



## 6. Annexes

---

Technical Specifications in accordance with article 13(7) of the Regulatory Technical Standards under Article 9a (1) and (3) of Regulation (EU) No 1093/2010 setting up an AML/CFT central database

### Data Points

Article of the RTS	Type of information	Data points
Article 6 Type of information-general		
6 (a)	identification of the competent authority identification of the authority indirectly submitting the information where Article 13(4) applies	<p>The name of the authority;</p> <p>The Member State of the authority (pre-defined list, single choice)</p> <p>The type of authority (pre-defined list, single choice)</p> <p><input type="checkbox"/> AML/CFT authority;</p> <p><input type="checkbox"/> Prudential authority;</p> <p><input type="checkbox"/> Resolution authority;</p> <p><input type="checkbox"/> Designated Authority;</p> <p><input type="checkbox"/> Conduct of business;</p> <p><input type="checkbox"/> Payment institutions authority;</p> <p><input type="checkbox"/> Other authority.</p>



	whether the authority acts as home or host AML/CFT authority	(pre-defined list, single choice) <input type="checkbox"/> Home authority <input type="checkbox"/> Host authority
6(b)	identification of the firm and of its branches concerned by the material weakness or the measures taken including the type of firm and where applicable the type of establishment	<p>The legal name of the firm/branch.</p> <p>The commercial name of the firm/branch. (If different from the legal name).</p> <p>The address of the firm/branch:  a) Street address;  b) Postcode;  c) City;  d) Country (pre-defined list, single choice)</p> <p>The type of firm/branch ( pre-defined list, single choice)  <input type="checkbox"/> Credit Institution;  <input type="checkbox"/> Credit Union;  <input type="checkbox"/> Credit provider (other than credit institutions, for example consumer credit, factoring, leasing, mortgage credit and commercial credit);  <input type="checkbox"/> Life insurance undertaking;  <input type="checkbox"/> Life insurance intermediary  <input type="checkbox"/> E-money institution;  <input type="checkbox"/> Payment Institution;  <input type="checkbox"/> Bureau de change;  <input type="checkbox"/> Investment firm;  <input type="checkbox"/> Collective investment undertakings/Fund managers:  <input type="checkbox"/> Alternative investment fund managers' as defined under Article 4(1)(b) of Directive 2011/61/EU,, including registered (sub-threshold) and authorised AIFMs<sup>16</sup> as well as non-EU AIFMs managing EU AIFs or marketing (EU or non-EU) AIFs to investors in the EU;  <input type="checkbox"/> 'management companies' as defined under Article 2(1)(b) of Directive 2009/65/EC;  <input type="checkbox"/> 'manager of a qualifying venture capital funds' as defined under Article 3(c) of Regulation (EU) No 345/2013;</p>

<sup>16</sup> Including internally managed AIFs in accordance with Article 5(1)(b) of the AIFMD.



		<p><input type="checkbox"/> ‘manager of a qualifying social entrepreneurship funds’ as defined under Article 3(1)(c) of Regulation (EU) No 346/2013;</p> <p><input type="checkbox"/> ‘manager of European Long-Term Investment Funds’ as defined under Article 2(12) of the Regulation (EU) 2015/760.</p> <p><input type="checkbox"/> ‘alternative investment funds’ as defined under Article 4(1)(a) of Directive 2011/61/EU17, marketing their units or shares;</p> <p><input type="checkbox"/> Other type of firm/branch (free text)</p> <p>The type of establishment (pre-defined list, single choice):</p> <p><input type="checkbox"/> Branch of a firm located in another European Union Member State;</p> <p><input type="checkbox"/> Branch of an entity located in a third country;</p> <p><input type="checkbox"/> The firm operates establishments:</p> <p style="padding-left: 40px;"><input type="checkbox"/> Through a network of agent and distributors.</p> <p style="padding-left: 40px;"><input type="checkbox"/> Other form (free text )</p> <p>The entity identifier</p> <p style="padding-left: 40px;">a) The Legal Entity Identifier (LEI) if available (for a branch : the LEI of the parent); A code that allows legally distinct entities that engage in financial transactions to be uniquely identified.</p> <p style="padding-left: 40px;">b) The national identifier. In the case of an agent under PSD 2: the national identification number</p>
6(c)	where the firm is part of a group, identification of the Union parent firm, the parent firms in a Member State;	<p>The name of the Union parent firm;</p> <p>The name of the parent firm;</p> <p>The address of the union parent firm/parent firm:</p> <p style="padding-left: 40px;">a) Street address;</p> <p style="padding-left: 40px;">b) Postcode;</p> <p style="padding-left: 40px;">c) City;</p> <p style="padding-left: 40px;">d) Country (pre-defined list, single choice).</p>
6(d)		Countries where the firm operates branches (EU/non-EU).

<sup>17</sup> Including European Venture Capital Funds (EuVECA), European Social Entrepreneurship Funds (EuSEF), European Long-Term Investment Funds (ELTIFs) and Money Market Funds (MMF) qualifying as AIFs in accordance with Article 4(1)(a) of Directive 2011/61/EU.



