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Consultation on the draft RTS on the assessment of the inherent and residual risk profile of obliged entities in the non-financial sector

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1. General survey

Section A: Overall Assessment of the Draft RTS

Question 1. How would you rate the proposals set out in the draft RTS overall?

- ☐ **Inadequate**
- ☐ Neutral
- ☐ Adequate

If inadequate, please provide justification.

500 characters max

While Annex I is presented as containing sector-specific inherent risk indicators, many data points, such as the total number of legal entity customers and whose identity was non-face-to-face verified, do not represent inherent ML/TF risks. The proposals also fail to demonstrate the stated objectives of proportionality, simplification and data minimisation. We also question whether the proposed mathematical approach to risk assessment will result in an effective and risk-based framework.

Question2. Would the implementation of the draft RTS generate any additional one-off implementation costs beyond the adjustments required based on the legal text provided in chapter III of AMLR 2024/1624 (Regulation - EU - 2024/1624 - EN - EUR-Lex)?

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 to conduct customer due diligence. 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 amendment of policies and procedures, system upgrades, staff training, or consultancy fees, while recurrent costs may include additional reporting, monitoring, software subscriptions, or allocation of additional full-time equivalent (FTE) resources, etc. Please describe and substantiate in your answers which specific costs you would be incurring when implementing the provisions of these draft RTS.

- ☐ Moderate impact

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NBA

- **Disruptive impact**
- No significant additional costs

Please describe and substantiate the specific one-off implementation costs you foresee when implementing the provisions of these draft RTS. Examples of one-off implementation costs include amending policies and procedures, system upgrades, staff training or consultancy fees.

1000 characters max

The one-off costs primarily relate to the resources required to collect and compile the requested data points, as well as any system enhancements or tooling needed to enable ongoing reporting. The specific challenges associated with individual data points have been set out in our responses to the other surveys.

Question3. Would the implementation of the draft RTS generate any additional recurrent costs beyond the adjustments required based on the legal text provided in chapter III of AMLR 2024/1624 (Regulation - EU - 2024/1624 - EN - EUR-Lex)?

- Moderate impact
- **Disruptive impact**
- No significant additional costs

Please describe and substantiate the specific recurrent costs you foresee when implementing the provisions of these draft RTS. Examples of recurring costs may include additional reporting, monitoring, software subscriptions, or allocation of additional full-time equivalent resources, etc.

1000 character(s) maximum

The main recurring costs will relate to the ongoing collection, validation and reporting of data that may currently not be maintained in an aggregated format. Several data points would require obliged entities to establish new processes, perform manual analyses and adapt AML/CFT and practice management systems solely for supervisory reporting purposes.

In addition, the proposed annual reassessment cycle appears disproportionate. Many data points are relatively stable and unlikely to change materially from year to year. Requiring annual collection and reporting of the full data set would generate significant recurring costs with limited supervisory value. A longer reporting cycle would be more appropriate, unless material changes occur that could significantly affect the obliged entity's ML/TF risk profile. For many accountancy firms, particularly smaller firms, the resulting administrative burden is likely to be disproportionate to measurable reduction of AML risk.



Question4. With reference to the list of data points included in Annex 1 applicable to your category(ies), kindly indicate the time (in working hours) needed to comply with the reporting obligations if your entity had to supply the full set of data points.

50 character(s) maximum

80-120 hours per full set of data points provided

Question5. Can you provide specific examples of the operational challenges faced by supervisors or entities in implementing the risk assessment methodology for small entities?

1000 character(s) maximum

While we welcome AMLA's efforts to introduce mechanisms for applying proportionality, we are concerned that eligibility for the simplified regime is based primarily on FTEs and turnover. AML/CFT risk depends mainly on the risk profile of customers and the services provided, meaning that even small firms may have high-risk exposures.

In addition, many proposed data points may not be maintained in a structured aggregated format and may require new systems and reporting processes. This is particularly relevant for aggregated information on service-level reporting and customers with major operations in high-risk third countries. For many low-risk firms, the resulting reporting burden may be disproportionate to their AML/CFT risk exposure.

AMLA should consider applying risk-based eligibility and a more staggered regime. The step up from small to not-small results in significant administrative burden.

