external cooperation arrangements. Specifically, the Authority should be empowered to develop contacts and enter into administrative arrangements with authorities in third countries that have regulatory, supervisory and FIU-related competences. The Authority’s role could be particularly beneficial in cases where the interaction of several Union public authorities and FIUs with third country authorities concerns matters within the scope of the Authority’s tasks. In such cases, the Authority should have a leading role in facilitating this interaction.

Amendment

(62) Since both predicate offenses as well as the crime of money laundering itself often are of global nature, and given that the Union obliged entities also operate with and in third countries, effective cooperation with all the relevant third country authorities in the areas of both supervision and functioning of FIUs are crucial for strengthening the Union AML/CFT framework. Given the Authority’s unique combination of direct and indirect supervision and FIU cooperation-related tasks and powers, it should be able to take an active role in such external cooperation arrangements, without prejudice to the respective competences of the Member States, the Union institutions, offices, bodies and agencies. Specifically, the Authority should be empowered to develop contacts and enter into administrative arrangements with authorities in third countries that have regulatory, supervisory and FIU-related competences. The Authority’s role could be particularly beneficial in cases where the interaction of several Union public authorities and FIUs with third country authorities concerns matters within the scope of the Authority’s tasks. In such cases, the Authority should have a coordinating role in facilitating this
interaction. The Authority should also undertake its activities in close consultation with other EU institutions, offices, bodies and agencies in the field of AML/CFT that already have established third-country cooperation relationships.

Amendment 24
Proposal for a regulation
Recital 63 a (new)

Text proposed by the Commission

Amendment

(63a) The Authority should have the highest possible degree of autonomy vis-à-vis national supervisors. It should be able to gather and collect information directly from any and all obliged entities to ensure supervision of the highest quality throughout the Union. Mechanisms should be put in place to guarantee that the Authority is able to corroborate the information transmitted by national authorities and selected obliged entities, and that it is able to interview legal and natural persons to do so.

Amendment 25
Proposal for a regulation
Recital 65 a (new)

Text proposed by the Commission

Amendment

(65a) The independence of lawyers vis-à-vis the government and state actors is a cornerstone of the rule of law. The right of bar associations to self-govern is pivotal to the well-functioning of the EU and Member State judiciary. The powers conferred to the Authority shall at all times apply without prejudice to these principles and must respect professional secrecy and legal privilege.
Amendment 26

Proposal for a regulation
Article 1 – paragraph 3 – subparagraph -1 (new)

Text proposed by the Commission

Amendment

The objectives listed in points (a), (b), (e)
and (f) shall be pursued without prejudice
to and in synergy with the complementary
objectives of Europol, as defined in its
founding Regulation.

Justification

Complementary articles to the ones listed above are the following Articles in the Europol
Regulation: Article 3.1, Article 4.1.f), Article 4.1.g) and Article 4.1.h).

Amendment 27

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

Amendment

(4) ‘non-financial supervisor’ means a
supervisor in charge of obliged entities
listed in Article 3 of [AMLR], other than
credit and financial institutions.

(4) ‘non-financial supervisor’ means a
supervisor in charge of obliged entities
listed in Article 3 of [AMLR], other than
credit institutions, financial institutions
and independent legal professionals that
are (i) registered with a self-regulatory
body and (ii) bound by professional
secrecy under the rule of law, taking
account of the fact that the legal
profession is self-regulatory by nature.

Amendment 28

Proposal for a regulation
Article 5 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) monitor and support the
implementation of asset freezes under the
Union restrictive measures across the

(f) monitor and support the
implementation of asset freezes including
virtual assets and cryptocurrencies, under
internal market; the Union restrictive measures across the internal market;

Amendment 29

Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Tasks listed at points (a), (b), (e) and (g) shall be pursued in close cooperation with Europol.

Amendment 30

Proposal for a regulation
Article 5 – paragraph 5 – point c

Text proposed by the Commission

Amendment

(c) develop appropriate methods and procedures for the conduct of such joint analyses of cross-border cases, also using the analytical expertise of other EU bodies such as Europol;

Amendment 31

Proposal for a regulation
Article 5 – paragraph 5 – point d

Text proposed by the Commission

Amendment

(d) set up, coordinate, organise and facilitate the conduct of joint analyses carried out by FIUs, taking into account analysis already carried out by other EU institutions, offices, bodies and agencies involved in the AML/CFT framework;

Amendment 32
Proposal for a regulation  
**Article 5 – paragraph 5 – point e**

Text proposed by the Commission

(e) develop and make available to FIUs IT and artificial intelligence services and tools for secure information sharing, including by hosting FIU.net;

Amendment

(e) develop and make available to FIUs' and duly authorized connected third parties' IT and artificial intelligence services and tools for secure information sharing, including by hosting FIU.net;

-Amendment 33-

Proposal for a regulation  
**Article 5 – paragraph 5 – point h a (new)**

Text proposed by the Commission

(ha) Support and promote the interaction and information dissemination of FIUs with/to law enforcement agencies in general and Europol in particular;

-Amendment 34-

Proposal for a regulation  
**Article 5 – paragraph 5 – point h b (new)**

Text proposed by the Commission

(hb) Develop, support and promote processes for FIUs to efficiently and pro-actively detect and handle terrorist financing cases, involving also Europol intelligence;

-Amendment 35-

Proposal for a regulation  
**Article 5 – paragraph 5 – point i**

Text proposed by the Commission

(i) prepare and coordinate threat assessments, strategic analyses of money laundering and terrorism financing threats,

Amendment

(i) in cooperation with Europol, prepare and coordinate threat assessments, strategic analyses of money laundering and
risks and methods identified by FIUs. terrorism financing threats, risks and methods identified by FIUs.

