



# Public Consultation on the draft Regulatory Technical Standards on Customer Due Diligence under Article 28(1) of Regulation (EU) 2024/1624

Fields marked with \* are mandatory.

## Public Consultation on the draft RTS on Customer Due Diligence under Article 28(1) AMLR

---

### Objective of the consultation

AML A would like to receive feedback on provisions of the draft RTS under Article 28(1) of [Regulation \(EU\) 2024/1624](#) ('AMLR') and in particular on the specific questions set out below.

Comments are most helpful if they:

- respond to the question stated;
- indicate the specific point to which a comment relates;
- contain a clear rationale;
- provide evidence to support the views expressed/ rationale proposed; and
- describe any alternative regulatory choices AML A should consider.

Such comments should be sent by **8 May 2026, 23:59 (CET)**.

### Personal data protection:

The protection of individuals with regard to the processing of personal data by the AML A is based on Regulation (EU) 2018/1725. Further information on the processing of the personal data is available in the Data Protection Notice.

All legal details can be found in our [Specific Privacy Statement \(SPS\)](#).

## How to provide feedback

All the fields marked with an asterisk (\*) are mandatory. If a question is not relevant for you, please answer with "NA".

We are using a survey format to help us analyse feedback effectively and efficiently. For this reason, document uploads are not enabled for this exercise, and we kindly invite you to share your comments directly within the survey.

Please note that by submitting your contribution, you acknowledge that it will be published on AMLA's website. Contributions will always be published. The name of organisations submitting their contribution will also always be published. The name of the natural person providing a contribution will be published unless they object to said publication. Please refrain from inserting further personal information beyond what we ask from you. In particular, please refrain from providing confidential information or special categories of personal data (that is "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation"). Your email address will never be published.

Before publication, AMLA staff will perform a limited screening of all contributions provided for the sole purpose of filtering any inappropriate submissions. After this, the replies are made available to the public directly on AMLA's public consultations page.

Please note that your contribution may be subject to a request for access to documents under Regulation 2018 /1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

## Language disclaimer

AMLA welcomes submissions in all official EU languages. You can change the displayed language of this public consultation using the language selector in the top right corner of the EU Survey platform. Please note that all language versions other than English have been produced using machine translation and may contain inaccuracies. When in doubt, please refer to the English version.

Should you encounter issues with submitting your responses, please contact us by email at public.consultations@amla.europa.eu no later than 48 hours before the deadline of the consultation period.

## Section 1 - Respondent profile

---

\* This contribution is made by:

An organisation

\* Name of the organisation

200 character(s) maximum

Accountancy Europe

\* First name of individual (individual respondent or representative of organisation)

100 character(s) maximum

Iryna

\* Surname of individual (individual respondent or representative of organisation)

100 character(s) maximum

de Smedt

\* Email (note that your email address will not be published)

100 character(s) maximum

iryna@accountancyeurope.eu

\* Publication of your name and surname

- I agree to the publication of my name and surname (note that your email address will never be published).
- Contribution to be published without my name and surname (note that your email address will never be published).

\* Which of the following best describes your activity or organisation? Obligated entities are those listed in Article 3 of [Regulation \(EU\) 2024/1624](#).

Maximum 1 selection(s)

- Obligated entity in the non-financial sector
- Obligated entity in the financial sector
- Self-regulatory body in the sense of Regulation (EU) 2024/1624 Article 2(1) point (47)
- Industry association representing non-financial sector obliged entities
- Industry association representing financial sector obliged entities
- Civil society organisation/non-governmental organisation
- Other

\* Non-financial sector

Maximum 14 selection(s)

- Auditors, external accountants, tax advisors, other independent professionals that provide assistance or advice on tax matters
- Notaries, lawyers, other independent legal professionals
- Trust or company service providers
- Estate agents, other real estate professionals
- Traders in precious metals and stones

- Traders in high-value goods
- Gambling service providers
- Crowdfunding service providers and crowdfunding intermediaries
- Traders or intermediaries in the trade or storage of cultural goods
- Credit intermediaries for mortgage and consumer credits (other than credit and financial institutions)
- Investment migration operators
- Non-financial mixed activity holding companies
- Football agents
- Football clubs

\* Please select the country from which you or your organisation carry out your main activities:

BE - Belgium

## Section 2 - Substantive comments on the draft Regulatory Technical Standards

---

\* 1. Do you agree that the proposals set out in these draft RTS can be applied across the range of products and services provided by your obliged entity?

If you do not agree, please:

- (i) explain why the current proposals do not provide sufficient flexibility; and
- (ii) provide concrete drafting proposals and explain why the specific measures you propose would be more appropriate.

*Provisions that are clearly marked as applying only to a specific sector or service should not be taken into consideration if they do not impact your sector.*

*5000 character(s) maximum*

Accountancy Europe welcomes the opportunity to provide feedback on the Draft Regulatory Technical Standards (RTS) on CDD under Article 28(1) of Regulation (EU) 2024/1624. We particularly appreciate that this consultation explicitly seeks input from the non-financial sector, as it is essential that the framework reflects the practical realities and risk profiles beyond financial services.

