CHAPITRE II
MISSIONS ET POUVOIRS DE L'AUTORITÉ

(11a) In the process of developing regulatory technical standards, implementing technical standards, guidelines and recommendations addressed to obliged entities, supervisors or Financial Intelligence units, or Opinions addressed to Commission and the European Parliament and the Council, the Authority should as a rule conduct open public consultations, unless those consultations and analyses are highly disproportionate in relation to the scope and impact of the measures concerned or in relation to the particular urgency of the matter. The public consultations should be conducted in order to analyse the potential related costs and benefits of the new measures and requirements it is introducing, and in order to make sure that all the relevant stakeholders, including other Union bodies whose area of competence may be concerned, have had a chance to provide their input and advice. As the role of the civil society, including academia, investigative journalists, and non-governmental organisations, has proven paramount over the past years in identifying criminal patterns and how the Union AML/CFT framework can be strengthened to prevent criminal misuse of the Union internal market, the Authority should pay particular attention to input provided by civil society. It should ensure appropriate engagement of the civil society and active solicitations of its views during its policy-making process.

Based on COM compromise text

TM8 04072023

(17a) The periodic assessment of the risk profile of credit and other financial institutions for the purpose of selection for direct supervision should rely on data to be provided by the national financial supervisors and, for already selected obliged entities, by the Authority. In addition, the Authority should ensure harmonised application of the methodology by financial supervisors and provide coordination of the assessment of the risk profile of entities at group level. A regulatory technical standard should precise the respective role of the Authority and the financial supervisors in the assessment process. The Authority should ensure alignment, where appropriate, between the methodology for assessment of risk profile for the purpose of the selection process pursuant to article 12 and the methodology for harmonising the assessment of the inherent and residual risk profiles of obliged entities at national level, to be developed in the regulatory technical standards pursuant to article 31(2) of [OP: please insert reference to AMLD6].

Adjust following the discussion on line 257a-c /

Text Origin: Council Mandate

(21) The relevant actors involved in the application of the AML/CFT framework should cooperate with each other in accordance with the duty of sincere cooperation enshrined in the Treaties. In order to ensure that the AML supervisory system composed of the Authority and supervisory authorities functions as an integrated mechanism, and that jurisdiction-specific risks and local supervisory expertise are duly taken into account and well utilized, direct supervision of selected obliged entities should take place in the form of joint supervisory teams and, where appropriate, dedicated on-site inspection teams (Conseil). These teams should be led by a staff member of the Authority coordinating all supervisory activities of the team. ~~To ensure an adequate understanding of possible national specificities, the team leader ('JST coordinator')('JST coordinator')~~. The JST coordinator and other staff members of the Authority allocated to the joint supervisory team should be based at the premises of the Authority but should be stationed in the able to carry out their day-to-day tasks and supervisory activities in any Member StateStates where the selected obliged entity has its headquarter. it operations. To that end, the financial supervisors should assist in ensuring smooth and flexible working arrangements for all the joint supervisory team members.

The Authority should be in charge of the establishment and composition of the joint supervisory team, and local supervisor involved in the supervision of the entity~~ the local supervisors~~ should ensure that a sufficient number of their staff members are appointed to the team, taking into account the risk profile of the selected entity in their jurisdiction, as well as its overall volume of activity. Each supervisor involved in the supervision of the group should appoint a member to the joint supervisory team. However, in cases where the risk of the obliged entity's activities is low in a particular Member State, the financial supervisor in that Member State should be able to choose, in agreement with the JST coordinator, not to appoint a member to the
joint supervisory team.
Where no member is appointed to the joint supervisory team, the relevant financial supervisor should still have a
contact point for any joint supervisory team matters and responsibilities.

text based on EC compromise proposal - linked to line 261-262

(22) To ensure that the Authority can fulfil its supervisory obligations in an efficient manner with regard to selected obliged entities, the Authority should be able to obtain any internal documents and information necessary for the exercise of its tasks and for that purpose have general investigation powers afforded to all supervisory authorities under national administrative law. To that end, the Authority should be able to address information requests to any natural or legal person belonging to the selected obliged entity, such as: an obliged entity itself or any legal person within the obliged entity; employees of the obliged entity and persons in comparable positions, including agents and distributors; external contractors which may be natural or legal persons; or third parties to whom a selected obliged entity has outsourced its activities, which may be natural or legal persons (PE).