	<p>where the competent authority is the home authority, identification of the countries in which the firm operate branches and subsidiaries;</p>	<p>Countries where the firm operates subsidiaries (EU/non-EU).</p>
<p>6(e)</p>	<p>where the firm is part of a group, information as to any college established where the competent authority participates including information on the members, observers, lead supervisor/group supervisor consolidating supervisor/group level resolution authority of that college</p>	<p>The type of college established (if any):</p> <p><input type="checkbox"/> An AML/CFT college is established</p> <p>a) Role of the authority in the college (pre-defined-list, single choice)?</p> <p><input type="checkbox"/> Permanent member;</p> <p><input type="checkbox"/> Observer;</p> <p><input type="checkbox"/> Lead supervisor.</p> <p>b) If it is not the lead supervisor, name of the authority that is the lead supervisor and country;</p> <p>c) Is the college part of the EBA platform for colleges (Yes/No)?</p> <p><input type="checkbox"/> A prudential college is established</p> <p>a) Role of the authority in the college (pre-defined-list, single choice)</p> <p><input type="checkbox"/> Permanent member;</p> <p><input type="checkbox"/> Observer;</p> <p><input type="checkbox"/> Consolidated supervisor/group supervisor;</p> <p>b) If it is not the consolidated supervisor/group supervisor, name of the authority that is the consolidated supervisor/group supervisor and country ;</p> <p>c) Is the college part of the EBA platform for colleges (Yes/No)?</p> <p><input type="checkbox"/> A resolution college is established</p> <p>a) Role of the authority in the college (pre-defined list, single choice)</p> <p><input type="checkbox"/> Permanent member/</p> <p><input type="checkbox"/> Observer/</p> <p><input type="checkbox"/> Group Lead Resolution Authority (GLRA) of this college;</p> <p>b) If it is not the GLRA, name of the authority that is the GLRA and country;</p> <p>c) Is the college part of a platform (Yes/No)?</p>
<p>6(f)</p>	<p>whether there is a Central Contact Point as referred to in Article 45(9) of Directive (EU) 2015/849 where applicable and its identification;</p>	<p><input type="checkbox"/> Yes;</p> <p><input type="checkbox"/> No</p> <p>To be fulfilled in situation where agents or distributors under PSD 2 are concerned by the material weakness.</p> <p>Is 'yes' is selected:</p> <p>Name;</p> <p>Contact details.</p>



6(g)	any other relevant information, including whether the firm is currently applying for authorization, establishment or other supervisory approvals, whether the firm is in the process of application to exercise its right of establishment or its freedom to provide services, whether the firm, or any other firm of the relevant group, is subject to any proceedings set out in Directive 2014/59/EU or any other insolvency proceedings;	<p>The current status of the firm (from a pre-defined list, single choice):</p> <input type="checkbox"/> Request for authorisation /date; <input type="checkbox"/> Authorised/ date; <input type="checkbox"/> Request for passporting/date; <input type="checkbox"/> In the process of application to exercise its right of establishment /date; <input type="checkbox"/> In the process of application to exercise its right to provide services under the freedom to provide services/date <input type="checkbox"/> Withdrawal of authorisation /date <input type="checkbox"/> Suspension of authorisation/date <input type="checkbox"/> Liquidation/ date;
6(h)	<p>information on the size of the firm's and branch's activities, including, where applicable:</p> <p>a) information on financial statement;  b) number of clients;  c) volume of assets under management;  d) for an insurance undertaking, its annual gross written premium (GWP) and the size of its technical provisions  e) for an insurance intermediary, the volume of premiums intermediated;  f) for payment institutions and electronic money institutions: the size of its distribution network including information on the number of agents and distributors;</p>	<p>With regard to the type of firms below, the following information shall be provided (information in the Member State)</p> <p>a) For the banking sector, (to be submitted by the prudential competent authority on a mandatory basis/ voluntary by the others):  Balance sheet of the firm (total assets (liability+equities)/date</p> <p>b) For life insurance undertaking, (to be submitted by the prudential competent authority on a mandatory basis/ voluntary by the others):  annual gross written premium (GWP);  size of the technical provisions.</p> <p>c) For life insurance intermediaries:  The volume of premiums intermediated.</p> <p>d) For payment institutions and electronic money institutions: number of agents/distributors operating in the Member State (to be fulfilled by the host AML/CFT competent authority);</p> <p>e) For investment firms: client assets under management and amount of own assets (balance sheet (total assets) /date);</p> <p>f) Other type of firms: number of clients, assets under management, balance sheet (total assets) /date).</p>
6(i)	<p>Prudential authorities shall, in addition to points (a) to (h), specify the following:</p> <p>a) The result of the relevant risk assessment of any supervisory review process, including of the processes referred to in Article 97 of Directive 2013/36/EU and Directive 2019/138/EC and of any other similar process, impacted by the ML/TF risk of</p>	Free text