Accountancy Europe brings together 49 professional organisations from 35 countries, representing close to 1 million professional accountants, auditors and advisors, and contributes their practical experience to the European policy debate.

We note that the draft RTS represents a clear improvement compared to the version previously consulted on by the European Banking Authority. We welcome this progress and encourage AMLA to continue refining the RTS to ensure it is fully workable for non-financial obliged entities.

To this end, we set out below our key concerns and recommendations. In several instances, we call for further clarification of specific provisions. These are needed to reduce ambiguity and support consistent application in practice. Without sufficient clarity at EU level, there is a risk that interpretation is left to national supervisors,

which could undermine the objective of the new AML legislation to establish a consistent and harmonised AML /CFT framework across the Union.

#### Articles 18, 27 and 28 – Transaction-focused requirements and applicability to non-financial sectors

The RTS remains heavily oriented towards the financial sector, despite its equal applicability to non-financial sectors. For accountancy service providers, whose services are generally relationship-based rather than transaction-driven, this approach is not appropriate and risks creating disproportionate operational burden.

In particular, Articles 18, 27 and 28 are predominantly focused on transaction-specific information, which is more relevant to financial institutions such as banks. For example, Article 18(b), (c) and (d) requires information on the estimated amounts of funds, source and destination of funds, which is highly transactional in nature. While it is important for accountants to understand sources of funds and wealth as part of their KYC processes, the current wording appears focused on specific transactions rather than the broader context of client knowledge, making it difficult to apply in a meaningful and proportionate manner in our sector.

Similarly, Article 28 is challenging to interpret in the context of service provision, as its requirements do not clearly align with the operational realities and risk assessment practices of non-financial professionals.

#### Recommendation

We recommend clarifying that these requirements should be applied proportionately to the nature of the service provided, allowing obliged entities to rely on broader knowledge of the client and their activities rather than requiring transaction-specific information in all cases.

In particular, we recommend revising the provisions on estimated amounts, source and destination of funds in Article 18(b), (c) and (d) to better reflect the operational reality of non-financial obliged entities. We also suggest introducing flexibility in Articles 18 and 28 by adding “where relevant” to support proportionate and practical application across sectors.

In addition, clarification is needed on how obliged entities are expected to collect information on the purpose and intended nature of the business relationship under Article 18, including whether reliance on customer declarations is sufficient or if supporting evidence and documentation from the customer is required. It would also be helpful to confirm whether obliged entities may rely on information already available within a group.

Clearer guidance from AMLA or sector-specific flexibility would help ensure proportionate and practical application across all sectors.

#### Article 6(4) – Documents in a foreign language

This requirement may present practical challenges for obliged entities, in particular smaller entities in the non-financial sector that may not have the resources to systematically rely on professional translation services. Further clarity is needed regarding how obliged entities should ensure they understand the content of documents in a foreign language.

#### Recommendation

We recommend that AMLA clarifies whether obliged entities are expected to rely on professional translation services, or whether proportionate alternatives (such as machine translation tools e.g. Google translate or AI) may be used to support understanding of relevant documents.

- \* 2. Do you agree that the proposals set out in these draft RTS allow for the effective application of a risk-based approach towards compliance with AML/CFT requirements?

If you do not agree, please:

(i) specify the provisions concerned; and

(ii) provide concrete drafting proposals and explain why the specific measures you propose would be more appropriate.

*5000 character(s) maximum*

#### Article 1

The RTS sets out detailed CDD and ECDD measures which leaves limited scope for the consideration of the sector specific risks and the exercise of judgement. This risks undermining the AMLR's objective of enabling a proportionate and effective application of AML/CFT measures, including where the Regulation deliberately qualifies requirements by reference to necessity.

#### Recommendation

We strongly recommend that where possible in line with the Level 1 legislation, AMLA introduce clearer and more explicit risk-sensitive language throughout the RTS to ensure that detailed CDD and ECDD requirements can be applied in a proportionate manner.

The RTS should clarify how obliged entities may adjust the scope, intensity, and frequency of measures based on the assessed ML/TF risk, including by explicitly allowing for the exercise of professional judgement and consideration of sector-specific risks. This would enable obliged entities to tailor their CDD frameworks more effectively while remaining aligned with the risk-based approach set out in AMLR.

#### Article 12 – Complex corporate structures

We are concerned that requirements in Article 12 do not align with a truly risk-based approach and could create excessive administrative burden. For example, the article sets criteria for complex ownership and control structures defining them as cases with three or more layers between customer and beneficial owner, registered in different jurisdictions and with a legal arrangement or similar legal entity such as a foundation in any of the layers. This would classify many standard international group structures as 'complex', necessitating additional information gathering and assessment.