**Amendment 36**

Proposal for a regulation
Article 6 – paragraph 3 – introductory part

*Text proposed by the Commission*

3. With respect to FIUs in the Member States, the Authority shall have the following powers:

*Amendment*

3. With respect to FIUs in the Member States and other EU institutions, offices, bodies and agencies involved in the AML/CFT framework, the Authority shall have the following powers:

**Amendment 37**

Proposal for a regulation
Article 6 – paragraph 3 – point b

*Text proposed by the Commission*

(b) to collect information and statistics in relation to the tasks and activities of the FIUs;

*Amendment*

(b) to collect information and statistics in relation to the tasks and activities of the FIUs and other EU institutions, offices, bodies and agencies involved in the AML/CFT framework with which the Authority is cooperating;

**Amendment 38**

Proposal for a regulation
Article 6 – paragraph 3 – point c

*Text proposed by the Commission*

(c) to obtain and process information and data required for the coordination of joint analyses as specified in Article 33;

*Amendment*

(c) to obtain, process and match information and data required for the initiation and coordination of joint analyses as specified in Article 33;

**Amendment 39**
Proposal for a regulation
Article 6 – paragraph 3 – point d

Text proposed by the Commission

(d) to issue guidelines and recommendations.

Amendment

(d) to issue guidelines and recommendations with the input, when relevant, from other EU institutions, offices, bodies and agencies involved in the AML/CFT framework.

Amendment 40

Proposal for a regulation
Article 6 – paragraph 4 – point c

Text proposed by the Commission

(c) to issue guidelines and recommendations, as provided in Article 43.

Amendment

(c) to issue guidelines and recommendations, as provided in Article 43 with the input, when relevant, from other EU institutions, offices, bodies and agencies involved in the AML/CFT framework;

Amendment 41

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. Where the scope and Union-wide relevance of thematic reviews justify coordination at Union level, they shall be carried out jointly by the relevant supervisory authorities and shall be coordinated by the Authority. The General Board in supervisory composition shall draw up a list of joint thematic reviews. The General Board in supervisory composition shall draw up a report relating to the conduct, subject-matter and outcome of each joint thematic review. The Authority shall publish that report on its website.

Amendment

3. Where the scope and Union-wide relevance of thematic reviews justify coordination at Union level, they shall be carried out jointly by the relevant supervisory authorities and shall be coordinated by the Authority. The General Board in supervisory composition shall draw up a list of joint thematic reviews. The General Board in supervisory composition shall draw up a report relating to the conduct, subject-matter and outcome of each joint thematic review. The Authority shall share this report with the other EU institutions, offices, bodies and
agencies involved in the AML/CFT framework and publish it on its website.

Amendment 42
Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. The Authority shall establish and keep up to date a central database of information collected pursuant to paragraph 2. The Authority shall analyse the information received and ensure that it is made available to supervisory authorities on a need-to-know and confidential basis. The Authority may share the results of its analysis on its own initiative with supervisory authorities for the purposes of facilitating their supervisory activities.

Amendment

1. The Authority shall establish and keep up to date a central database of information collected pursuant to paragraph 2. The Authority shall analyse the information received, also making use, if relevant, of information from Europol in accordance with Regulation 2016/794 and ensure that the results of this analysis are made available to supervisory authorities and other EU institutions, offices, bodies and agencies involved in the AML/CFT framework on a need-to-know and confidential basis. The Authority may share the results of its analysis on its own initiative with supervisory authorities for the purposes of facilitating their supervisory activities.

Amendment 43
Proposal for a regulation
Article 16 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The supervisory authorities shall provide the Authority with any information needed to carry out the duties conferred on it by this Regulation, provided that they have legal access to the information in question.

Amendment 44
Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

1. The Authority may require selected obliged entities and natural or legal persons belonging to them, and third parties to whom the selected obliged entities have outsourced operational functions or activities and natural or legal persons affiliated to them, to provide all information that is necessary in order to carry out the tasks conferred on it by this Regulation.

Amendment

1. The Authority may require selected obliged entities and where information is not made available under paragraph -1 also any relevant obliged entities and natural or legal persons belonging to them, including their employees and third parties to whom the selected obliged entities have outsourced operational functions or activities and natural or legal persons affiliated to them, to provide all information that is necessary in order to carry out the tasks conferred on it by this Regulation, including those provided in Article 1(2). Any request shall be duly justified, specify what information is required and establish a reasonable time-limit within which the information is to be provided. In case of non-compliance, selected obliged entities may be subject to the administrative pecuniary sanctions provided for in Article 21.

Any infringement of professional secrecy inherent in the legal profession should be avoided as breaching this basic principle would undermine judicial independence.

Amendment 45

Proposal for a regulation

Article 25 – paragraph 8

Text proposed by the Commission

8. The Authority shall refer matters for criminal prosecution to the relevant national authorities where, in carrying out its duties under this Regulation, it finds that there are serious indications of the possible existence of facts liable to constitute criminal offences. In addition, the Authority shall refrain from imposing administrative pecuniary sanctions or periodic penalty payments where a prior

Amendment

8. The Authority shall refer matters for criminal prosecution to the relevant national authorities where, in carrying out its duties under this Regulation, it finds that there are serious indications of the possible existence of facts liable to constitute criminal offences. When two or more Member States are involved in facts liable to constitute criminal offences, the Authority shall consider sharing this
acquittal or conviction arising from identical facts, or from facts which are substantially the same, has acquired the force of res judicata as the result of criminal proceedings under national law.

**Amendment 46**

Proposal for a regulation

Article 26 – paragraph 1

*Text proposed by the Commission*

The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions of the Authority imposing an administrative pecuniary sanction or a periodic penalty payment. It may annul, reduce or increase the fine or periodic penalty payment imposed.