Question6. What alternative methods could supervisors use to assess the risk profile of small obliged entities at individual entity level to reduce the reporting and supervisory burden while still allowing supervisors to identify higher-risk entities? Please describe any such alternatives that would support a harmonised approach to risk assessment and ensure consistent supervisory outcomes across Member States.

3000 character(s) maximum

The NBA supports the objective of establishing a harmonised and risk-based supervisory framework for the non-financial sector. However, further refinements are necessary to ensure that the proposed methodology remains proportionate, operationally feasible and aligned with the characteristics of small and medium-sized accountancy firms. In particular, the definition of small entities and the scope of data collection warrant further consideration. These changes would strengthen the effectiveness of the framework while avoiding unnecessary administrative burden for lower-risk obliged entities.

Supervisors could reduce reporting and supervisory burdens by focusing on a limited set of key risk indicators that are already available through existing AML/CFT processes. Supervisors should also be permitted to use existing supervisory findings, risk assessments and sectoral information. Such an approach would remain risk-based and harmonised while significantly reducing reporting burdens and implementation costs.

In addition, eligibility for simplified reporting should be based on demonstrated low-risk exposure rather than solely on FTEs or turnover. For low-risk entities, supervisors could rely on existing business-wide risk assessments, periodic supervisory reviews and a reduced set of data points. Full reassessments should only be required where material changes occur that could significantly affect the entity's ML/TF risk profile.

This approach would better support proportionality, simplification and data minimisation while allowing supervisors to identify higher-risk entities effectively.



Section B: Topical comments of the Draft RTS

Recitals

* **Question7.** Does the approach adequately consider the characteristics of the non-financial sector in terms of size and heterogeneity of population of obliged entities, as well as AML/CFT maturity?

- ☐ Yes
- ☐ Neutral
- ☐ **No**

If no, please provide justification.

500 characters max

The proposed data set is very extensive and may create a significant administrative burden, particularly for small entities, without clear evidence that it will improve ML/TF risk mitigation. Some data points are difficult to report because services may overlap (e.g. accounting and payroll services), while others appear irrelevant for many accountancy firms, such as data relating to the management of bank accounts, assets, companies, trusts or similar structures.

Article 1 - Definitions

Question8. Do you agree with the proposed criteria for the identification of small entities ?

- ☐ Agree
- ☒ **Disagree**

If you disagree, which criteria should AMLA use instead?

500 characters max

We are concerned that eligibility for the simplified regime is based on FTEs and turnover. AML/CFT risk is driven by customer and service risk. AMLA should therefore consider eligibility based on demonstrated low-risk exposure rather than size alone. If quantitative thresholds are retained, higher thresholds, such as 10 FTEs and EUR 2 million turnover, may be more appropriate or preferably to align them with the existing EU definition of a small entity for financial reporting purposes.

Article 2 – Assessment and classification of the inherent risk profile of obliged entities operating in the non-financial sector

*** Question9.** Do you agree with the proposed approach to assess and classify the inherent risk of obliged entities?

- ☐ Agree
- ☒ **Disagree**

If you disagree, please provide justification.

500 characters max

While Annex I is presented as containing inherent risk indicators, many data points (for example number of customers and BO's) do not represent inherent ML/TF risks. In addition, some data points appear unrelated to risk assessment, for example the number of customers for whom a review was due.

Article 3 - Assessment and classification of the quality of AML/CFT controls put in place by obliged entities operating in the non-financial sector

Question10. Do you agree that small entities benefitting from the small firms regime should not be required to provide data points on the quality of AML/CFT controls?

- ☐ Agree
- ☒ **Disagree**

If you disagree, please provide justification.

500 characters max

As indicated before, AML/CFT risk is in our view driven primarily by customer and service risk. AMLA should therefore consider eligibility based on demonstrated low-risk exposure rather than size alone. In cases of demonstrably low ML/TF risk, obliged entities should be permitted to report a reduced set of data points. This would better align reporting requirements with the principle of proportionality and help avoid unnecessary administrative burden for low-risk entities.



Article 4 – Assessment and classification of the residual risk profile of obliged entities operating in the non-financial sector

Question11. Do you agree with the proposed approach to assess and classify the residual risk of obliged entities?

- ☐ Agree
- ☐ **Disagree**

If you disagree, please provide justification.