#### Recommendation

We recommend including a risk-based evaluation by obliged entities to determine whether an ownership and control structure is regarded as a complex or unusually complex corporate structure and to rewrite the article as follows (with the concept of "unusually complex" reflected as part of the risk-based assessment rather than as a separate legal category):

"To understand the ownership and control structure of the customer in accordance with Article 20(1), point (b), of Regulation (EU) 2024/1624, obliged entities shall take a risk-based approach to assess whether an ownership and control structure is a complex or unusually complex corporate structure. In any way, obliged entities shall treat an ownership and control structure as a complex structure where there are more than three layers between the customer and the beneficial owner and, in addition, one of the following conditions is met:

(a) There are nominee shareholders or nominee directors involved in the structure if those nominees were not licensed/regulated under EU AML regulation;

(b) The structure obfuscates or diminishes transparency of ownership with no legitimate economic rationale or justification.

Examples of other possible risk factors to evaluate are whether the customer and any legal entities present at any of these layers are registered in high-risk jurisdictions outside the EU."

#### Article 13 – Information on SMOs and verifying their identity

It is disproportionate to require the same level of information for SMOs as for UBOs. In many organisations, there are significantly more board members than UBOs, creating a substantial administrative burden without delivering meaningful risk mitigation.

While the identification and verification of SMOs is required under Regulation (EU) 2024/1624 where no UBO is identified, the Regulation does not require the same depth or extent of information to be collected as for UBOs.

Furthermore, requiring information on the source of wealth for SMOs seems disproportionate and not based on actual risk, as SMOs generally do not contribute funds to the business relationship. Imposing such requirements adds complexity and cost without improving the effectiveness of customer due diligence.

#### Recommendation

We recommend that the RTS clarifies that the extent of information collected on SMOs should be proportionate and risk-based and should not automatically mirror the requirements applicable to UBOs.

In particular, the RTS should allow obliged entities to prioritise one or more SMOs for enhanced scrutiny, where justified by risk, rather than requiring the same level of detail for all individuals.

Regarding the verification of the SMOs' identity, we recommend that the RTS clarifies that such verification may be carried out on a risk-sensitive basis. We also recommend that the RTS specify that, where appropriate, obliged entities may rely on reliable and independent sources such as trade registers or publicly available information submitted to competent authorities (e.g. regulatory filings) for the purpose of verifying the SMOs' identity. This would reflect existing practices, ensure proportionality, and allow for efficient verification where the risk is lower and reliable public sources are available.

- \* 3. Considering the nature of your business, including its size, risks, and complexity, are there any situations where the information to be collected for the purposes of customer due diligence as proposed in these draft RTS is routinely unavailable and the proposals in these draft RTS do not provide an alternative solution? If so, please provide concrete examples of such situations and your proposals for alternative solutions.

*5000 character(s) maximum*

#### Article 4 – Place of birth

We recognise that information on the customer's country of birth may be of value for screening purposes. However, in practice, some official identity documents provide limited information on place of birth and may not include the country. Requiring obliged entities to obtain additional documentation solely to establish the country of birth may therefore be disproportionately burdensome, unless justified by specific ML/TF risk factors.

Moreover, under eIDAS (Commission Implementing Regulation (EU) 2027/2977), only one "birthplace" data point is required, supporting a more proportionate approach.

#### Recommendation

The RTS should clarify that the country of birth should be collected where available, and that obliged entities should not be required to obtain additional documentation solely for this purpose. Additional place-of-birth information should only be collected where available or where justified by risk.

#### Article 6 – Identity verification

While we acknowledge the objective of ensuring the integrity of identity documentation, the requirement for obliged entities to take reasonable steps to ensure that all documents obtained for identity verification are authentic and have not been forged or tampered with may be difficult to apply in practice, particularly where sophisticated verification tools or authoritative databases are not accessible.

In many cases, obliged entities do not have access to authoritative sources, forensic tools, or state-level databases that would allow them to reliably detect sophisticated forgeries or document manipulation. Moreover, the level of assurance that can realistically be achieved varies significantly depending on the type of document, its issuing authority, and the features available for inspection, many of which are not standardised across jurisdictions.

This measure may pose operational challenges for obliged entities, particularly smaller entities in the non-financial sector that may not have the resources to implement sophisticated authentication or detection tools to check for forged or tampered documents.

As currently drafted, the provision of the RTS risks creating an expectation of outcomes that go beyond what can reasonably be achieved through standard CDD controls and may expose obliged entities to undue regulatory risk despite acting in good faith and applying proportionate, risk-based measures.

Further clarity and guidance are required on the reasonable steps that should be taken to ensure all documents obtained are authentic and have not been forged or tampered with, particularly in cases where remote /electronic identification solutions are not being used.

Further clarity is also needed regarding what forgery/tampering checks should be performed for certified documents. Many obliged entities particularly in the accounting and audit sector rely on this documentation for CDD purposes. They often receive scanned copies of certified documents and may not always see the original document. A similar case can also arise with documents used to support proof of address with customers /clients often providing an online printout of a utility bill. Therefore, clarity is needed regarding what authentication checks should be performed on such documentation to confirm the documents are genuine.