*Amendment*

The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions of the Authority imposing an administrative pecuniary sanction or a periodic penalty payment. It may annul, reduce or increase the fine or periodic penalty payment imposed, as well as order compensation.

**Amendment 47**

Proposal for a regulation

Article 30 – title

*Text proposed by the Commission*

Requests to act in exceptional circumstances

*Amendment*

Transfer of tasks and powers in exceptional circumstances

**Amendment 48**

Proposal for a regulation

Article 30 – paragraph 4

*Text proposed by the Commission*

4. Where the financial supervisor concerned does not comply with the

*Amendment*

4. Where the financial supervisor concerned does not comply with the
request referred to in paragraph 2 and does not inform the Authority of the steps it has taken or intends to take to comply with the request within ten days from the day of the notification of the request, the Authority may request the Commission to grant permission to transfer the relevant tasks and powers referred to in Article 5(2) and Article 6(1) related to direct supervision of the non-selected obliged entity from the financial supervisor concerned to the Authority.

request referred to in paragraph 2 or does not inform the Authority of the steps it has taken or intends to take to comply with the request within ten days from the day of the notification of the request, the Authority may exercise directly itself all relevant tasks and powers referred to in Article 5(2) and Article 6(1) related to direct supervision of the non-selected obliged entity from the financial supervisor concerned.

Amendment 49

Proposal for a regulation
Article 30 – paragraph 5 – introductory part

5. The request from the Authority shall contain:

Amendment

5. The Authority shall notify the Commission. The notification shall contain:

Amendment 50

Proposal for a regulation
Article 30 – paragraph 5 – point c

(c) a time limit, which shall not exceed three years, for the requested transfer of the relevant tasks and powers;

Amendment

(c) a time limit, which shall not exceed three years, for the transfer of the relevant tasks and powers;

Amendment 51

Proposal for a regulation
Article 30 – paragraph 6

6. The Commission shall have one month from the date of receipt of the request from the Authority to adopt a decision whether to authorise the transfer of the relevant tasks and powers or to

deleted
oppose it. The decision shall be notified to the Authority, which shall immediately inform the financial supervisor and the non-selected obliged entity thereof.

Amendment 52
Proposal for a regulation
Article 30 – paragraph 7

Text proposed by the Commission

7. On the tenth working day after the notification of the decision authorising the transfer of tasks and powers in relation to the non-selected obliged entity, the non-selected obliged entity referred to in paragraph 2 shall be deemed a selected obliged entity for the purposes of the exercise of the tasks referred to in Article 5(2) and the powers referred to in Article 6(1) and Articles 16 to 22. The Commission decision shall set a time-limit for the exercise of these tasks and powers, upon the expiry of which they shall be automatically transferred back to the financial supervisor concerned.

Amendment 53
Proposal for a regulation
Article 32 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Before issuing such a recommendation, the Authority shall engage with the supervisory authority concerned, where it considers such engagement appropriate in order to resolve a breach of Union law, in an attempt to reach agreement on the actions necessary for compliance with Union law.

Amendment 54
Proposal for a regulation
Article 33 – paragraph 1

Text proposed by the Commission

1. Where, pursuant to Article 25 of [OP please insert the next number to the AMLD, COM(2021)423], a FIU of a Member State identifies a potential need to conduct a joint analysis with one or several FIUs in other Member States, it shall notify the Authority thereof. The Authority shall inform the FIUs in all the relevant Member States and invite them to take part in the joint analysis within five days of the initial notification. To this end, the Authority shall use secured channels of communication. The FIUs in all the relevant Member States shall consider taking part in the joint analysis. The Authority shall ensure that the joint analysis is launched within 20 days of the initial notification.

Amendment

1. Where, pursuant to Article 25 of [OP please insert the next number to the AMLD, COM(2021)423], a FIU of a Member State identifies a potential need to conduct a joint analysis with one or several FIUs in other Member States, it shall notify the Authority thereof. The Authority may also propose itself the initiation of joint analyses. Within 10 working days, the Authority shall assess the merits of such joint-analysis, in light of the priorities identified in the supervisory plan and of the available resources. The Authority shall inform the FIUs in all the relevant Member States and Europol and invite them to take part in the joint analysis within five days of the initial assessment. To this end, the Authority shall use secured channels of communication. The FIUs in all the relevant Member States shall consider taking part in the joint analysis. The Authority shall ensure that the joint analysis is launched within 20 days of the initial assessment.

Amendment 55

Proposal for a regulation
Article 33 – paragraph 1 a (new)

Text proposed by the Commission

1a. The Authority shall be responsible for the establishment and the composition of joint analysis team, for the coordination of the conduct of joint analysis and shall be empowered to settle potential disagreements between participating FIUs. The Authority shall also develop methods and procedures for the conduct of joint analyses. Where the Authority identifies the need for a joint-analysis, it shall, on its own initiative,
request FIUs to participate in the conduct of the joint analysis.

Amendment 56

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

2. Any FIU that declines to participate in the conduct of the joint analysis shall provide the reasons thereof in writing to the Authority, within five days of the receipt of the invitation. The Authority shall provide such explanation without delay to the FIU having identified the need for a joint analysis.

Amendment

2. Any FIU that declines to participate in the conduct of the joint analysis shall provide the reasons thereof in writing to the Authority, within five days of the receipt of the invitation. In case the proposal to initiate a joint analysis originated from an FIU, the Authority shall provide such explanation without delay to the FIU having identified the need for a joint analysis.

Amendment 57

Proposal for a regulation
Article 33 – paragraph 2 a (new)

Text proposed by the Commission

2a. In order to bring together all relevant information in an early stage of the joint analysis, the joint analysis should encompass the matching of subject-matter data against Europol databases.