	the firm including in the areas of internal governance, business model, operational risk, liquidity and credit risk;	
	b) Any negative final assessment or decision on an application for authorisation or approval including where a member of the management body do not meet the requirements on fitness and propriety, where such decision is also based on grounds of ML/TF risks. Any reporting on natural persons shall be made in accordance with Annex 2.	Free text. Any reporting on natural persons shall be made in accordance with Annex 2 of the draft RTS.
6(j)	AML/CFT authorities shall, in addition to points (a) to (h), provide the firm's ML/CFT risk profile using the categories specified in Annex 3.	Categories as specified in Annex 3 of the draft RTS
Article 7 Type of information to be submitted for the material weakness		
7(a)	the type of weakness as set out in article 4 paragraph 1;	(Pre-defined list, single choice) <input type="checkbox"/> Breach; <input type="checkbox"/> Potential breach; <input type="checkbox"/> Ineffective application.
7(b)	the reason for materiality as set out in Article 5;	a)The criteria that constitutes the materiality as defined in article 5 (pre-defined list, multiple choice); b)Other reason if not in the list of criteria (free text);
7(c)	the description of the material weakness;	Free text
7(d)	the corresponding situation where the weakness has occurred in accordance with Annex 1;	(pre-defined list, multiple choice) in accordance with Annex 1 of the draft RTS  For AML/CFT authorities, more details to be provided based on the list in Annex 1 Part 1 (pre-defined list, multiple choice).



		<ol style="list-style-type: none"> <li>1. Customer due diligence measures, including customer ML/TF risk assessments and the reliance on third parties;             <ol style="list-style-type: none"> <li>i. Existence and adequacy of the AML/CFT policies and procedures:                 <ol style="list-style-type: none"> <li>1. Existence and adequacy of the identification and verification policies and procedures;</li> <li>2. Existence and adequacy of the policies and procedure to assess and obtain information on the purpose and intended nature of the business relationship;</li> <li>3. Existence and adequacy of other policies and procedures (free text)</li> </ol> </li> <li>ii. Effectiveness of the application of the identification and verification policies and procedures                 <ol style="list-style-type: none"> <li>1. Customer identification;</li> <li>2. Customer verification;</li> <li>3. Customer risk rating;</li> <li>4. Remote on boarding;</li> <li>5. Beneficial ownership identification</li> <li>6. Beneficial ownership verification;</li> <li>7. Identification of the Politically Exposed Persons;</li> <li>8. EDD in relation with Politically Exposed Persons;</li> <li>9. EDD in relation to correspondent banking relationships;</li> <li>10. EDD with regard to high risk third countries as defined in article 9 AMLD ;</li> <li>11. The material weakness implied jurisdictions associated with a higher ML/TF risk as assessed by the firm;</li> <li>12. Simplified Due Diligence.</li> <li>13. Reliance of third party;</li> <li>14. Other (free text)</li> </ol> </li> </ol> </li> <li>2. Transaction monitoring;             <ol style="list-style-type: none"> <li>i. Existence and adequacy of the on-going monitoring policies and procedures including transaction monitoring;</li> <li>ii. Effectiveness of on-going monitoring including transaction monitoring.</li> <li>iii. EDD: complex transactions/unusually large transaction/conducted in an unusual patter/do not have an apparent or economic lawful purpose;</li> </ol> </li> </ol>
--	--	--



		<ul style="list-style-type: none"> <li>iv. Inappropriate management of risks arising from the characteristics of the products/ services/ delivery channels/ geographic areas, type of customer (inadequacy of the risk based approach applied);</li> </ul> <p>3. Suspicious transaction reporting;</p> <ul style="list-style-type: none"> <li>i. Existence and adequacy of suspicious transaction reporting policies and procedures ;</li> <li>ii. Effectiveness of the suspicious transaction reporting :             <ul style="list-style-type: none"> <li>1. Identification of STRs;</li> <li>2. Quality of STRs;</li> <li>3. Delays in reporting STRs; Average time to report STRs (free text/number )</li> <li>4. Failure to report STRs;</li> <li>5. Other (free text)</li> </ul> </li> </ul> <p>4. Record-keeping;</p> <ul style="list-style-type: none"> <li>i. Existence and adequacy of the polices and procedure with regard to record keeping ;</li> <li>ii. Effectiveness of the record keeping             <ul style="list-style-type: none"> <li>1. Quality of record held;</li> <li>2. Failure to keep record;</li> <li>3. Retention period of the record;</li> <li>4. Others (free text);</li> </ul> </li> </ul> <p>5. Internal AML/CFT systems and controls;</p> <ul style="list-style-type: none"> <li>i. Existence and adequacy of the internal control policies and procedures;</li> <li>ii. Effectiveness of the application of the internal control policies and procedures;</li> <li>iii. Adequacy of the governance structure including reporting lines and senior management responsibility             <ul style="list-style-type: none"> <li>1. Independency of the compliance function ;</li> <li>2. Effectiveness of governance structure including reporting lines and senior management buy-in ;</li> <li>3. Senior management oversight;</li> </ul> </li> <li>iv. Adequacy of AML/CFT human and material resources ;</li> </ul>
--	--	---