EP to revert

Text Origin: Commission Proposal
TM16 14092023

(27) For non-selected obliged entities, the AML/CFT supervision is to remain primarily at national level, with national competent authorities retaining full responsibility and accountability for direct supervision. The Authority should be granted adequate indirect supervisory powers to ensure that supervisory actions at national level are consistent and of a high quality across the Union. Therefore, it should carry out assessments of the state of supervisory convergence and publish reports with its findings. It should be empowered to ~~issue~~ adopt follow-up measures in the form of guidelines and recommendations, including individual recommendations addressed to ~~both obliged entities as well as supervisory authorities~~ financial supervisors as a result of the assessment, with a view to ensuring harmonised and high level supervisory practices across the Union. Individual recommendations could contain suggestions of specific follow-up measures which the financial supervisor is expected to make every effort to comply with. Where a financial supervisor does not implement the follow-up measures, the Authority should take the adequate and necessary steps in accordance with this Regulation.

based on EC compromise text, revendication PE

TM22 of 29092023

(30) In order to improve supervisory practices in the non-financial sector, the Authority should carry out peer reviews of ~~supervisory authorities~~***supervisors*** in the non-financial sector, including public authorities overseeing self-regulatory bodies***. To that end, the Authority should develop the methodological framework for such reviews, including rules to avoid any conflict of interest in the conduct of peer reviews and in the drawing-up of findings, and regarding the consideration to be given to evaluations by international organisations or intergovernmental bodies with competence in the field of preventing money laundering and terrorist financing, when deciding on the planning of peer reviews and on their content. [With a view to fostering convergence of supervisory practices, the Authority should*** ~~(SRBs), and~~ publish reports with ~~its findings~~***findings from those peer reviews, including shortcomings and good practices identified]***; those ***reports*** could be accompanied by guidelines or recommendations addressed to the relevant public authorities, including public authorities overseeing ~~SRBs. SRBs~~***self-regulatory bodies. Self-regulatory bodies*** should be able to participate in peer reviews ~~on a case-by-case basis~~ where they have expressed ~~their willingness to participate~~***an interest to do so***.

(41) *__(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 Board should also be able to admit other non-voting observers, ~~*such as a representative*~~***__in particular representatives__*** 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.

__The Rules of Procedure of the General Board should clearly define the circumstances under which the Union institutions, bodies and agencies listed above as well as other observers should be admitted to the meetings. When drafting the relevant parts of the Rules of Procedure, the Authority should agree with the Union institutions, bodies and agencies listed above on the terms and conditions of their participation. Such an agreement is presumed where the terms and conditions for participation are already included in the bilateral working arrangements or MoUs mandated by the present Regulation.__

__To__ ~~*To*~~ allow a smooth ~~*decision making*~~***__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.

TM12 29082023

TM14 01092023

(52) As stated in the Cybersecurity Strategy for the European Union[1], it is essential to ensure a high level of cyber resilience in all EU institutions, bodies and agencies due to the increasingly hostile threat environment. The Executive Director must thus ensure appropriate IT risk management, a strong internal IT governance and sufficient IT security funding. ***__As a rule, at least 10% of__*** the Authority***__'s IT expenditure should__***

__be transparently allocated to direct IT security. The contribution to the__

~~*shall work closely with the*~~ Computer Emergency Response Team of the European ~~*Union*~~ Institutions, Bodies and

__Agencies (CERT-EU) could be counted in this minimum expenditure__

__requirement. The Authority should work closely with the CERT-EU__ ~~*Agencies*~~ and report major incidents with 24 hours to CERT EU as well as to the Commission.

1. _1._ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52013JC0001.

Based on COM compromise text

Text Origin: Commission Proposal

TM8 04072023

EP : (62a) It is essential that the Union joins global efforts in fighting money laundering and terrorist financing, notably the work carried out by international organisations active in the field of AML/CFT such as the Financial Action Task Force (FATF). The Commission endorsed, on behalf of the Union, the Ministerial Declaration of the FATF, as well as the revised FATF Mandate at the 12 April 2019 FATF Ministerial Meeting. As a member of FATF, the Commission needs to ensure a united, common, consistent and effective representation of the Union's interests in FATF. Given its tasks and powers in the field of AML/CFT, the Authority should contribute to the representation of the Union and the defence of its interests in international fora, including by assisting the Commission in its tasks relating to Union membership of the FATF and by supporting the work and objectives of the Egmont Group of FIUs and of MONEYVAL, among others

Draft : (62a) Given its tasks and powers in the field of AML/CFT, the Authority is well placed to support the action of the Commission in international fora, including the Financial Action Task Force, with a view to promoting a united, common, consistent and effective representation of the Union's interests there. Therefore, the Authority should assist the Commission in its activities as member of the FATF, and contribute to the representation of the Union and the defence of its interests in international fora.