Amendment

2a. Upon explicit consent of the FIUs participating in the joint analysis, the staff of the Authority supporting the joint

Amendment 58

Proposal for a regulation
Article 33 – paragraph 3

Text proposed by the Commission

3. Upon explicit consent of the FIUs participating in the joint analysis, the staff of the Authority supporting the joint

Amendment

3. The staff of the Authority participating in the joint analysis shall be granted access to all the data pertaining to
analysis shall be granted access to all the data pertaining to the subject-matter of the joint analysis and shall be able to process those data.

Amendment 59

Proposal for a regulation
Article 33 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. As soon as a joint analysis concludes that there is reasonable suspicion of an offence being committed, the Authority shall inform Europol.

Amendment 60

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

Amendment

2. The FIUs that participated or were otherwise involved in one or more joint analyses may provide their feedback on the conduct of the analysis, including feedback on the operational support provided by the Authority in the process of the joint analysis, as well as feedback on the outcome of the analysis working methods and arrangements in place, the tools available and the coordination between the participating FIUs. The feedback may be labelled as confidential, in which case it will not be shared with other FIUs.

2. The FIUs that participated or were otherwise involved in one or more joint analyses as well as Europol may provide their feedback on the conduct of the analysis, including feedback on the operational support provided by the Authority in the process of the joint analysis, as well as feedback on the outcome of the analysis working methods and arrangements in place, the tools available and the coordination between the participating FIUs. The feedback may be labelled as confidential, in which case it will not be shared with other FIUs.

Amendment 61

Proposal for a regulation
Article 35 – paragraph 1
1. The FIU of each Member State may delegate one staff member to the Authority. The national FIU delegate shall have his or her regular place of work at the seat of the Authority.

**Amendment**

1. The FIU of each Member State shall delegate one staff member to the Authority. The national FIU delegate shall have his or her regular place of work at the seat of the Authority.

**Amendment 62**

Proposal for a regulation
Article 37 – paragraph 2

**Text proposed by the Commission**

2. The Authority shall ensure uninterrupted functioning of the FIU.net and keep it and up to date. Where necessary to support or strengthen the exchange of information and cooperation between the FIUs and based on the needs of FIUs, the Authority shall design and implement, or otherwise make available, upgraded or additional functionalities of FIU.net.

**Amendment**

2. The Authority shall ensure uninterrupted functioning of the FIU.net and keep it and up to date. Where necessary to support or strengthen the exchange of information and cooperation between the FIUs and other entities authorized to have access to FIU.net and based on the needs of FIUs, the Authority shall design and implement, or otherwise make available, upgraded or additional functionalities of FIU.net.

**Amendment 63**

Proposal for a regulation
Article 43 – paragraph 2

**Text proposed by the Commission**

2. The Authority shall, where appropriate, conduct open public consultations regarding the guidelines and recommendations which it issues and analyse the related potential costs and benefits of issuing such guidelines and recommendations. Those consultations and analyses shall be proportionate in relation to the scope, nature and impact of the guidelines or recommendations. Where the Authority does not conduct open public

**Amendment**

2. The Authority shall, where appropriate, conduct open public consultations regarding the guidelines and recommendations which it issues and analyse the related potential costs and benefits of issuing such guidelines and recommendations. Those consultations and analyses shall be proportionate in relation to the scope, nature and impact of the guidelines or recommendations. Where the Authority does not conduct open public
consultations, the Authority shall provide its reasons. The Authority will also, when relevant, consult other EU institutions, offices, bodies and agencies involved in the AML/CFT framework to produce such guidelines and recommendations.

Amendment 64

Proposal for a regulation
Article 43 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Authority shall publish the fact that a supervisory authority does not comply or does not intend to comply with that guideline or recommendation. The Authority may also decide, on a case-by-case basis, to publish the reasons provided by the supervisory authority for not complying with that guideline or recommendation. The supervisory authority shall receive advanced notice of such publication.

Amendment

The Authority shall publish the fact that a supervisory authority does not comply or does not intend to comply with that guideline or recommendation and the reasons provided by the supervisory authority for not complying with that guideline or recommendation.

Amendment 65

Proposal for a regulation
Article 43 – paragraph 3 – subparagraph 3

Text proposed by the Commission

If required by that guideline or recommendation, obliged entities shall report, in a clear and detailed way, whether they comply with that guideline or recommendation.

Amendment

If required by that guideline or recommendation, obliged entities shall report, in a clear and detailed way, whether they comply with that guideline or recommendation and, in case of non-compliance, they should provide reasons thereof.

Amendment 66

Proposal for a regulation
Article 43 – paragraph 3 – subparagraph 3 a (new)
Text proposed by the Commission  

Amendment

In the report on its activities referred to in Article 72(2), the Authority shall inform the European Parliament, the Council and the Commission of the guidelines and recommendations that it has issued, with an overview of cases of non-compliance by national authorities, analysis of the reasons for such non-compliance and proposals on how the Authority intends to ensure that its recommendations and guidelines will be followed in the future.

Amendment 67
Proposal for a regulation
Article 44 – paragraph 2

Text proposed by the Commission

2. The request referred to in paragraph 1 may include a public consultation or a technical analysis.

Amendment

2. The request referred to in paragraph 1 may include a public consultation or a technical analysis and may also involve the consultation of other EU institutions, offices, bodies and agencies involved in the AML/CFT framework.