#### Recommendation

We therefore recommend amending the RTS is as follows:

Obliged entities shall, where there is an elevated risk of forging or tampering, take reasonable steps to ensure that all documents obtained for the verification of the identity of the natural person pursuant to Article 22(6), point (a) and Article 22(7), point (a), of Regulation (EU) 2024/1624, as referred to in paragraphs 1 and 2, are authentic and have not been forged or tampered with.

We suggest AMLA outlines what checks obliged entities should perform to identify forged/tampered documentation and whether resources such as the Public Register of Authentic identity and travel Documents Online (PRADO) should be used by obliged entities to perform such checks.

- \* 4. Considering AMLA's legal mandate in Article 28(1) of Regulation (EU) 2024/1624, and taking into account your obliged entities' products offered and service provided, what other simplified due diligence measures should be included in the draft RTS, for example because of the associated lower ML/TF risks of these products and services? Please provide concrete drafting proposals and rationale for the specific measures you would propose.

*5000 character(s) maximum*

## General recommendations

We recommend that the RTS include a simplified due diligence provision allowing obliged entities in lower risk scenarios to rely predominantly on official registers and similar sources to meet UBO and Senior Managing Official (SMO) verification requirements.

In concrete terms, if a legal entity and its beneficial owners are assessed as lower ML/TF risk – taking into account factors like the customer’s transparency, jurisdiction, and activity – the obliged entity should be permitted to verify the identity of each UBO by confirming the UBO’s key identity details against at least one reliable independent source (for example, a national companies registry or a central UBO register), without needing additional proof of identity from the UBO directly, unless inconsistencies or higher risk indicators emerge.

Where no beneficial owner is identified and a SMO is listed instead, the same simplified approach should apply to the SMO’s verification: the obliged entity could rely on official corporate records of the SMO’s identity and position (e.g. an extract showing the person is a director or CEO) and use the company’s registered office address in place of the SMO’s personal address.

This SDD measure is firmly in line with the risk-based approach set out in Article 33 AMLR and Recital 78, which emphasise that simplification means reduced scrutiny across all CDD elements but not omitting any of them. We keep all the standard elements (identifying UBOs/SMOs, verifying identities, recording required data) but propose doing so in a less burdensome manner for clearly lower risk cases.

## Article 20 and Article 21 – Simplified due diligence measures

Article 20 and 21 measures lack elements of proportionality and a risk-based approach which will result in challenges for obliged entities. These measures do not reflect ability to rely on information collected elsewhere within the obliged entity’s group.

## Recommendation

A clearer indication in the simplified due diligence articles (Article 20 and Article 21) that if customer information is already available within the obliged entity’s group, that this can be used and relied upon for performing simplified due diligence. This would support the principle of proportionality outlined in Article 1.

- \* 5. Additional observations: Do you have any additional comments relevant to the draft RTS that have not been covered above? Please ensure that comments refer to a specific article, are precise, and, where possible, supported by evidence. Where necessary, comments should also include a proposed solution.

*5000 character(s) maximum*

## General recommendation regarding information to be collected

We recommend that throughout the RTS clarifications are provided outlining where it is possible that obliged entities can leverage collection of responses to self-declared questions via enquiry with customers and/or open-source search to support CDD. This includes gathering information regarding nationalities (Article 5), gathering information to support identification of the purpose and intended nature of a business relationship or occasional transaction (Article 18 and Article 26) or gathering information for enhanced due diligence (Article 25).

Details regarding certified copy (Article 6(5)), certified by persons authorised for document certification purposes (Article 10(b)(iv)), and certified independent professionals (Article 27(d))

Further clarity and definitions are needed in this area across the various articles referenced above in addition to inclusion in Recital 5. This includes clarity and a definition regarding who can be a certified independent professional.

#### Recommendation

We suggest that a certified independent professional should be a reputable independent source such as a solicitor, accountant, or public notary. We suggest that a certified copy referred to in Article 6 should be one certified by this certified independent professional. Additional clarity and updated wording are needed throughout Articles 6(5), Article 27(d), and Article 10(b)(iv) regarding the area of certification of documentation by independent professionals.

#### Article 6(6) – Electronic identification in face-to-face context

The wording of this provision is unclear, and it is not evident in which situations electronic identification is intended to be used in a face-to-face context. This may create uncertainty for obliged entities when determining how to apply the requirement in practice.

#### Recommendation

Further clarification is needed on when electronic identification may or should be used in a face-to-face setting. In particular, it should be clarified whether automated or electronic solutions other than eIDAS-compliant tools (e.g. certified video identification with biometric and liveness checks) may be used in such cases where eIDAS is not utilised.

In addition, the meaning of “where they are available” should be clarified. It is currently unclear whether obliged entities are expected to use electronic identification in all face-to-face situations where available, or whether they may continue to rely on traditional face-to-face verification methods and use electronic identification primarily for non-face-to-face scenarios.

Providing this clarification would support consistent and proportionate implementation across obliged entities.