COM proposal replacing line 729b

EP to revert

TM12 29082023

116c

(gc) report to the Commission any instances where, in the performance of its duties, the Authority discovers incorrect or incomplete transposition of [OP: please insert reference to: AMLD] by a Member State

TM22 of 29.09.2023

1a. The Authority shall also have the powers and obligations which financial supervisors have under the relevant Union law, unless otherwise provided for by this Regulation. To the extent necessary to carry out the tasks conferred on it by this Regulation, the Authority may require, by way of instructions, those financial supervisors to make use of their powers, under and in accordance with the conditions set out in national law, where this Regulation does not confer such powers on the Authority, in particular where such powers stem from Article 41(1) (a) to (f), (2) and (3) [OP please insert the next number to the AMLD, COM(2021)423]. Those financial supervisors shall fully inform the Authority about the exercise of those powers.

Text Origin: Council Mandate
TM17 15/09/2023

170 2. The Authority and supervisory authorities shall be subject to a duty of cooperation in good faith, and to an obligation to exchange information for the purposes of prevention of money laundering and the financing of terrorism.

Text Origin: Council Mandate
TM24 of 04102023

Article 7(1a), (2) a 170 A
Supervisory authorities shall assist the Authority in taking into account the specificities of their respective national legal frameworks, including where the Authority is applying national law provisions transposing Union law as referred to in Article 1(2).

Text Origin: EP Mandate
TM24 of 04102023

1. ***[In cooperation with supervisory authorities],*** the Authority shall develop and maintain an up-to-date and harmonised ~~*AML*~~***AML/CFT*** supervisory methodology detailing the risk-based approach to supervision of obliged entities in the Union. The methodology shall comprise guidelines, recommendations***, opinions [***~~-~~and other measures and instruments as appropriate***]***, including in particular draft regulatory and implementing technical standards, on the basis of the empowerments laid down in the acts referred to in Article 1(2).

CONS to revert EP to revert

Text Origin: EP Mandate

2. When developing the supervisory methodology the Authority shall make a distinction between obliged entities***, including*** ~~based~~ on the ~~sectors in~~***basis of their activities and the type and the nature of money laundering and terrorist financing risks to*** which they ~~operate~~***are exposed***. The supervisory methodology shall ***be risk-based and*** contain at least the following elements:

Text Origin: Council Mandate

TM 24 of 04102023

Article 8(2), point ©

(c) approaches to supervisory review of obliged entities' internal policies and

procedures of obliged entities, including customer due diligence policies *and*

procedures, in line with a risk-based approach to the prevention of money

laundering and terrorist financing;

Text Origin: EP Mandate

TM24 of 04102023

3. The methodology shall reflect high supervisory standards at Union level and shall build on relevant international standards and guidance. The Authority shall periodically review and update its supervisory methodology, taking into account the evolution of risks affecting the internal market*, including risks and trends identified by national law enforcement authorities and FIUs. The methodology shall, to the extent possible, take into account best practices and guidance developed by international standard setters*.

Text Origin: EP Mandate

TM24 of 04102023

1. ~~By 31 October~~***No later than the 1st December*** each year, supervisory authorities shall ~~submit~~***provide information*** to the Authority ~~their annual work programmes for the following year. Where those work programmes include supervisory~~***on supervisory reviews they***

intend to carry out on a thematic basis. The information shall be provided for the reviews ~~*carried out on a thematic basis*~~***that are planned for the following year or supervisory term*** with the aim of assessing ML/TF risks or a specific aspect of such risks which multiple obliged entities are exposed to at the same time~~*, the supervisory authorities*~~***. The following information*** shall ~~*provide the following information*~~***be provided***:

Text Origin: Council Mandate

TM25 of 05102023

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 ***Executive Board may propose joint thematic reviews based on the available analyses of risks, trends and vulnerabilities in the internal market. 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.