Amendment 68
Proposal for a regulation
Article 45 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

(4 a) a Civil Society Advisory Body, which shall exercise the tasks set out in Article 59a;

Amendment

Amendment 69
Proposal for a regulation
Article 46 – paragraph 2 – point c a (new)
Amendment 70

Proposal for a regulation
Article 46 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The heads of the supervisory authorities referred to in the first subparagraph, point (b) in each Member State shall share a single vote and shall agree on a single common representative for each meeting and voting procedure. That common representative shall be the ad-hoc voting member for the purposes of that meeting or voting procedure. The public authorities in a Member State may also agree on a single permanent common representative who shall be a permanent voting member. Where items to be discussed by the General Board in supervisory composition concern the competence of several public authorities, the ad-hoc or permanent voting member may be accompanied by a representative from up to two other public authorities, who shall be non-voting.

Amendment

The heads of the supervisory authorities referred to in the first subparagraph, point (b) in each Member State shall share a single vote and shall agree on a single common representative for each meeting and voting procedure. That common representative shall be the ad-hoc voting member for the purposes of that meeting or voting procedure. The public authorities in a Member State may also agree on a single permanent common representative who shall be a permanent voting member. Where items to be discussed by the General Board in supervisory composition concern the competence of several public authorities, the ad-hoc or permanent voting member may be accompanied by a representative from up to two other public authorities, who shall be non-voting. In their appointments to the General Board, the public authorities of Member States shall strive to ensure gender balance, in particular with regard to the composition of the Board as a body.

Amendment 71

Proposal for a regulation
Article 46 – paragraph 3 – point c a (new)
Text proposed by the Commission

Amendment

(c a) A representative of Europol without the right to vote.

Amendment 72

Proposal for a regulation
Article 46 – paragraph 4

Text proposed by the Commission

4. The General Board may decide to admit observers. In particular, the General Board in FIU composition shall admit as an observer a representative of OLAF, Europol, Eurojust and the EPPO to meetings when matters fall under their respective mandates. The General Board in supervisory composition shall admit a representative nominated by the Supervisory Board of the European Central Bank and a representative of each of the European Supervisory Authorities, where matters within the scope of their respective mandates are discussed.

Amendment 73

Proposal for a regulation
Article 46 – paragraph 4 a (new)

4. The General Board may avail itself with expertise of other union institutions, agencies, bodies and offices as well as other organisations dealing with AML/CFT issues. The General Board may decide to admit observers. In particular, the General Board in FIU composition shall admit as an observer a representative of OLAF, Eurojust and the EPPO to meetings when matters fall under their respective mandates. The General Board in supervisory composition shall admit a representative nominated by the European Central Bank and a representative of each of the European Supervisory Authorities, where matters within the scope of their respective mandates are discussed. The General Board in both compositions shall invite representatives of organisations dealing with AML/CTF issues, in particular relevant domestic and international organisations and members of the academia of recognised standing where the matters discussed fall within their respective areas of expertise.
4 a. The General Board may exceptionally decide, on case-by-case basis upon a reasoned proposal of the Executive Board to meet in either composition without observers.

Amendment 74

Proposal for a regulation
Article 47 – paragraph 1

Text proposed by the Commission

The General Board, on its own initiative or at the request of the Chair of the Authority, may establish internal committees for specific tasks attributed to it. The General Board may provide for the delegation of certain clearly defined tasks and decisions to internal committees, to the Executive Board or to the Chair. The General Board may revoke such delegation at any time.

Amendment

The General Board, on its own initiative or at the request of the Chair of the Authority, may establish internal committees for specific tasks attributed to it. The General Board may provide for the delegation of certain clearly defined tasks and decisions to internal committees, to the Executive Board or to the Chair. The General Board may revoke such delegation at any time.

All decisions of the internal committees shall have to be endorsed by the General Board in order to be valid.

Amendment 75

Proposal for a regulation
Article 52 – paragraph 1 – point a

Text proposed by the Commission

(a) the Chair of the Authority;

Amendment

(a) the Chair and the Vice-Chair of the Authority;

Amendment 76

Proposal for a regulation
Article 52 – paragraph 6
6. If one or more of the members of the Executive Board, except for the Chair of the Authority, no longer fulfil the conditions required for the performance of his or her duties or has been guilty of serious misconduct, the General Board may, following a proposal by the Commission, remove any of the members of the Executive Board from office.

Amendment 77
Proposal for a regulation
Article 52 – paragraph 7 – introductory part

Text proposed by the Commission

7. During a period of one year after ceasing to hold office, the former members of the Executive Board, including the Chair of the Authority, are prohibited from engaging in a gainful occupational activity with

Amendment 78
Proposal for a regulation
Article 53 – paragraph 5

Text proposed by the Commission

5. The Executive Board shall select a Vice-Chair of the Authority among its voting members. The Vice-Chair shall automatically replace the Chair, if the latter is prevented from attending to his/her duties.

Amendment 79
Proposal for a regulation
Chapter III – Section 3 – title
Text proposed by the Commission

THE CHAIR OF THE AUTHORITY

Amendment

THE CHAIR AND VICE-CHAIR OF THE AUTHORITY

Amendment 80

Proposal for a regulation
Article 56 – title

Text proposed by the Commission

Appointment of the Chair of the Authority

Amendment

Appointment of the Chair and of the Vice-Chair of the Authority

Amendment 81

Proposal for a regulation
Article 56 – paragraph 1

Text proposed by the Commission

1. The Chair of the Authority shall be selected on the basis of merit, skills, knowledge, recognised standing and experience in the area of anti-money laundering and countering the financing of terrorism and other relevant qualification, following an open selection procedure which shall be published in the Official Journal of the European Union. The Commission shall draw up a shortlist of two qualified candidates for the position of the Chair of the Authority. The Council, after approval by the European Parliament, shall adopt an implementing decision to appoint the Chair of the Authority.