#### Article 7 – Non-face-to-face verification

The requirements in Article 7 appear to assume the use of enhanced or more sophisticated verification measures in non-face-to-face situations, which may not be feasible for smaller obliged entities. For micro and small firms, implementing such measures may create disproportionate cost and operational burden.

#### Recommendation

We recommend clarifying that verification measures may be applied in a proportionate and risk-based manner, taking into account the size and resources of the obliged entity.

#### Article 7(1) – Verification measures conducted on a non-face-to-face basis

We perceive a lack of clarity and potential inconsistency between Article 7(1), which refers to electronic identification meeting the requirements of Regulation (EU) No 910/2014 (eIDAS), and Article 32, which refers to Annex 1 listing attributes required to fulfil the requirements of Regulation (EU) 2024/1624.

In particular, it is unclear how the attributes set out in Annex 1 of the RTS relate to the minimum attributes

defined in Annex VI of Regulation (EU) No 910/2014, as amended by Regulation (EU) 2024/1183 (eIDAS 2.0). The lists appear to differ, and in some cases the RTS and AML Regulation seem to require a broader set of attributes than those provided for under eIDAS. This creates uncertainty as to how obliged entities should reconcile these frameworks in practice.

#### Recommendation

We recommend ensuring clear alignment between Article 7(1) and Article 32 and providing explicit clarification on how the requirements under eIDAS (Regulation (EU) No 910/2014, as amended) interact with and satisfy the attribute requirements set out in Annex 1 of the RTS. In particular, the RTS should clarify whether compliance with eIDAS is deemed sufficient, or whether additional attributes must be collected and verified to meet AML requirements.

Providing this clarification would enhance legal certainty and support consistent and practical implementation across obliged entities.

## Section 3 - Additional substantive input

---

Use this section to provide feedback on specific articles of the draft RTS, in case these were not already covered in your responses to the previous questions.

For each reply, please describe the issue identified, indicating, where relevant, whether it relates to legal certainty, proportionality, technical implementation or other factors. You are kindly asked to provide alternative drafting proposals and to explain why your proposal would be more appropriate.

Do you have any comments on a specific article in the draft RTS? There is no need to repeat comments made in the previous sections of this survey.

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

5

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

#### Article 5 – Requirement to collect details of all nationalities

The obligation to collect all nationalities does not sufficiently reflect a risk based approach, as it applies uniformly regardless of the customer's risk profile. In many cases, requiring all nationalities may be disproportionate where additional nationalities do not materially affect the ML/TF risk assessment. Moreover, Recital 3 suggests that verification of one nationality may be sufficient when multiple nationalities are declared in good faith, creating uncertainty as to which nationality information must be collected and verified.

#### Recommendation

The RTS should introduce flexibility to allow obliged entities to apply a risk-based approach when determining the extent to which multiple nationalities need to be collected and/or verified. It should also clarify that nationality information may generally be based on customer declaration and should only be subject to further verification where justified by risk factors.

This approach should apply consistently to all relevant natural persons, where such information is required under the RTS.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

6

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

## Article 6 – Documents for the verification of the identity

Article 6 does not adequately address situations involving vulnerable individuals who do not have access to the types of identity documents envisaged in the RTS. In certain jurisdictions, including some third countries where there is no requirement to hold or carry a national identity document, individuals may not possess passports or other documents with the specified features. Without appropriate flexibility or alternative provisions, this could lead to unintended financial exclusion and may undermine the risk-based and proportionate approach required under Regulation (EU) 2024/1624.

### Recommendation

The RTS should provide greater flexibility and explicitly recognise alternative forms of verification where standard identity documents are not available, based on a risk-sensitive approach. In particular, AMLA should include examples of acceptable alternative documentation or verification methods, including cases where documents do not contain facial images. Reference could be made to approaches similar to those described in Recital 7 (e.g. for minors) and extended to other categories of customers where appropriate.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

7

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

#### Article 7(3)(a) – Recommendation for remote solutions

For smaller obliged entities, particularly those dealing with a low volume of non-face-to-face clients, we recommend that Article 7(3)(a) allows sufficient flexibility in the implementation of remote identification solutions, taking into account the size, complexity, and nature of the obliged entity. This would ensure a proportionate application of the requirements in line with the risk-based approach set out in Regulation (EU) 2024/1624.

It would also be helpful if the RTS provided illustrative examples of acceptable remote onboarding and identification solutions beyond eIDAS-based tools, such as certified video identification processes incorporating biometric verification and liveness detection, where these provide an equivalent level of assurance.

#### Article 7(4) – Verification measures conducted on a non-face-to-face basis

It is unclear how obliged entities will be expected to demonstrate that remote solutions comply with the requirements of Article 7, particularly smaller obliged entities that may not have internal assurance resources.

#### Recommendation

We suggest that further clarity and guidance is provided in this article regarding what assurance obliged entities should perform to demonstrate that remote solutions comply with the requirements of Article 7. We suggest adding wording and clarity if it will be sufficient for obliged entities to obtain assurances and certifications from third party providers that AMLA requirements have been met by their solution.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

8

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Article 8 – Reliable and independent sources of information

The measures included in Article 8 lack sufficient clarity and precision particularly regarding how obliged entities are expected to manage reliable and independent sources of information in practice.