Text Origin: EP Mandate

TM25 of 05102023

4. The Authority shall coordinate the activities of the ~~*supervisory authorities*~~***[supervisors]*** and facilitate the planning and execution of the selected joint thematic reviews referred to in paragraph 3. Any direct interaction with ~~*non-selected*~~***[obliged entities other than the selected]*** obliged entities in the context of any thematic review shall remain under the exclusive responsibility of the ~~*supervisory authority*~~***[supervisor]*** responsible for supervision of ~~*the non-selected*~~***[these]*** obliged entities and shall not be construed as a transfer of tasks and powers related to those entities within the AML/CFT supervisory system.

If accepted change supervisory authority to supervisor throughout the article

Text Origin: Council Mandate

TM25 of 05102023

5. ***After having assessed whether the request is appropriate and feasible,*** the Authority shall make every effort to provide the requested assistance, including by mobilising own human resources as well as by ensuring mobilisation of resources at supervisory authorities on a voluntary basis.

Text Origin: Council Mandate

TN25 of 05102023

Article 10(6)

6. By the end of each year, the Chair of the Authority shall inform the General Board in supervisory composition of the ***human*** resources that the Authority will allocate to providing such assistance. ***When changes occur to the availability of human resources due to performance of tasks referred to in Article 5(2) to 5(4), the Chair of the Authority shall inform the General Board in supervisory composition thereof.***

Text Origin: Council Mandate

TM25 05102023

1. The Authority shall establish and keep up to date a central database of information collected pursuant to ~~paragraph 2~~***this Article***. The Authority shall analyse the information received and ensure that it is made available to supervisory authorities ***and non-AML/CFT authorities as well as other national authorities and bodies competent for ensuring compliance with Directive 2014/17/EU [Mortgage Credit Directive], Directive xxx [consumer credit directive], Directive (EU) 2015/2366 [PSD], Directive 2009/110/EC [e-money Directive], Directive 2009/138/EC [Solvency II], Directive 2014/65/EU [Mifid II], and Regulation [MiCA] [and to the European Supervisory Authorities],*** on a need-to-know and confidential basis. The Authority may share the results of its analysis ***[and inspections]*** on its own initiative with supervisory authorities***[, including [relevant] non-AML/CFT authorities,]*** for the purposes of facilitating their supervisory activities.

Mortgage credit directive and consumer credit directive to be covered.

CONS to revert EC to revert

Text Origin: EP Mandate

TM25 05102023

4. Any supervisory authority ~~or~~, any non-AML authority***, as well as other national authorities and bodies competent for ensuring compliance with the requirements of Directive 2014/17/EU [Mortgage Credit Directive], Directive xxx [consumer credit directive], Directive (EU) 2015/2366 [PSD], Directive 2009/110/EC [e-money Directive], Directive 2009/138/EC [Solvency II], Directive 2014/65/EU [Mifid II], and Regulation [MiCA], or the European Supervisory Authorities*** may address to the Authority a reasoned request for information collected pursuant to ~~paragraph 2~~***this Article*** that is relevant for its supervisory activities. The Authority shall assess those requests and provide the information requested ~~by the supervisory authorities or non-AML authorities~~ on a need-to-know basis and confidential basis and in a timely manner. The Authority ***may also share information from the database on its own initiative with the aforementioned authorities for the purposes of facilitating their respective activities. The Authority*** shall inform the authority that has initially provided the requested information, of the identity of the requesting supervisory or other authority, the identity of an obliged entity concerned, the reason for the information request as well as whether the information has been provided to the requesting authority.***[Where the Authority decides not to provide the requested information, it shall provide a reasoned justification for that decision.]***

EC to propose redrafting include a reference to the mortgage credit directive and consumer credit directive

EC to revert

Text Origin: EP Mandate

TM 28 20/10/2023

4b. [The Authority shall develop draft regulatory technical standards further specifying the weaknesses referred to in paragraph 2, points (ha), (hb) and (hc), including the corresponding situations where weaknesses may occur, the materiality of weaknesses and the practical implementation of the information collection by the Authority as well as the type of information that should be provided pursuant to those provisions. The Authority shall also specify the format, the transmission procedure and information included in the common regulatory templates referred to in paragraph 2, point (ba).]

EC to provide drafting combining Council (line 214h) and EP mandate. Scope of the RTS to be agreed

EC to revert

Text Origin: EP Mandate

TM28 20/10/2023

[To that end, the Authority shall consider the volume of the information to be provided and the need to avoid duplication. It shall also set out arrangements to ensure effectiveness, confidentiality and the protection of personal data, specifying the data types and purposes for which personal data is processed and collected.]