Amendment

1. The Chair and the Vice-Chair of the Authority shall be selected on the basis of merit, skills, knowledge, recognised standing and experience in the area of anti-money laundering and countering the financing of terrorism, high-level experience in international cooperation and other relevant qualification, following an open selection procedure, which shall respect the principle of gender balance and shall be published in the Official Journal of the European Union. The Commission shall draw up a gender-balanced shortlist of four qualified candidates for the position of the Chair and Vice-Chair of the Authority. Before the approval, the candidate(s) shall be heard by the competent committee(s) of the European Parliament. After conducting hearings, the European Parliament shall select one of those candidates for each position. The Council, after approval by the European Parliament, shall adopt an
implementing decision to appoint the Chair and the Vice-Chair of the Authority.

Where the European Parliament is of the opinion that none of the shortlisted candidates sufficiently fulfils the qualifications set out in the first subparagraph, the open selection procedure will recommence.

Amendment 82

Proposal for a regulation
Article 56 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Vice-Chair shall automatically replace the Chair, if the latter is prevented from attending to his/her duties.

Amendment 83

Proposal for a regulation
Article 56 – paragraph 2

Text proposed by the Commission

Amendment

2. If the Chair of the Authority no longer fulfils the conditions required for the performance of his or her duties or has been guilty of serious misconduct, the Council may, following a proposal by the General Board in either composition, adopt an implementing decision to remove the Chair of the Authority from office. The Council shall act by qualified majority.

2. If the Chair or the Vice-Chair of the Authority no longer fulfils the conditions required for the performance of his or her duties or has been guilty of serious misconduct, the Council may, following a proposal by the General Board in either composition, and after consultation of the European Parliament, adopt an implementing decision to remove the Chair or the Vice-Chair of the Authority from office. The Council may also decide to deprive the Chair or the Vice-Chair of his or her right to a pension or other benefits in case he or she is found guilty of serious misconduct. The Council shall act by qualified majority.
Amendment 84

Proposal for a regulation
Article 56 – paragraph 3

Text proposed by the Commission

3. Should the Chair resign or be unable to attend to his or her duties for any other reason, the functions of the Chair shall be performed by the Vice-Chair.

Amendment

3. Should the Chair resign, be dismissed or leave his/her position for any reason, the position shall immediately be filled in accordance with the procedure set out in paragraph 1.

Amendment 85

Proposal for a regulation
Article 57 – paragraph 1

Text proposed by the Commission

1. The Chair of the Authority shall represent the Authority and shall be responsible for preparing the work of the General Board and the Executive Board, including setting the agenda, convening and chairing all the meetings and tabling items for decision.

Amendment

1. The Chair of the Authority shall represent the Authority and shall be responsible for preparing the work of the General Board and the Executive Board, including setting the agenda, convening and chairing all the meetings and tabling items for decision. The Chair of the Authority may delegate his/her tasks relating to representation to the Vice-Chair.

Amendment 86

Proposal for a regulation
Article 58 – paragraph 4

Text proposed by the Commission

4. The Executive Director shall be selected on the grounds of merit and documented high-level administrative, budgetary and management skills, following an open selection procedure which shall be published in the Official Journal of the European Union, and, as appropriate, other press or internet sites.

Amendment

4. The Executive Director shall be selected on the grounds of merit and documented high-level administrative, budgetary and management skills, following an open selection procedure, which shall respect the principle of gender balance and which shall be published in the Official Journal of the
The Commission shall draw up a shortlist of two qualified candidates for the position of the Executive Director. The Executive Board shall appoint the Executive Director.

European Union, and, as appropriate, other press or internet sites. The Commission shall draw up a shortlist of two qualified candidates for the position of the Executive Director. After the approval by the European Parliament, the Executive Board shall appoint the Executive Director.

Where the European Parliament is of the opinion that none of the shortlisted candidates sufficiently fulfils the qualifications set out in the first subparagraph, the open selection procedure will recommence.

Amendment 87

Proposal for a regulation
Article 58 – paragraph 5 – introductory part

Text proposed by the Commission

5. The term of office of the Executive Director shall be five years. In the course of the nine months preceding the end of the Executive Director’s term of office, the Executive Board shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and the Agency's future tasks and challenges. The Executive Board, taking into account the evaluation referred to in the first subparagraph, may extend the term of office of the Executive Director once.

Amendment

5. The term of office of the Executive Director shall be five years. In the course of the nine months preceding the end of the Executive Director’s term of office, the Executive Board shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and the Agency's future tasks and challenges. The Executive Board, taking into account the evaluation referred to in the first subparagraph, may extend the term of office of the Executive Director once. The Executive Director may be removed from office by the Executive Board on proposal by the European Parliament or by the Commission.

Amendment 88

Proposal for a regulation
Chapter III – Section 4 a (new)
Amendment 89

Proposal for a regulation
Article 59 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Executive Director shall be in charge of the day-to-day management of the Authority and shall aim to ensure gender balance within the Authority. In particular, the Executive Director shall be responsible for:

Amendment

1. The Executive Director shall be in charge of the day-to-day management of the Authority and shall aim to ensure gender and geographical balance within the Authority. In particular, the Executive Director shall be responsible for:

Amendment 90

Proposal for a regulation
Article 59 a (new)

Text proposed by the Commission

Article 59 a

Civil Society Advisory Body

1. The Authority shall establish a Civil Society Advisory Body for the purpose of advising it when exercising its powers listed in Article 38, 42 and 43.