Recommendation

Further clarification would be helpful on how this requirement should be implemented. In particular, it should be clarified whether obliged entities may establish and maintain an overarching framework regarding reliable and independent sources of information (supporting a proportionate approach), or whether this requirement must be evidenced and documented on a case-by-case basis within each individual customer file.

Providing this clarification would support consistent and proportionate application across obliged entities.

Article 8(d) – Requirements related to information or data provided undergoing certain checks –

Recommendation

It would be helpful to provide examples if possible, regarding the checks expected in this instance.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

10

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Article 10 - Verification of beneficial ownership – availability of sources

The RTS refers to the use of various public registers (e.g. residence registers, tax registers, passport databases, land registers) as reasonable measures for verifying the identity of the beneficial owner. However, many of these sources may not exist, are not accessible to obliged entities such as audit and accounting firms (e.g. due to legal or data protection restrictions) or are only available in certain jurisdictions.

As a result, these sources do not constitute a practical or consistently reliable means of verification across Member States, which may limit the effectiveness and consistent application of the proposed measures. In addition, issues may arise regarding the reliability of information contained in public registers, as such information is not always accurate or up to date, which can result in practical challenges when using such registers.

Recommendation

We recommend clarifying that obliged entities should only be expected to rely on sources that are legally and practically accessible to them, and that alternative verification measures may be used where such registers are unavailable or unreliable. This would ensure a proportionate, risk-based, and operationally feasible application across Member States.

Furthermore, we suggest incorporating the principle reflected in Recital 8 into the operative text of Article 10, clarifying that consultation of central registers is necessary but not sufficient to fulfil verification requirements.

Finally, Article 10(a) should be complemented with guidance on alternative verification measures in situations where there is a discrepancy between the information in the public register and verification information obtained from other sources.

Article 10(b)(i) and Article 27(g) – Reasonable measures for verification of the beneficial owner and additional information on the source of funds and source of wealth

General references to reputable credit agencies, data service providers, media publications, and commercially available service providers create legal and practical uncertainty for obliged entities when determining which sources may be relied upon for CDD purposes. This is particularly pertinent in a global information environment that is increasingly vulnerable to misinformation and disinformation, as well as significant variations in the quality, reliability, and oversight of such providers across jurisdictions.

In the absence of further clarification, this may lead to inconsistent application across obliged entities and Member States and may expose obliged entities to undue compliance risk despite acting in good faith.

Recommendation

Further clarity and guidance or definitions are needed regarding what is meant by various terminology used including reputable credit agencies, comparable reputable data service providers, reputable media publications, and reputable commercially available service providers that can be relied upon for CDD purposes.

Article 10(b)(ii) – Reasonable measures for verification of the beneficial owner – requirements related to utility bills – Recommendation

We suggest that additional wording is added in this article to clarify what the utility bill will be used for e.g. whether it can serve as a proof of beneficial owner's registered address.

Article 10(b)(iii) – Requirements related to up-to-date information from credit or financial institutions

Further clarity is needed on how obliged entities are expected to obtain up-to-date information from credit or financial institutions in practice. In particular, whether such information exchange is intended to be facilitated through information-sharing mechanisms or partnerships under Article 75 of Regulation (EU) 2024/1624.

Recommendation

It would be helpful to further specify in the RTS how obliged entities may request and receive such information from credit or financial institutions, including whether reliance on established information-sharing arrangements under Article 75 is envisaged. Providing this clarification would support consistent and operationally feasible implementation.

Do you have any other comments on a specific article in the draft RTS?

- Yes
- No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Article 14(2) – Identification and verification of beneficiaries of trusts and similar legal entities or arrangements - Recommendation

We suggest that further clarity and examples are added to explain what is meant by 'timely updates, including on specific material events'. It would be helpful for obliged entities to understand what type of event constitutes a material event for example an obligation triggered to notify the obliged entity on the vesting of an interest.

Article 16 – Identification and verification of the person purporting to act on behalf of the customer

The RTS lacks clarity regarding the type of information and documentation that may be used to verify the existence and scope of the power of representation. This may lead to inconsistent application across obliged entities.

Recommendation: We recommend that AMLA clarifies what is meant by a “power of representation” for the purposes of this Article, including whether this refers, for example, to a formal power of attorney or whether other equivalent legal instruments or authorisations are also intended to be covered.

Article 18 (e) (viii) – Information in relation to the business activity or the occupation of the customer – Recommendation

It would be helpful to define stakeholders or to provide some examples of stakeholders that should be considered here.

Do you have any other comments on a specific article in the draft RTS?

- Yes
- No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Section 5 – Simplified Due Diligence (SDD) measures

Section 5 on SDD in low-risk situations presents practical challenges. The concept of “low risk” is open to interpretation, which could lead to inconsistent approaches across firms and jurisdictions.