		<ul style="list-style-type: none"> <li>v. Awareness of ML/TF risks, including availability and effectiveness of staff AML/CFT training ;</li> <li>vi. Other (free text)</li> </ul> <p>6. Risk management system, including business-wide ML/TF risk assessments;</p> <ul style="list-style-type: none"> <li>i. Existence of the business wide risk assessment;</li> <li>ii. Adequacy of the business wide-risk assessment;</li> <li>iii. Timeliness of the business wide risk assessment</li> <li>iv. Quality of the business wide risk assessment ;</li> <li>v. Other (free text)</li> </ul> <p>7. Group-wide policies and procedures including policies for sharing information within the group.</p> <ul style="list-style-type: none"> <li>i. Existence of the group-wide policies and procedures;</li> <li>ii. Adequacy of group-wide policies and procedures ;</li> <li>iii. Effectiveness of the group-wide policies and procedure;</li> </ul> <ol style="list-style-type: none"> <li>1. Procedure for sharing information within the group for AML/CFT purpose;</li> <li>2. Data protection policies and procedure;</li> <li>3. Situation where the third country's law does not permit the implementation of the policies and procedures (RTS on third countries).</li> <li>4. With regard to another topic, to specify (free text)</li> </ol> <p>For prudential authorities, when the corresponding situations relates to natural persons, reporting is done accordance with annex 2 paragraph 1.</p>
7(e)	the timeline of the material weakness	<p>The starting date of the material weakness (pre-defined list, single choice):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 'date'</li> <li><input type="checkbox"/> unknown;</li> </ul> <hr/> <p>The date on which the material weakness was known for the first time by the authority (detection date).</p> <hr/> <p>The current status of the material weakness (pre-defined list, single choice):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The material weakness is terminated: 'End date';</li> </ul>



		<input type="checkbox"/> The material weakness is on-going; <input type="checkbox"/> Unknown.
7(f)	the identification of the origin of the information on the material weakness	<input type="checkbox"/> The reporting authority <ul style="list-style-type: none"> <li><input type="checkbox"/> Off-site monitoring;               <ul style="list-style-type: none"> <li>a) Date;</li> <li>b) Type (pre-defined list, single choice)                   <ul style="list-style-type: none"> <li><input type="checkbox"/> Regular off-site monitoring;</li> <li><input type="checkbox"/> Schedule off site review;</li> <li><input type="checkbox"/> Ad hoc off site review;</li> <li><input type="checkbox"/> Off-site thematic review;</li> <li><input type="checkbox"/> Off-site follow up review;</li> <li><input type="checkbox"/> AML/CFT returns (means regular or ad hoc requests to firms for quantitative and qualitative data and information relating to key ML/TF risk indicators. AML/CFT returns are different from off-site inspections in that they are frequently automated and often not comprehensive. Their aim is often to help supervisors gain a better understanding of the ML/TF risks to which their sector is exposed, rather than to assess the adequacy of a firm's AML/CFT systems and controls');</li> <li><input type="checkbox"/> Other (free text)</li> </ul> </li> </ul> </li> <li><input type="checkbox"/> On-site inspection;               <ul style="list-style-type: none"> <li>a) Date;</li> <li>b) Type (pre-defined list, single choice)                   <ul style="list-style-type: none"> <li><input type="checkbox"/> Full scope inspection;</li> <li><input type="checkbox"/> Scheduled targeted inspection;</li> <li><input type="checkbox"/> Ad hoc inspection;</li> <li><input type="checkbox"/> Thematic inspections;</li> <li><input type="checkbox"/> Follow up inspection;</li> <li><input type="checkbox"/> Inspections that included an AML/CFT element;</li> <li><input type="checkbox"/> On-site engagements (means other type of on-site engagements with a firm or the firm's key personnel either at the premises of the firm or at the competent authority. These engagements are likely to include bi-lateral meetings with the firm's personnel, which are scheduled in line with the risk-based</li> </ul> </li> </ul> </li> </ul>



		<p>approach. Such engagement is not part of the other type of on-site inspection);  <input type="checkbox"/> Other (free text).  <input type="checkbox"/> Authorisation procedure;  <input type="checkbox"/> Passport notification;  <input type="checkbox"/> Other (free text).  <input type="checkbox"/> Another authority (e.g. in the context of a college or, in general, as a result of cooperation and exchange of information);  <input type="checkbox"/> Financial Intelligence Unit (FIU);  <input type="checkbox"/> Third party such as auditor;  <input type="checkbox"/> Other law enforcement authorities;  <input type="checkbox"/> Whistleblowing;  <input type="checkbox"/> Breach reports from the public (including under article 23 of SSM Regulation);  <input type="checkbox"/> Media report (to specify, free text);  <input type="checkbox"/> Any other credible source of information (free text).</p>
7(g)	the AML/CFT requirements, to which the material weakness relates;	<p>References in the EU framework;  <input type="checkbox"/> Directive (EU) 2015/849 (AMLD);  <input type="checkbox"/> Regulation (EU) 2015/847 on information accompanying transfers of funds (AMLR);  <input type="checkbox"/> Directive (EU) 2015/2366 on payment services in the internal market (PSD 2);  <input type="checkbox"/> Directive (EU) 2009/110 (EMD 2);  <input type="checkbox"/> Directive (EU) 2009/138 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency 2);  <input type="checkbox"/> Directive 2013/36/EU (CRD);  <input type="checkbox"/> Regulation (EU) 2019/876 (CRR);  <input type="checkbox"/> Directive (EU) 2019/2034 (investment firms);  <input type="checkbox"/> Directive Deposit Guarantee Schemes Directive (articles 5(1) (c) and 8(8) DGSD);  <input type="checkbox"/> Directive (EU) 2014/65 (MiFiD 2);  <input type="checkbox"/> Directive (EU) 2009/65 of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS);  <input type="checkbox"/> Directive (EU) 2011/61 of 8 June 2011 on Alternative Investment Fund Managers;  <input type="checkbox"/> Regulation (EU) No 345/2013 of 17 April 2013 on European venture capital funds;  <input type="checkbox"/> Regulation (EU) No 346/2013 of 17 April 2013 on European social entrepreneurship funds;  <input type="checkbox"/> Regulation (EU) 2015/760 of 29 April 2015 on European long-term investment funds;  <input type="checkbox"/> Regulation (EU) 2017/1131 of 14 June 2017 on money market funds;</p>