2. The General Board shall determine the composition of the Civil Society Advisory Body upon the recommendation of the Commission and after consultation of the European Parliament. The appointment of the chair of the Advisory body shall be approved by the European Parliament. The internal working methods of the Advisory Body shall be established by the body itself.
3. The Civil Society Advisory Body shall be consulted regularly, and in any case whenever the Authority or the Commission is required to conduct public consultations in particular with regard to the adoption of regulatory technical standards under Article 38(1) and (3), implementing technical standards under Article 42(1) and (3) and guidelines and recommendations under Article 43(2), unless such consultation is disproportionate in relation to the particular urgency of the matter. If such consultation is not conducted, the Authority or the Commission respectively shall clearly justify such decision.

4. When carrying out the tasks conferred upon them by this Regulation, the members of the Civil Society Advisory Body shall act independently and objectively in the sole interest of the Union as a whole and shall neither seek nor take instructions from Union institutions, bodies, offices nor agencies from any government or any other public or private body.

5. The Civil Society Advisory body shall be provided with sufficient resources and expertise to assess the exercise of the powers of the Authority under this Regulation.

6. The General Board shall lay down the practical arrangements for the prevention and the management of conflict of interest of the members of the Civil Society Advisory Body.

Amendment 91

Proposal for a regulation
Article 72 – paragraph 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The Authority shall submit on an annual basis to the European Parliament, to</td>
<td>2. The Authority shall submit on an annual basis to the European Parliament, to</td>
</tr>
</tbody>
</table>
the Council, and to the Commission a report on the execution of the tasks conferred on it by this Regulation, including information on the planned evolution of the structure and amount of the supervisory fees referred to in Article 66. The Chair of the Authority shall present that report in public to the European Parliament.

Amendment 92
Proposal for a regulation
Article 72 – paragraph 4

Text proposed by the Commission

4. The Authority shall reply orally or in writing to questions put to it by the European Parliament.

Amendment

4. The Authority shall reply orally or in writing to questions put to it by the European Parliament as soon as possible and in any case at the latest within five weeks of their notification to the Authority.

Amendment 93
Proposal for a regulation
Article 79 – paragraph 1

Text proposed by the Commission

Where relevant for the fulfilment of the tasks referred to in Sections 3 and 6 of Chapter II, the Authority may participate in existing cooperation arrangements established in one or across several Member States by supervisory authorities or FIUs, where such arrangements involve, inter alia, cooperation and information exchange between the aforementioned authorities and selected obliged entities. Participation of the Authority shall be

Amendment

Where relevant for the fulfilment of the tasks referred to in Sections 3 and 6 of Chapter II, the Authority may participate in existing cooperation arrangements established in one or across several Member States by supervisory authorities, FIUs or other EU institutions, offices, bodies and agencies involved in the AML/CFT framework, where such arrangements involve, inter alia, cooperation and information exchange.
subject to consent of the relevant national authority that has established such arrangement.

between the aforementioned authorities and selected obliged entities. **In case of national partnerships,** participation of the Authority shall be subject to consent of the relevant national authority that has established such arrangement. The Authority shall also participate at an appropriate level in partnerships established across multiple Member States.

Amendment 94

Proposal for a regulation
Article 80 – paragraph 1

_Text proposed by the Commission_

1. The Authority _may_ conclude working arrangements with Union institutions, Union decentralised agencies and other Union bodies, acting in the field of law enforcement and judicial cooperation. Those working arrangements may be of a strategic or technical nature, and shall in particular aim to facilitate cooperation and the exchange of information between the parties thereto. The working arrangements shall _neither_ form the basis for allowing the exchange of personal data _nor_ shall bind the Union or its Member States.

Amendment

1. The Authority _shall_ conclude working arrangements with Union institutions, Union decentralised agencies and other Union bodies, acting in the field of law enforcement and judicial cooperation. Those working arrangements may be of a strategic or technical nature, and shall in particular aim to facilitate cooperation and the exchange of information between the parties thereto.

_Regarding the Coordination and Support Mechanism for EU FIUs of the Authority_, the working arrangements shall ensure the mutual involvement in strategic projects carried out by the FIU coordination and support mechanism and other Union bodies involved in the AML/CFT framework, in particular Europol. With the exception of the working arrangement with Europol, the working arrangements _shall not_ form the basis for allowing the exchange of personal data. _The working arrangements shall not_ bind the Union or its Member States.

Amendment 95
Proposal for a regulation
Article 80 – paragraph 2

Text proposed by the Commission

2. The Authority shall establish and maintain a close relationship with OLAF, Europol, Eurojust, and the EPPO. To that end, the Authority shall conclude separate working arrangements with OLAF, Europol, Eurojust, and the EPPO setting out the details of their cooperation. The relationship shall aim in particular to ensure the exchange of strategic information and trends in relation to money laundering and terrorist financing threats facing the Union.

Amendment

2. The Authority shall establish and maintain a close relationship with OLAF, Europol, Eurojust, and the EPPO. To that end, the Authority shall conclude separate working arrangements with OLAF, Europol, Eurojust, and the EPPO setting out the details of their cooperation. With the exception of the working arrangement with Europol, which shall cover operational and strategic information, the relationship shall aim in particular to ensure the exchange of relevant information and trends in relation to money laundering and terrorist financing threats facing the Union.

Amendment 96

Proposal for a regulation
Article 81 – paragraph 1

Text proposed by the Commission

1. In order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the Union institutions, the Authority may develop contacts and enter into administrative arrangements with AML/CFT authorities in third countries that have regulatory, supervisory and FIU-related competences in the field of anti-money laundering and counter terrorism financing as well as with international organisations and third-country administrations. Those arrangements shall not create legal obligations in respect of the Union and its Member States nor shall they prevent Member States and their competent authorities from concluding bilateral arrangements with those third countries.