SDD is most appropriately applied where there are no reasonable concerns regarding the existence or identity of the client for example, government bodies, agencies, or listed companies. In practice, accountants may classify clients as low risk, but the current wording risks encouraging a level of simplification that may not reflect the professional responsibilities and oversight required in such contexts.

Crucially, the RTS does not provide illustrative examples or criteria for what constitutes “low risk.” Without such guidance, firms may apply SDD inconsistently, potentially undermining the effectiveness of a risk-based approach and creating legal uncertainty.

Recommendation

We strongly recommend that AMLA include illustrative examples or clarifying criteria to support a proportionate, risk-based, and operationally practical application of SDD.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

22

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Article 22 – Sectoral simplified measures with respect to pooled accounts

Accountancy firms may have pooled client accounts and may therefore be an account holder referred to in Article 22.

Recommendation

It would be useful to obtain further clarification as to how a financial institution will satisfy itself that the account holder “applies robust and risk-sensitive CDD measures on its clients and the clients' beneficial owners” given this will have a direct impact on accountancy firms who hold client monies and who open accounts with a credit institution in such cases.

Do you have any other comments on a specific article in the draft RTS?

- Yes
- No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

Article 27(b) – Additional information on source of funds and source of wealth of the customer and beneficial owners

There is a potential for self-review risk and challenges regarding the ethical position, particularly for audit and accounting firms, where reliance is placed on information that has been prepared, processed, or subject to audit by another team within the same firm.

Recommendation

We suggest that the RTS explicitly recognises this risk and clarifies that obliged entities should not be required to rely on information that they have themselves prepared or audited, without appropriate safeguards. For example, the article could include wording such as: “excluding information that has been prepared by the obliged entity, unless appropriate safeguards are in place to mitigate self-review risks.”

Do you have any other comments on a specific article in the draft RTS?

- Yes
- No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

*Only values between 1 and 33 are allowed*

\* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

*5000 character(s) maximum*

#### Article 30(a)(iii) – Screening requirements

The requirement under Article 30(a)(iii) appears to assume that obliged entities have knowledge of “any other names, aliases, trade names, wallet addresses, where available in the lists of targeted financial sanctions”. In practice, obliged entities do not possess such information beyond what has been obtained through (E)CDD. As drafted, the provision is therefore not operationally feasible, as obliged entities cannot screen against identifiers they do not know.

#### Recommendation

The RTS should clarify that obliged entities are required to screen only the customer data and identifiers obtained in the course of (E)CDD against the information contained in the lists of targeted financial sanctions. This amendment would ensure that the requirement is operationally workable and aligned with the information realistically available to obliged entities, while still achieving the objective of effective sanctions screening.

#### Article 30(c)(iii) – Screening requirements

The current formulation suggests that changes in residence, nationality, or business operations automatically constitute “significant changes” requiring an update of customer information. This approach is disproportionate and may unduly limit obliged entities’ ability to apply a risk-based approach, as not all such changes necessarily increase ML/TF risk.

#### Recommendation

The RTS should clarify that such changes should only be considered “significant” where they materially affect the risk profile of the customer, allowing obliged entities to assess their relevance on a risk-sensitive basis. This would ensure proportionality and preserve the risk-based approach, while still requiring updates where changes are genuinely relevant from an ML/TF risk perspective.

#### Article 30(d) – Screening and “without undue delay”

The requirement to perform screening “without undue delay” lacks clarity. It is unclear whether this refers to keeping sanctions lists up to date or to re screening customers immediately following list updates. The absence of a definition creates uncertainty and risks inconsistent application across obliged entities and Member States. A strict interpretation requiring immediate or frequent re screening may also be disproportionate, particularly for low risk, long standing clients.

#### Recommendation

AMLA should clarify the meaning of “without undue delay” and confirm that the timing and frequency of re screening may be determined on a risk based basis.

Do you have any other comments on a specific article in the draft RTS?

- Yes  
 No

\* Please state the article number in simple figures, without referring to the subparagraphs or points (e.g. '3' or '21')

Only values between 1 and 33 are allowed

33

- \* Please share your comments below, specifying the subparagraph and point, if applicable (e.g. paragraph 1 point (a)).

5000 character(s) maximum

#### Article 33 – Entry into force

The update of CDD information for existing high-risk customers to comply with AMLR and the RTS requirements may pose challenges for smaller obliged entities given the short timeframe. Such obliged entities may not have significant resources to collect information not previously required for example details regarding a customer’s nationalities, details regarding SMOs, or place of birth (as not included on all passports).

#### Recommendation

We suggest AMLA considers adding a proportionality statement (‘depending on nature, size, and complexity of the obliged entity’) to this article to provide flexibility to smaller obliged entities in terms of the timelines for complying with the update of high risk customer documentation post entry into force of the RTS and the potential to provide more time to do this beyond one year.