500 characters max

We question whether residual risk can be effectively determined through the proposed mathematical methodology alone, as qualitative considerations and professional judgement also play an important role in assessing risk. If this approach is retained, the sector would benefit from practical examples and case studies demonstrating how the methodology should be applied in practice and how qualitative factors should be reflected in the final risk assessment.

Article 5 and 6 - Frequency of the assessment and classification of inherent and residual risk profiles of obliged entities operating in the non-financial sector and Entry into force and application

Question12. Do you agree with the proposed approach to frequency and timeline of application?

- ☐ Agree
- ☐ **Disagree**

If you disagree, please provide justification.

500 characters max

We disagree with the proposed frequency and timeline, as annual reassessment of the full data set is disproportionate and creates significant recurring costs. Many data points are relatively stable and unlikely to change materially from year to year. A three-year review cycle, and a five-year cycle for demonstrably low-risk entities, would be more appropriate, with updates only where material changes affect the OE's ML/TF risk profile.



Question13. Among the data points listed in the Annex I and II 7. to this consultation paper, are there data points that you consider not significant for the purposes of assessing the ML/TF risk exposure or the quality of AML/CFT controls?

3000 character(s) maximum

In general, we strongly recommend that the data points are not viewed or assessed in isolation, but rather considered collectively and in context, so as to develop a balanced and well-substantiated risk profile of the obliged entity.

Furthermore, we consider a number of data points in Annex I and Annex II to be of limited significance for assessing either the ML/TF risk exposure of an obliged entity (OE) or the quality of its AML/CFT controls.

In Annex I, this concerns in particular:

- DP8 Total number of customers that are legal entities;
- DP11 Total number of beneficial owners;
- DP27 Value of the largest transaction;
- DP28 Total number of customer that are non-resident or incorporated/created/governed under the law of a country other than the OE's Member State;
- DP31 Total number of beneficial owners of the OE's customers resident in a country other than the OE's Member State;
- DP33 Number of customers whose identity was verified on a non-face-to-face basis; and

- DP34 Number of customers for which reliance on third-party CDD was used.

These data points do not, in themselves, constitute ML/TF risk factors and provide limited insight into the actual risk profile of the customer portfolio.

We also question the relevance of the service-based data points (DP14-24). These categories are often difficult to define consistently, services may overlap, and the link with an OE's ML/TF risk profile is unclear. In addition, many of these data points may not be routinely collected in an aggregated manner and would require new reporting processes solely for supervisory purposes.

In Annex II, we disagree the significance of:

- DP25 (number of customers for whom a review was due);
- DP26 (number of customers whose information was reviewed and updated); and
- DP28 (terminated or non-initiated business relationships due to ML/TF concerns).

These data points may describe operational processes, but do not necessarily indicate the effectiveness of AML/CFT controls or the ML/TF risk exposure of the OE.

More generally, several data points appear to focus on volumes, operational arrangements or reporting mechanics rather than on customer risk, service risk and geographic risk. As a result, their supervisory value is limited, while the associated reporting burden is significant. AMLA should therefore reassess these requirements in line with the principles of proportionality, simplification and data minimisation.

Section C: Additional comments on further proportionality arrangements

The draft RTS could possibly include a time limited transitional arrangement whereby supervisors may delay applying the risk assessment methodology to small entities.

*** Question14.** In your view, would this transitional arrangement be effective in overcoming the operational challenges associated with implementing the risk assessment methodology for small entities in time for the first data collection?

- ☐ Yes
- ☐ Neutral
- ☐ **No**

If no, please explain your rationale.

500 characters max

A transitional arrangement may delay implementation challenges, but it does not address the underlying issues. Many of these DPs may not currently be collected or maintained in a structured aggregated format by all OEs and would require new processes and systems solely for reporting purposes. Also, eligibility for relief should be based on demonstrated low-risk exposure rather than FTEs or turnover. A transitional period alone will therefore not ensure a proportionate and risk-based approach.

Question15. Are there any small entities or categories of small entities that should be excluded from any transitional arrangement where their business model, customer base or geographic exposure presents increased ML/TF risk?

- ☐ Yes
- ☐ Neutral
- ☐ **No**



Question16. What impact, if any, would a delay in data collection have on the ability of supervisors to identify emerging risks, ensure effective AML/CFT controls and allocate supervisory resources effectively?

