

PREVENTION AND FIGHT AGAINST MONEY LAUNDERING

PHENOMENON: THE ROLE OF LAND REGISTRIES

AML REPORT 2023 - ELRA

The complex issue of tackling dirty money flows is not new. The fight against money laundering and terrorist financing is vital for financial stability and security in Europe. Legislative gaps in one Member State have an impact on the EU. That is why EU rules must be implemented and supervised efficiently and consistently to combat crime and protect our financial system. Ensuring the efficiency and consistency of the EU AML framework is of the utmost importance.

The action plan that, on 7 May 2020, the European Commission adopted is structured on six pillars: (i) effective implementation of existing rules; (ii) a single EU rulebook; (iii) EU-level supervision; (iv) a support and cooperation mechanism for financial intelligence units; (v) better use of information to enforce criminal law; and (vi) a stronger EU in the world ([link](#))

Following Directive (EU) 2015/849, which extended to trusts and similar legal arrangements the transparency rules and obligations applicable to legal entities, requiring Member States to identify and notify trusts or trust-like arrangements governed under their legal framework, on 16 September 2020, the European Commission reported the state of play of the Member States in this regard ([link](#))

A new and ambitious package of legislative instruments was proposed on the 20 July 2020, aiming to harmonize AML/CFT rules across the EU and the creation of a new EU authority to fight money laundering ([link](#)), underlining the importance of the issue at the Union level ([link](#))

As a consequence, on 28 March 2023, the European Parliament adopted stricter rules to close loopholes in the fight against money laundering, terrorist financing and sanctions evasion in the EU, which, in relation to Land Registries, it is important to highlight the 6th Anti-Money Laundering Directive that contains national provisions on supervision Financial Intelligence Units and the access of competent authorities to necessary and reliable information ([link](#))

[Proposal for a Regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.](#)

[Proposal for a Regulation establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism and amending Regulations \(EU\) No. 1093/2010, 1094/2010, 1095/2010](#)