		<input type="checkbox"/> Other (free text). References in the national framework (free text).
7(h)	the type of services, products or activities for which the firm has been authorised impacted by the material weakness;	The information regarding the type of services/products/activities being concerned by the material weakness (pre-defined list multiple choice) <input type="checkbox"/> Correspondent banking; <input type="checkbox"/> Retail banking; <input type="checkbox"/> Electronic money; <input type="checkbox"/> Money remittance; <input type="checkbox"/> AIS and PIS; <input type="checkbox"/> Other payment services as referred to in Annex I to PSD2 (free text); <input type="checkbox"/> Wealth management; <input type="checkbox"/> Asset management; <input type="checkbox"/> Trade finance; <input type="checkbox"/> Life insurance; <input type="checkbox"/> Investments firms; <input type="checkbox"/> Investment funds; <input type="checkbox"/> Crowdfunding; <input type="checkbox"/> Currency exchange; <input type="checkbox"/> Corporate finance; <input type="checkbox"/> Other (free text). The activity (es) /service(s) for which the firm has been authorized which is (are) subject of the material weakness: (free text).
7(i)	whether the material weakness concerns the supervised firm or branch alone or whether it could also concern other firms or branches of the group;	(Pre-defined list, single choice) <input type="checkbox"/> The material weakness concerns the supervised firm or branch alone; <input type="checkbox"/> The material weakness could also concern other firms or branches of the group (free text).
7(j)	any cross-border impact of the material weakness including on other firms;	a) Other firms that may be impacted (free text); b) Other competent authorities/members states/third countries that may be impacted (free text);



7(k)	whether information on the material weakness has been communicated to a college that has been established for the group where the firm belongs. Where not communicated yet, whether the information on the material weakness is relevant for any other participant of the colleges;	<p>a) whether information the material weakness been already communicated to the lead supervisor/consolidated supervisor/the group level resolution authority (GLRA)/the group supervisor?</p> <p><input type="checkbox"/> Yes; <input type="checkbox"/> No.</p> <p>b) Is the information about the material weakness relevant for other members/observers?</p> <p><input type="checkbox"/> Yes (Free text); <input type="checkbox"/> No.</p>
7(l)	for the host AML/CFT competent authorities: whether the information on the material weakness has been communicated to the home AML/CFT competent authority and whether the information could be relevant for other host AML/CFT competent authorities as well;	<p>a) For the host AML/CFT authority: Has the material weakness reported under this Regulation already been notified to the home AML/CFT competent authority?</p> <p><input type="checkbox"/> Yes; <input type="checkbox"/> No.</p> <p>b) To the Central Contact Point where there is one?</p> <p><input type="checkbox"/> Yes; <input type="checkbox"/> No.</p> <p>c) Could the information be relevant for other host AML/CFT competent authorities ?</p> <p><input type="checkbox"/> Yes (Free text); <input type="checkbox"/> No.</p>
7(m)	whether the material weakness appears as inherent in the design of that particular product, service or activity;	<p><input type="checkbox"/> Yes; If 'yes' selected: Name of the product/service/activity and description of the characteristics (free text) <input type="checkbox"/> No.</p>
7(n)	whether the material weakness appears to be linked with specific natural persons, whether a client, a beneficial owner, a member of the management body or key function holder, including reasoning thereof; any reporting on natural persons shall be made in accordance with Annex 2	Annex 2 of the draft RTS
7(o)	any contextual or background information with regard to the material weakness where known by the competent authority including;	Evolving list that will be elaborated by the EBA based on the areas it will have identified thanks to its role to lead, coordinate and monitor AML/CFT in Europe, (pre-defined list with multiple choice)