- Positive impact
- **No impact**
- Negative impact

*** Question17.** What measures should be implemented by supervisors during the transitional period to ensure that eligible entities are capable of complying with the full data collection requirements at the end of the transition period?

1000 character(s) maximum

During the transitional period, AMLA should first reassess whether all proposed data points are necessary and proportionate, with greater emphasis on data minimisation, simplification and risk relevance. In addition, supervisors should provide clear definitions and practical examples, introduce standardised reporting templates, conduct pilot reporting exercises and allow reasonable estimates where information is not yet available in a structured format. Complex data points should be phased in over time and initial reporting should focus on information already available through existing AML/CFT processes. Sector-specific guidance should also be developed to support consistent implementation across Member States.

2. Survey on data points to assess the quality of AML/CFT controls

This survey seeks feedback on the list of data points set out in Annex II of the draft RTS, which specifies the data points to be collected for the assessment of the quality of AML/CFT controls of obliged entities.

This will help ensure that the final RTS reflect the practical availability, clarity, relevance and proportionality of the proposed reporting requirements across the different categories of obliged entities in the non-financial sector.

Category I: Governance, Culture & Compliance Function

Controls Data Point 1: Does the obliged entity have written internal policies and procedures covering the entirety of the AML/CFT framework?

Legal References and Draft Definitions:

Internal policies and procedures are defined in Article 9 AMLR.

Please provide the relevant answer as below:

- Yes, covering all applicable elements of Article 9 AMLR
- Yes, but not covering all applicable elements
- No

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is not clear whether the RTS require OEs to provide the actual written internal policies and procedures, or simply to indicate whether such documentation exists. AMLA should clarify the intended scope of this requirement.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ **Neutral**
- ☐ Difficult

Controls Data Point 2: How often does the obliged entity update its written AML/CFT procedures?

Legal References and Draft Definitions:

Please indicate the frequency of updates to obliged entity's written AML/CTF policies and procedures:

- No updates are carried out
- Quarterly
- Semi-annually
- Annually
- Over one year
- Other

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The policies and procedures are not maintained as a single document. Different components are updated at different intervals, either periodically or on an event-driven basis, with review cycles varying depending on the topic concerned.



Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

The information is not readily available, as different components of the policies and procedures are updated at different times. Capturing and reporting these updates would require manual effort and increase administrative burden. An alternative could be to ask whether OEs written AML/CFT procedures are up-to-date.

Controls Data Point 3: Date of the last update of the obliged entity's written AML/CFT procedures

Legal References and Draft Definitions: Please provide the date of the last update of the obliged entity's written AML/CFT procedures

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**

Explanation:

As the policies and procedures consist of multiple components that are updated at different times, rather than a single document, it is unclear which "last update date" should be reported.



Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

As different components of the AML/CFT policies and procedures are updated at different times, reporting a single update date would require additional manual effort and create unnecessary administrative burden. If CDP2 is amended in line with the comments above and requires confirmation that procedures are up to date, this data point would become redundant. Its removal would support simplification, data minimisation and administrative burden reduction.

Controls Data Point 4: Total number of staff (in FTEs)

Legal References and Draft Definitions: Please provide the total number of obliged entity's FTEs with maximum two decimal places as of the end of the reference year. An FTE is equal to the number of hours a full-time employee works for an obliged entity.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The scope of this data point is unclear, as it is not specified whether for example out-sourced personnel and group-level staff should be included. This is particularly relevant for larger organisations, where AML/CFT functions are often performed at group level rather than within the obliged entity itself. Clarification is therefore needed to ensure consistent reporting.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on how the requirement is interpreted. Different interpretations could have significantly different operational and administrative implications for obliged entities.



Controls Data Point 5: Total number of staff (in FTEs) assigned with AML/CFT responsibilities

Legal References and Draft Definitions: Indicate the number of staff of the obliged entity (in FTE) assigned with AML/CTF responsibilities as of the end of the reference year. The number of FTEs can be reported with maximum two decimal places.