Amendment

1. In order to achieve the objectives set out in this Regulation, and without prejudice to the respective competences of the Member States and the Union institutions, bodies agencies and offices, the Authority may develop contacts and enter into administrative arrangements with AML/CFT authorities in third countries that have regulatory, supervisory and FIU-related competences in the field of anti-money laundering and counter terrorism financing as well as with international organisations and third-country administrations. Those arrangements shall not create legal obligations in respect of the Union and its Member States nor shall they prevent Member States and their competent authorities from concluding bilateral arrangements with those third countries.
Amendment 97

Proposal for a regulation
Article 82 – paragraph 5

Text proposed by the Commission

5. The Executive Board shall adopt practical measures for applying Regulation (EC) No 1049/2001 and the rules regarding disclosure of information relating to supervisory procedures.

Amendment

Amendment 97

Proposal for a regulation
Article 82 – paragraph 5

Text proposed by the Commission

5. The Executive Board shall adopt practical measures for applying Regulation (EC) No 1049/2001 and the rules regarding disclosure of information relating to supervisory procedures. The Authority shall include in its annual report foreseen in Article 72 a detailed section on the implementation of the Regulation for the preceding year.

Amendment 98

Proposal for a regulation
Article 88 – paragraph 1 – introductory part

Text proposed by the Commission

1. By 31 December 2029, and every five years thereafter, the Commission shall assess the Authority’s performance in relation to its objectives, mandate, tasks and location(s), in accordance with the Commission's guidelines. The evaluation shall, in particular, address:

Amendment

1. By 31 December 2028, and every three years thereafter, the Commission shall assess the Authority’s performance in relation to its objectives, mandate, tasks and location(s), in accordance with the Commission's guidelines. The evaluation shall, in particular, address:

Amendment 99

Proposal for a regulation
Article 88 – paragraph 1 – point c

Text proposed by the Commission

(c) the impact of the activities related to support and coordination of FIUs, and in particular the coordination of the joint analyses of cross-border activities and transactions conducted by FIUs;

Amendment

(c) the impact of the activities related to support and coordination of FIUs, and in particular the coordination of the joint analyses of cross-border activities and transactions conducted by FIUs and the successful follow up to those joint
analyses in preventing and combating ML and TF.
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>References</td>
<td>COM(2021)0421 – C9-0340/2021 – 2021/0240(COD)</td>
</tr>
<tr>
<td>Committees responsible</td>
<td>ECON</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td>4.10.2021</td>
</tr>
<tr>
<td>Opinion by</td>
<td>AFCO</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td>4.10.2021</td>
</tr>
<tr>
<td>Rapporteur for the opinion</td>
<td>Helmut Scholz</td>
</tr>
<tr>
<td>Date appointed</td>
<td>27.10.2021</td>
</tr>
<tr>
<td>Rule 58 – Joint committee procedure</td>
<td>20.1.2022</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td></td>
</tr>
<tr>
<td>Discussed in committee</td>
<td>26.1.2022</td>
</tr>
<tr>
<td>Date adopted</td>
<td>17.5.2022</td>
</tr>
<tr>
<td>Result of final vote</td>
<td>+: 15</td>
</tr>
<tr>
<td>Members present for the final vote</td>
<td>Gerolf Annemans, Gabriele Bischoff, Damian Boeselager, Włodzimierz Cimoszewicz, Gwendoline Delbos-Corfield, Pascal Durand, Daniel Freund, Charles Goerens, Sandro Gozi, Brice Hortefeux, Laura Huhtasaari, Victor Negrescu, Giuliano Pisapia, Paulo Rangel, Antonio Maria Rinaldi, Domèneç Ruiz Devesa, Jacek Saryusz-Wolski, Helmut Scholz, Pedro Silva Pereira, Antonio Tajani, László Trócsányi, Guy Verhofstadt, Loránt Vincze, Rainer Wieland</td>
</tr>
<tr>
<td>Substitutes present for the final vote</td>
<td>Jorge Buxadé Villalba, Seán Kelly, Nikolaj Villumsen</td>
</tr>
</tbody>
</table>
## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>15</strong></td>
<td><strong>+</strong></td>
<td></td>
</tr>
<tr>
<td>Renew</td>
<td>Pascal Durand, Charles Goerens, Sandro Gozi, Guy Verhofstadt</td>
<td></td>
</tr>
<tr>
<td>S&amp;D</td>
<td>Gabriele Bischoff, Włodzimierz Cimoszewicz, Victor Negrescu, Giuliano Pisapia, Doméneq Ruiz Devesa, Pedro Silva Pereira</td>
<td></td>
</tr>
<tr>
<td>The Left</td>
<td>Helmut Scholz, Nikolaj Vilmansen</td>
<td></td>
</tr>
<tr>
<td>Verts/ALE</td>
<td>Damian Boeselager, Gwendoline Delbos-Corfield, Daniel Freund</td>
<td></td>
</tr>
<tr>
<td><strong>2</strong></td>
<td><strong>-</strong></td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td>Gerolf Annemans, Laura Huhtasaari</td>
<td></td>
</tr>
<tr>
<td><strong>10</strong></td>
<td><strong>0</strong></td>
<td></td>
</tr>
<tr>
<td>ECR</td>
<td>Jorge Buxadé Villalba, Jacek Saryusz-Wolski</td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td>Antonio Maria Rinaldi</td>
<td></td>
</tr>
<tr>
<td>NI</td>
<td>László Trócsányi</td>
<td></td>
</tr>
<tr>
<td>PPE</td>
<td>Brice Hortefeux, Seán Kelly, Paulo Rangel, Antonio Tajani, Loránt Vincze, Rainer Wieland</td>
<td></td>
</tr>
</tbody>
</table>

Key to symbols:
+ : in favour
- : against
0 : abstention