	a) whether the material weakness is linked with a specific area relevant for AML/CFT already identified by the EBA;	<i>Examples of risks previously identified in the Opinion on ML/TF Risk: De risking, tax related crime, ML/TF risk arising as a result of COVID-19, Risk associated with terrorist financing.</i>
	b) whether the material weakness points to emerging risks (emerging risks include new risks that have not been identified before and existing risk, which have significantly increased or taking on new significance);	<input type="checkbox"/> Yes; If yes selected: Name of this emerging risk (free text) <input type="checkbox"/> No.
	c) whether the material weakness is linked to the use of new technology and a short description of the technology employed;	<input type="checkbox"/> Yes; If yes selected: short description of the technology employed: free text <input type="checkbox"/> No.
7(p)	whether and which information relevant to this material weakness should be communicated by the EBA to other competent authorities, which competent authorities these are and the reasons thereof.	<input type="checkbox"/> The information should be communicated by the EBA to another authority. If selected, the competent authority shall communicate the following information: a) The information to identify the authority with which the competent authority ask the EBA to share the information with as specified for the purpose of article 6 (a) of this Regulation; b) The rationale for the notification (cross border issue; free text);
Article 8 Type of information transmitted in relation to measures taken in response to material weaknesses		
8(a)	a reference to the material weakness in relation to which the measure has been taken, and any necessary update of the information provided in accordance with Article 7;	a) The reference communicated by the EBA of the material weakness previously submitted (where applicable); b) Any update of the information communicated about the weakness for the purpose of article 7 of the RTS if necessary;
8(b)	the date of the imposition of the measure(s);	Date



<p>8(c)</p>	<p>the type of measure, its internal reference number and link to it when published;</p>	<p>The type of measure(s) taken:                  The type of measure(s) taken concerning the firm/branch or any other legal person that is part of the firm (where applicable )(pre-defined list, multiple choice)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Warning;</li> <li><input type="checkbox"/> Reprimand;</li> <li><input type="checkbox"/> Restriction of business relationships with certain customers;</li> <li><input type="checkbox"/> Restriction of carrying out certain transactions;</li> <li><input type="checkbox"/> Capital add-ons;</li> <li><input type="checkbox"/> Full withdrawal of authorization;</li> <li><input type="checkbox"/> Restriction of activities;</li> <li><input type="checkbox"/> Public statement;</li> <li><input type="checkbox"/> Cease and desist order(order to cease the conduct or to desist form the repetition of that conduct);</li> <li><input type="checkbox"/> Order to comply;</li> <li><input type="checkbox"/> Order to implement measures;</li> <li><input type="checkbox"/> Order to put in place a remediation plan;</li> <li><input type="checkbox"/> Fines /administrative pecuniary sanctions. In that case : amount for the fines/administrative pecuniary sanctions;</li> <li><input type="checkbox"/> Business suspension orders;</li> <li><input type="checkbox"/> Temporary suspension (or resignation) of one or several member(s) of the management body (executive functions);</li> <li><input type="checkbox"/> Deregistration of a firm;</li> <li><input type="checkbox"/> Other to specify (free text).</li> </ul> <p>The type of measure(s) taken concerning members of the management body or of any other natural person, including a natural person acting on behalf on a firm (pre-defined list, multiple choice):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> In case of fines/ administrative pecuniary sanctions: amount in euros;</li> <li><input type="checkbox"/> Temporary suspension of one or several member(s) of the management body (executive functions);</li> <li><input type="checkbox"/> Reprimand;</li> <li><input type="checkbox"/> Warning;</li> <li><input type="checkbox"/> Removal of one or several member (s) of the management body;</li> <li><input type="checkbox"/> Other (Free text).</li> </ul> <p>Internal reference of the measure (s) (free text).</p>
-------------	--	--



		Link to the text of the measure(s) when published (free text).
8(d)	full information as to the legal and natural persons which the measure concerns; any reporting on natural persons shall be made in accordance with Annex 2;	<p>The reporting on natural person shall be made in accordance with Annex 2.</p> <p>With regard to the ‘function in the firm’ as specified in annex 2 for natural persons (pre-defined list, single choice);</p> <p><input type="checkbox"/> Member of the management body;</p> <p><input type="checkbox"/> AML/CFT Compliance officer at management level;</p> <p><input type="checkbox"/> Key functions holders;</p> <p><input type="checkbox"/> Shareholders;</p> <p><input type="checkbox"/> Agent;</p> <p><input type="checkbox"/> Distributor;</p> <p><input type="checkbox"/> Other (free text).</p> <p>Information regarding the legal persons</p> <p>a) The legal name;</p> <p>b) The commercial name (if different from the legal name);</p> <p>c) The address</p> <p style="padding-left: 40px;">a) Street address;</p> <p style="padding-left: 40px;">b) Postcode;</p> <p style="padding-left: 40px;">c) City;</p> <p style="padding-left: 40px;">d) Country (pre-defined list, single choice)</p> <p>d) The entity identifier</p> <p style="padding-left: 40px;">a) The Legal Entity Identifier (LEI) if available; A code that allows legally distinct entities that engage in financial transactions to be uniquely identified.</p> <p style="padding-left: 40px;">b) The national identifier.</p>
8(e)	a description of the measure taken including its legal basis;	<p>The description of the measures taken (free text).</p> <p>The legal basis</p> <p style="padding-left: 40px;">a) The legal basis that gave the CAs the power to impose the measures (EU);</p> <p style="padding-left: 40px;">b) The requirements concerned by the measure taken (only if different from what has already been reported under the material weakness), data points listed for the purpose of article 7 (g).</p>





