



2021/0244(COD)

15.3.2022

OPINION

of the Committee on Economic and Monetary Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2019/1153 of the European Parliament and of the Council, as regards access of competent authorities to centralised bank account registries through the single access point
(COM(2021)0429 – C9-0338/2021 – 2021/0244(COD))

Rapporteur for opinion: Inese Vaidere

PA_Legam

AMENDMENTS

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

Amendment 1

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Financial Intelligence Units (FIUs) should endeavour to exchange financial information or financial analysis to prevent and combat money laundering, the associated predicate offences and terrorist financing more effectively as provided in Directive (EU) 2015/849.

Amendment 2

Proposal for a directive

Article 1 – paragraph 1 – point -1 (new)

Directive (EU) 2019/1153

Article 1 – paragraph 1

Present text

Amendment

This Directive lays down measures to facilitate access to and the use of financial information and bank account information by competent authorities for the prevention, detection, investigation or prosecution of serious criminal offences. It also lays down measures to facilitate access to law enforcement information by Financial Intelligence Units ('FIUs') for the prevention and combating of money laundering, associate predicate offences and terrorist financing ***and measures to facilitate cooperation between FIUs.***

(-1) Article 1(1) is replaced by the following:

"This Directive lays down measures to facilitate access to and the use of financial information and bank account information by competent authorities for the prevention, detection, investigation or prosecution of serious criminal offences. It also lays down measures to facilitate access to law enforcement information by Financial Intelligence Units ('FIUs') for the prevention and combating of money laundering, associate predicate offences and terrorist financing."

(Directive 2019/1153)

Justification

Measures to facilitate cooperation between FIUs should be carried out under the legal basis provided by the Anti-money Laundering Directive.

Amendment 3

Proposal for a directive

Article 1 – paragraph 1 – point 1 a (new)

Directive (EU) 2019/1153

Article 9

Present text

Amendment

Article 9

(1a) Article 9 is deleted.

***Exchange of information between FIUs
of different Member States***

1. Member States shall ensure that in exceptional and urgent cases, their FIUs are entitled to exchange financial information or financial analysis that may be relevant for the processing or analysis of information related to terrorism or organised crime associated with terrorism.

2. Member States shall ensure that in the cases referred to in paragraph 1 and subject to their operational limitations, FIUs endeavour to exchange such information promptly.

(Directive 2019/1153)

Justification

Art 53 of the current AMLD5 introduces a broad legal basis for exchange of information between FIUs regarding money laundering and predicate offences, including terrorism. Article 9 of Directive (EU) 2019/1153 has therefore introduced an inconsistency regarding the legal basis for the exchange of information between FIUs in the EU, and, to avoid legal uncertainty, it should be deleted. Article 53 of the AMLD5 - and its replacing Article 24 of the Commission proposal for AMLD6 - should be the sole legal basis for exchange of information between FIUs.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Directive (EU) 2019/1153 of the European Parliament and of the Council, as regards access of competent authorities to centralised bank account registries through the single access point
References	COM(2021)0429 – C9-0338/2021 – 2021/0244(COD)
Committee responsible Date announced in plenary	LIBE 13.9.2021
Opinion by Date announced in plenary	ECON 13.9.2021
Rapporteur for the opinion Date appointed	Inese Vaidere 16.9.2021
Discussed in committee	13.1.2022
Date adopted	14.3.2022
Result of final vote	+: 46 –: 3 0: 7
Members present for the final vote	Rasmus Andresen, Gunnar Beck, Isabel Benjumea Benjumea, Stefan Berger, Gilles Boyer, Carlo Calenda, Engin Eroglu, Markus Ferber, Jonás Fernández, Raffaele Fitto, Frances Fitzgerald, José Manuel García-Margallo y Marfil, Luis Garicano, Valentino Grant, Claude Gruffat, Enikő Győri, Eero Heinäluoma, Michiel Hoogeveen, Danuta Maria Hübner, Stasys Jakeliūnas, France Jamet, Othmar Karas, Billy Kelleher, Ondřej Kovařík, Aurore Lalucq, Aušra Maldeikienė, Pedro Marques, Costas Mavrides, Csaba Molnár, Siegfried Mureşan, Luděk Niedermayer, Lefteris Nikolaou-Alavanos, Piernicola Pedicini, Lídia Pereira, Kira Marie Peter-Hansen, Sirpa Pietikäinen, Dragoş Pîslaru, Evelyn Regner, Antonio Maria Rinaldi, Alfred Sant, Joachim Schuster, Ralf Seekatz, Pedro Silva Pereira, Paul Tang, Irene Tinagli, Ernest Urtasun, Inese Vaidere, Johan Van Overtveldt, Stéphanie Yon-Courtin, Marco Zanni, Roberts Zile
Substitutes present for the final vote	Manon Aubry, Karima Delli, Maximilian Krah, Chris MacManus, Andreas Schwab, Linea Søgaaard-Lidell
Substitutes under Rule 209(7) present for the final vote	Silvia Modig

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

46	+
ID	Antonio Maria Rinaldi, Marco Zanni
NI	Enikő Győri
PPE	Isabel Benjumea Benjumea, Stefan Berger, Markus Ferber, Frances Fitzgerald, José Manuel García-Margallo y Marfil, Danuta Maria Hübner, Othmar Karas, Aušra Maldeikienė, Siegfried Mureşan, Luděk Niedermayer, Lídia Pereira, Sirpa Pietikäinen, Andreas Schwab, Ralf Seekatz, Inese Vaidere
Renew	Gilles Boyer, Carlo Calenda, Engin Eroglu, Luis Garicano, Billy Kelleher, Ondřej Kovařík, Dragoş Pîslaru, Linea Sogaard-Lidell, Stéphanie Yon-Courtin
S&D	Jonás Fernández, Eero Heinäluoma, Aurore Lalucq, Pedro Marques, Costas Mavrides, Csaba Molnár, Evelyn Regner, Alfred Sant, Joachim Schuster, Pedro Silva Pereira, Paul Tang, Irene Tinagli
Verts/ALE	Rasmus Andresen, Karima Delli, Claude Gruffat, Stasys Jakeliūnas, Piernicola Pedicini, Kira Marie Peter-Hansen, Ernest Urtasun

3	-
ID	Gunnar Beck, Maximilian Krah
NI	Leftis Nikolaou-Alavanos

7	0
ECR	Raffaele Fitto, Michiel Hoogeveen, Johan Van Overtveldt, Roberts Zīle
ID	Valentino Grant, France Jamet
The Left	Chris MacManus

	Corrections to votes and voting intention
+	Valentino Grant
-	
0	

Key to symbols:

+ : in favour

- : against

0 : abstention