#### Implementation timelines and need for adequate transition periods

We also have concerns regarding the implementation timelines. The Regulation is scheduled to enter into force on 10 July 2027; however, a significant part of the Level 2 and Level 3 measures has not yet been published for consultation. This creates a risk that the necessary framework for implementation will not be available in sufficient time to allow for proper preparation by obliged entities.

In the absence of finalised Level 2 and Level 3 measures, there is a risk that entities may not be able to adequately adapt their systems, processes, and internal organisation to ensure timely compliance. Sufficient lead time is therefore essential to enable effective implementation.

#### Recommendation

We therefore consider it important that the relevant Level 2 and Level 3 measures are made available as early as possible and that appropriate transitional arrangements are put in place to allow obliged entities to adjust to the new requirements in a structured manner.

In this context, we refer to the Accountancy Europe publication “7 Principles for AML RTS Development,” which states that RTS should be published well in advance of their application date to ensure that obliged entities and supervisors have sufficient time to prepare for compliance. It further recommends that a structured transitional framework be established, clearly defining the timeline, sequencing, and duration of implementation steps.

#### Recital 25 & Article 33 – Practical implementation challenge

In Recital 25, it is stated that the maximum periods of 1 and 5 years for updating customer information should start from the application date of this Commission Delegated Regulation for existing customers onboarded before Regulation (EU) 2024/1624 took effect. However, the RTS does not explicitly specify its application date. While it is understood that the RTS will apply from the same date as Regulation (EU) 2024/1624, the absence of an explicit reference may create uncertainty in practice, particularly in determining the starting point for the

calculation of these review periods.

#### Recommendation

We recommend explicitly stating the application date of the RTS (i.e. 10 July 2027) in order to ensure legal certainty and consistent implementation.

In addition, we propose adding a line to Article 33 after paragraph 2 to clarify that references to Regulation (EU) 2024/1624 are understood as “counting from the application date of this Regulation”, to avoid any ambiguity in interpretation.

Do you have any comments on the recitals? The recitals are the statements at the start of the draft RTS and are numbered from (1) to (25).

- Yes
- No

Do you have any comments on the Annex in the draft RTS?

- Yes
- No

Please share your comments below.

#### Annex 1 – Recommendation re Minimum attributes

In Annex 1 "resident postal code, street, house number, address" is included as a minimum corresponding attribute despite not being a required data point under Article 3 of the CDD RTS because there is included "where available".

We therefore recommend aligning the wording in the Annex 1 with Article 3 specifying "where available".

#### General comment - Cost implications of the draft RTS

We would like to highlight that the implementation of certain requirements in the draft RTS is likely to generate additional and potentially significant costs for obliged entities, including in the non-financial sector and especially for smaller firms.

In particular, the requirements relating to the identification and verification of legal entities and arrangements, including discretionary trusts (Article 15), may involve complex legal assessments. In practice, obliged entities may need to obtain external legal advice or formal legal opinions to ensure that customer due diligence is carried out correctly and completely. This may result in non-negligible compliance costs, which could be disproportionate for smaller entities.

We also note potential cost implications in relation to:

- verification of powers of representation (Article 16), where the absence of clear guidance may lead to reliance on external expertise and
- requirements for non-face-to-face verification (Article 7), including the potential need to implement or access digital or technological solutions.

While it is difficult to quantify these costs at this stage, it is clear that the cumulative effect of these requirements may be substantial.

#### Recommendation

We emphasise that the proposed compliance measures will have significant cost implications. In designing and calibrating the RTS, AMLA should explicitly consider the balance between the cost of implementation and the likely effectiveness of each requirement in detecting or preventing financial crime.

We therefore encourage AMLA to ensure that the RTS are firmly grounded in the principles of proportionality and effectiveness, and that obligations are calibrated in a manner that is operationally feasible, particularly for smaller obliged entities and those in the non-financial sector.

## Section 4 - Overall assessment

---

\* How would you rate the proposals set out in the draft RTS overall?

- Inadequate
- Somewhat inadequate
- Neutral
- Good
- Excellent

Would the implementation of the draft RTS generate any of the following additional costs beyond the adjustments that would be required to implement the rules set out in Chapter III of Regulation (EU) 2024/1624 (customer due diligence)?

This question is aimed at understanding the additional costs stemming from the implementation of these specific draft RTS, rather than the additional costs stemming from the provisions of Regulation (EU) 2024 /1624. We are interested in understanding the additional costs arising from the implementation of the draft RTS for your obliged entity. Please provide your responses with this context in mind.

For this survey, “costs” refer to the financial and resource implications your entity may face in implementing the draft RTS, including both initial setup efforts and ongoing operational commitments. Examples of one-off costs include amending policies and procedures, system upgrades, staff training or consultancy fees. Examples of recurring costs may include additional reporting, monitoring, software subscriptions, or allocation of additional full-time equivalent resources, etc.

Please describe and substantiate the specific costs you foresee when implementing the provisions of these draft RTS.

	Manageable impact	Disruptive impact	No significant additional costs	Not applicable/no information available
One-off implementation costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recurrent costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Thank you very much for your feedback.

## Contact

[Contact Form](#)