<p>8(f)</p>	<p>the status of the measure including whether any appeal has been brought against the measure;</p>	<p>a) Subject to an internal appeal (internal appeal: appeal within the competent authority, different from the contradictory process)  <input type="checkbox"/> Not applicable;  <input type="checkbox"/> Yes;  <input type="checkbox"/> No;  <input type="checkbox"/> Partial (free text to explain)</p> <p>b) Subject to an external appeal (tribunal/court)  <input type="checkbox"/> Yes;  <input type="checkbox"/> No;  <input type="checkbox"/> Partial (free text).</p> <p>c) Effect of this appeal : suspension of the decision taken  <input type="checkbox"/> Yes;  <input type="checkbox"/> No.</p> <p>d) Outcome of the appeal (if applicable and decision already taken at the time of the reporting of the measure)  i. Internal appeal  1. Decision and rationale (free text);  2. Date.  ii. External appeal (ie: tribunal/courts)  3. Decision and rationale (free text);  4. Date.</p> <p>e) Unknown at the time of the reporting.</p>
<p>8(g)</p>	<p>whether and how has the measure been published including reasoning for any anonymous publication, delay in publication or non publication;</p>	<p>(Pre-defined list, multiple choice)  <input type="checkbox"/> Full publication;  <input type="checkbox"/> Publication on an anonymous basis; If selected:  a) The type of anonymity:  <input type="checkbox"/> Anonymity of the firm;  <input type="checkbox"/> Anonymity of the natural person;  b) Reason for anonymous publication (pre-defined list, multiple choice):  <input type="checkbox"/> Disproportionate damage;  <input type="checkbox"/> Jeopardise on-going investigation;  <input type="checkbox"/> Jeopardise the stability of the financial markets.  <input type="checkbox"/> Delay in the publication;</p>



		<p>If selected:</p> <p>a) Reason for the delay in publication (pre-defined list, multiple choice):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Disproportionate damage;</li> <li><input type="checkbox"/> Jeopardise on-going investigation;</li> <li><input type="checkbox"/> Jeopardise the stability of the financial markets.</li> </ul> <p>b) Time period by which the publication is delayed (free text)</p> <p><input type="checkbox"/> Non publication;</p> <p>Reason for which the measure is not published</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Disproportionate damage;</li> <li><input type="checkbox"/> Jeopardise on-going investigation;</li> <li><input type="checkbox"/> Jeopardise the stability of the financial markets.</li> <li><input type="checkbox"/> Other (free text).</li> </ul>
<p>8(h)</p>	<p>all information relevant to the remediation of the material weakness concerned by the measure, including any action planned or taken for that remediation, any additional information necessary and the relevant timeline;</p>	<p>a)The action planned or taken for the remediation; (pre-defined list, multiple choice)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Warning;</li> <li><input type="checkbox"/> Follow up inspection;</li> <li><input type="checkbox"/> Thematic inspection;</li> <li><input type="checkbox"/> Enhanced reporting;</li> <li><input type="checkbox"/> Full-scope on-site inspection;</li> <li><input type="checkbox"/> Regular written updates from the firm on its remediation plan (or follow up letter);</li> <li><input type="checkbox"/> Enhanced written engagement with the firm;</li> <li><input type="checkbox"/> Rely on the firm to implement the remediation plan;</li> <li><input type="checkbox"/> Regular meetings with the firm;</li> <li><input type="checkbox"/> Off-site inspection;</li> <li><input type="checkbox"/> Recommendation;</li> <li><input type="checkbox"/> No further engagement with the firm;</li> <li><input type="checkbox"/> Others (free text).</li> </ul> <p>b)Additional explanations on the remediation process (if appears necessary to the competent authority/non mandatory: free text).</p> <p>c)The timeline for remediation as described in a). (free text with date (s) and/or period (s) of time if already decided).</p>
<p>8(i)</p>	<p>whether the information on the measure has been communicated to a college that has been established for the group where the firm belongs. Where not</p>	<p>a) The measure taken has been already communicated to the lead supervisor/consolidated supervisor/the group level resolution authority (GLRA)/the group supervisor?</p> <p><input type="checkbox"/> Yes;</p>



	communicated yet, whether information on the measures is relevant for any other participant of the college;	<input type="checkbox"/> No. b) Is the information about the measure taken relevant for other members/observers? <input type="checkbox"/> Yes; (Free text) <input type="checkbox"/> No.
8(j)	for the host AML/CFT competent authorities: whether information on the measure has been communicated to the home AML/CFT competent authority and whether the information could be relevant for other host AML/CFT competent authorities as well;	a) The measures taken has been already been notified to the home AML/CFT competent authority: <input type="checkbox"/> Yes; <input type="checkbox"/> No.  b) The information could be relevant for other host AML/CFT competent authorities: <input type="checkbox"/> Yes; (Free text) <input type="checkbox"/> No.
8(k)	whether and which information relevant to this measure should be communicated by the EBA to other competent authorities, which competent authorities these are and the reason thereof;	<input type="checkbox"/> The information should be communicated by the EBA to another authority If selected, the competent authority shall communicate the following information: a) The information to identify the authority with which the competent authority ask the EBA to share the information with as specified for the purpose of article 6 (a) of this Regulation; b) The rationale for the notification (cross border issue; free text).
Article 9 Timelines and obligation to provide updates		
9(5)	Competent authorities shall provide in due time all information necessary to keep the EBA informed about any subsequent developments relating to the information provided, including information related to the material weakness identified or to the measure taken and its remediation.	a) Subsequent development regarding the general information submitted for the purpose of article 6; b) Subsequent developments regarding the material weakness; Any substantive additional/new developments and date (including the end date of the material weakness if this is the case) (free text); c) Subsequent developments regarding the measures taken: 1. Update regarding the remediation;