EC to redraft

EC proposal: in a recital

EC to revert

Text Origin: EP Mandate

4c. The Authority shall submit the draft regulatory technical standards to the Commission by [18 months after the date of entry into force of this Regulation].

Text Origin: EP Mandate

TM28 20/10/2023

4d. The Commission is empowered to adopt the regulatory technical standards referred to in the first subparagraph in accordance with Article 38 of this Regulation.

Text Origin: EP Mandate

TM 28 20/10/2023

4e. [Personal data collected in accordance with this Article may be kept in an identifiable form for a period of up to 10 years after the date of collection of the data by the Authority, at the end of which the personal data shall be deleted. Based on a regular assessment of their necessity, personal data may be deleted before the expiry of that period on a case-by-case basis.]

EC to consult its legal services, especially on the 10 years

Council to consult its legal services

EP followed draft RTS

EC to revert

Text Origin: EP Mandate

4f. [The Authority shall incorporate in the database any data or information relevant for the purposes of AML/CFT supervisory activities which is voluntarily provided by the non-AML/CFT authorities as well as other national authorities and bodies competent for ensuring compliance with the requirements of Directive 2014/17/EU [consumer credit directive], Directive (EU) 2015/2366 [PSD], Directive 2009/110/EC [e-money Directive], Directive 2009/138/EC [Solvency II], Directive 2014/65/EU [Mifid II], and Regulation (MiCA).]

related to line 215a, emphasis put here on voluntary basis

EC to incorporate while redrafting

EC to revert

Text Origin: Council Mandate

1. [The supervisory authorities and the Authority shall provide each other with all necessary information regarding selected and non-selected obliged entities in order to carry out their respective duties, powers and legal mandate, provided that the supervisory authorities and the Authority have legal access to the relevant information.]

EP: paragraph 1 and 2 to be considered together

Commission: focus of this paragraph on the non-selected obliged entities both financial and non-financial sector

Council: not acceptable as such (AMLA to go directly to the non-selected obliged entities without justification).

EP: explicit requirement needed before there is a central depository

Commission: maybe specific reference: when data is not YET available + no need for double reporting

EP to revert

CONS to revert EC to revert EP to revert

Text Origin: EP Mandate

TM28 20/10/2023

Article 14

Cooperation within the AML/CFT supervisory system for the purposes of direct supervision

1. Without prejudice to the Authority's power pursuant to Article 20(2), point (g), to receive directly, or have direct access to, information reported, on an ongoing basis, by selected obliged entities, financial supervisors shall provide the Authority with all information necessary for carrying out the tasks conferred on the Authority ***in accordance with this Regulation and other applicable Union law***.

Text Origin: EP Mandate

TM15 08092023

3. The Authority shall develop implementing technical standards specifying ~~the conditions under which financial supervisors are to assist the Authority pursuant to paragraph 2.~~***:***

Text Origin: Council Mandate

TM15 08092023

(a) the conditions under which financial supervisors are to assist the Authority pursuant to paragraph 2;

Text Origin: Council Mandate

TM15 08092023

(b) the process of periodic assessment referred to in article 12 (1) including the respective roles of the supervisory authorities and the Authority in assessing the risk profile of credit institutions and other financial institutions referred to in this same paragraph.

Text Origin: Council Mandate

TM15 08092023

(c) the working arrangements for the transfer of supervisory tasks and powers to the Authority or from the

Authority to national level following a selection process, including arrangements on continuity of pending supervisory procedures or investigations;

text based on EC compromise proposal

TM15 08092023

TM16 14092023

(d) the detailed rules and arrangements for the composition and functioning of the joint supervisory teams referred to in paragraph 1 and 2 of Article 15.

text based on EC compromise proposal

TM16 14092023

1a. Each financial supervisor that appoints more than one staff member to the joint supervisory team may designate one of them as sub-coordinator ('national sub-coordinator'). The national sub-coordinators shall assist the JST coordinator as regards the organization and coordination of the tasks in the joint supervisory team, in particular as regards the staff members that were appointed by the same financial supervisor as the relevant national sub-coordinator. The national sub-coordinator may give instructions to the members of the joint supervisory team appointed by the same financial supervisor, provided that these do not conflict with the instructions given by the JST coordinator.