		<p>With regard to the action taken by the competent authority as described purpose of article 8 (h), including challenges encountered and the outcome of the remediation (adequacy and effectiveness of the firm remediation effort) (free text).</p> <p>2. Update in regards to an appeal process, (if applicable):</p> <ul style="list-style-type: none"> <li>i. Internal appeal <ul style="list-style-type: none"> <li>1. Decision and rationale (free text);</li> <li>2. Date.</li> </ul> </li> <li>ii. External appeal (ie: tribunal/courts) <ul style="list-style-type: none"> <li>3. Decision and rationale (free text);</li> <li>4. Date.</li> </ul> </li> </ul>
<p>Article 11 Making information available</p>		
<p>11(2) and (3)</p>	<p>The request referred to in point (a) of the paragraph 1 shall identify the requesting competent authority and the authority enabling the indirect submission where appropriate, the firm concerned by the request, and shall specify whether the request concerns the firm or a natural person, why information is relevant for the requesting authority and its supervisory activities with regard to the prevention of the use of the financial system for the purpose of money laundering or of terrorist financing, what is the intended use of the requested information, the date by which the information should be received if any, whether there is a degree of urgency and relevant justifications for both as well as any additional information that may assist or is requested by the EBA while processing the request. Requests and making information available shall be made in accordance with Annex 2, where natural persons are concerned.</p>	<ul style="list-style-type: none"> <li>a) The information to identify the requesting competent authority and the authority enabling the indirect submission where appropriate as for article 6(a);</li> <li>b) The information to identify the firm concerned as for article 6(b) (but not all the fields mandatory);</li> <li>c) The type of request: <ul style="list-style-type: none"> <li><input type="checkbox"/> Information related to a firm;</li> <li><input type="checkbox"/> Information related to a natural person.</li> </ul> </li> </ul> <p>The information to communicate for a request related to a firm:</p> <ul style="list-style-type: none"> <li>a) Why the information is relevant for the requesting authority and its supervisory activities with regard to the prevention of the use of the financial system for the purpose of money laundering or of terrorist financing, what is the intended use of the requested information (free text).</li> <li>b) The categories of requests about a firm(pre-defined list, single choice): <ul style="list-style-type: none"> <li>i. For carrying out their on-site and off-site supervisory activities;</li> <li>ii. For the taking of a measure;</li> <li>iii. For the assessment of authorisation, acquisition or assessment of qualifying holdings, suitability of key function holders;</li> <li>iv. For the withdrawal of authorisation;</li> <li>v. For the assessment of the ML/TF risk associated with the applications the right of establishment and freedom to provide services;</li> </ul> </li> </ul>



		<p>vi. Other (free text);</p> <p>a) The information to communicate for a request related to a natural person shall be made in accordance with Annex 2 (but not all the fields mandatory).</p> <p>b) The categories of request about a natural person (pre-defined list, single choice):</p> <ul style="list-style-type: none"> <li>i. Fit and proper assessment;</li> <li>ii. Key functions holders assessment;</li> <li>iii. Information about a customer/BO;</li> <li>iv. Other (free text).</li> </ul> <p>a) The date by which the information is necessary (if any) and justification of the date (mandatory if a date is mentioned/free text);</p> <p>b) Degree of urgency  <input type="checkbox"/> Yes;                  If 'yes' selected, justification of the urgency (free text).  <input type="checkbox"/> No.</p> <p>Any additional information that may assist the EBA in processing the request (free text/not mandatory).</p>
<p>Article 13 Practical implementation of the information collection</p>		
<p>13(6)</p>	<p>Additional information set out in the penultimate subparagraph of point (a) of Article 9a (1) of Regulation 1093/2010, includes for the AML/CFT competent authority, the current ML/TF risk profile of the group if any, the ML/TF risk assessments of the firm or of the group; Any information or document not referred to in this Regulation relevant for any</p>	<p>a) Additional information: free text, including explanation of the relevance of the additional information.</p> <p>b) Supporting documents: Ability to upload a document, summary of the document, free text to explain the relevance of it</p>



	material weakness or measure shall be provided by the competent authority with an explanation of such relevance;	
--	--	--



## Authorities indirectly submitting to the AML/CFT central database

The competent authorities, as defined in article 3 of the Regulatory Technical Standards under Article 9a (1) and (3) of Regulation (EU) No 1093/2010, that shall be authorities indirectly submitting in accordance with article 13(4) of these RTSs are the following:

- Payment institutions authority;
- Conduct of business;
- Resolution authority with the exception of the Single Resolution Board;
- Designated authority;
- Any other competent authority as defined in article 3 (1) and not listed in this article.