Text Origin: Council Mandate

TM15 08092023

(ca) obtain access to documents and information relating to decision-making processes, including those developed by algorithms or other digital processes;

Text Origin: EP Mandate

TM15 08092023

1a. The Authority may decide to entrust the performance of the on-site inspections to a joint supervisory team or a dedicated team, which could include JST members as the case may be. The Authority shall be in charge of the establishment and the composition of on-site inspection teams in cooperation with the financial supervisors.

text based on EC compromise text

Text Origin: Council Mandate

TM15 08092023

TM16 14092023

Article 78 Cooperation with non-AML/CFT authorities

1. ~~*Where necessary for the fulfilment of its tasks listed in Article 5, the Authority shall cooperate, as appropriate, with the non- AML/CFT*~~***[The Authority shall cooperate and exchange information with the non- AML/CFT authorities and, on a need-to-know and confidential basis, with other national authorities and bodies competent for ensuring compliance with Directive 2014/17/EU [consumer credit directive], Directive (EU) 2015/2366 [PSD], Directive 2009/110/EC [e-money Directive], Directive 2009/138/EC [Solvency II], Directive 2014/65/EU [Mifid II], Mortgage Credit Directive 2014/17/EU and Regulation [MiCA] and the European Supervisory Authorities, within the boundaries of their respective mandates.]*** ~~*Authorities.*~~

CONS to revert

Text Origin: EP Mandate

TM8 04072023

2. ~~Where necessary,~~ *__[__*The Authority shall conclude a memorandum of understanding with the ~~-~~ ***__prudential__*** authorities ~~referred to in paragraph 1~~***__as defined in article 4 (1), point (4) of regulation (EU) No 575/2013 of the European Parliament and of the Council, the European Supervisory Authorities and the other national authorities competent for ensuring compliance with Regulation [MiCA],__*** setting out in general terms how they will cooperate and exchange information in the performance of their supervisory tasks under Union law in relation to selected ***__[and non-selected]__*** obliged entities.***__]__***

Text Origin: EP Mandate

TM8 04072023

__[Where it deems it necessary, the Authority may also conclude a memorandum of understanding with any of the other authorities referred to in paragraph 1 setting out in general terms how they will cooperate and exchange information in the performance of their supervisory tasks under Union law in relation to selected and non-selected obliged entities.]__

Text Origin: EP Mandate

TM8 04072023

__2a. By ... [12 months after the date of entry into force of this Regulation], the Authority and the European Central Bank shall conclude a memorandum of understanding setting out the practical modalities for cooperation and for exchanging information in the performance of their respective tasks under Union law.__

Text Origin: EP Mandate

3. The Authority shall ensure effective cooperation and information exchange between all ~~financial supervisors~~***__supervisory authorities__*** in the AML/CFT supervisory system and the relevant ~~non-AML/CFT~~ authorities referred to in paragraph 1, including with regard to access to any information and data in central AML/CFT database referred to in Article 11.

Text Origin: EP Mandate

TM8 04072023

761 ***3. In order to promote and facilitate smooth cooperation between the Authority and Europol, Eurojust and EPPO, the working arrangements with them shall in particular provide for the possibility of posting liaison officers at each other's premises, and lay down conditions to that end.***

TM12 29082023 EP

When drafting guidelines and recommendations in accordance with Article 43, having a significant impact on the protection of personal data, the Authority shall ***closely cooperate with the European Data Protection Board established by Regulation (EU) 2016/679 to avoid duplication, inconsistencies and legal uncertainty in the sphere of data protection.*** ~~,~~ After being authorized by the Commission, ***the Authority shall also*** consult the European Data Protection Supervisor established by Regulation (EU) 2018/1725. ~~-~~ The Authority may also invite national data protection authorities as observers in the process of drafting such guidelines and recommendations.

Recital proposed

Regulation (EU) No 2018/1725 requires the Commission to consult the European Data Protection Supervisor when preparing delegated or implementing acts that have an impact on the protection of individuals' rights and freedoms with regard to the processing of personal data. This may be the case for regulatory and implementing technical standards to be developed by the Authority. In order to ensure a smooth process for the preparation and adoption of those acts, when the Authority considers that there is an added value in consulting the European Data Protection Supervisor already at the stage of their development, it should inform the Commission thereof and obtain its autorisation to proceed with the consultation.

COM drafting a proposal including line 752

COM ITS, RTS covered by the obligation of COM to consult prior to their adoption.

Structure change

TM8 04072023

TM12 29082023

TM14 01092023