Staff assigned with AML/CTF responsibilities should include at least:

- The compliance officer appointed in accordance with Article 11 AMLR and all the staff assisting the compliance officer in the tasks defined in Article 11 AMLR.
- Staff responsible for carrying out the analysis mentioned in Article 69(2) AMLR and staff responsible for reporting suspicious transactions in accordance with Article 69 AMLR.
- Staff responsible for establishing and reviewing the internal policies and procedures mentioned in Article 9 AMLR
- All other staff performing tasks related to those listed in Article 20 AMLR

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear which staff should be included in this data point, particularly where AML/CFT responsibilities are shared between business functions, outsourced personnel and group-level teams. The level of detail requested also implies a degree of precision that may not be feasible in practice, requiring manual analysis and potentially leading to inconsistent reporting across OEs. AMLA should therefore clarify which roles and functions are expected to be counted.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on how the requirement is interpreted. Different interpretations could have significantly different operational and administrative implications for obliged entities.

Controls Data Point 6: At which frequency is the obliged entity's staff subject to AML/CTF training?

Legal References and Draft Definitions:

Please indicate the frequency at which the staff is subject to AML/CTF training:

- ☐ No training is carried out
- ☐ Quarterly
- ☐ Semi-annually
- ☐ Annually
- ☐ Over one year
- ☐ Other, please specify (for example, upon onboarding for new staff before or shortly after commencing duties, ad hoc / event-driven training, etc.)

AML/CFT training: Structured education or instruction provided to employees to ensure they understand their legal obligations, institutional policies, and practical procedures for preventing and detecting money laundering and terrorist financing. Reference can be made to the training programmes as described in Article 12 AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear which employees should be included in the term "staff" for AML/CFT training purposes. As training frequency may differ across employee groups, it is also unclear how obliged entities should respond to the question on the frequency of AML/CFT training. Further clarification is therefore needed.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max



Whether this information can be reported readily depends on the intended scope of the term "staff". AMLA should therefore provide further clarification on which employees should be included.

Controls Data Point 7: At which frequency is the senior management of the obliged entity subject to AML/CTF training?

Legal References and Draft Definitions:

Please indicate the frequency at which the senior management is subject to AML/CTF training:

- No training is carried out
- Quarterly
- Semi-annually
- Annually
- Over one year
- Other, please specify

Definition of senior management is provided in the Article 2 (40) of the AMLR.

AML/CTF training: Structured education or instruction provided to employees to ensure they understand their legal obligations, institutional policies, and practical procedures for preventing and detecting money laundering and terrorist financing. Reference can be made to the training programmes as described in Article 12 AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ No

Explanation:

It is unclear which employees should be considered "senior management". As training frequency may vary across this group, it is also unclear how the required frequency should be reported.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on the intended practical definition of "senior management". AMLA should therefore clarify which individuals are expected to be included within the scope of this data point.



Controls Data Point 8: Total number of staff (in FTEs) subject to AML/CFT training

Legal References and Draft Definitions:

Please indicate the total number of staff (in FTEs, maximum two decimal places) including where relevant, agents and distributors subject to AML/CFT training.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear which employees fall within the scope of "staff" for the purposes of this data point. Also, AML/CFT training frequency may vary among members of staff depending on their specific roles and responsibilities. As a result, it is unclear how OEs are expected to indicate the frequency at which staff is subject to AML/CFT training. AMLA should provide further clarification on both the practical scope of staff and the reporting expectations where training frequencies differ.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on the intended practical definition of "staff". AMLA should therefore clarify which individuals are expected to be included within the scope of this data point.



Controls Data Point 9: Total number of staff (in FTEs) subject to AML/CFT training that have successfully completed the training

Legal References and Draft Definitions:

Please indicate the total number of staff (in FTEs, maximum two decimal places) subject to AML/CFT training, including where relevant, agents and distributors, that have successfully completed the training.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

Refer to earlier answers: it is unclear which employees fall within the scope of "staff" for the purposes of this data point. Furthermore, it is unclear over which period obliged entities are expected to assess whether staff have successfully completed AML/CFT training. AMLA should clarify the relevant reporting period to ensure consistent reporting across obliged entities.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy

- Neutral
- **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on the intended practical definition of "staff" and the relevant reporting period. AMLA should therefore clarify which individuals and period are expected to be included within the scope of this data point.

Category II: Internal Controls & Outsourcing

Controls Data Point 10: Have the internal AML/CFT policies, procedures and controls been assessed by an internal/external audit?

Legal References and Draft Definitions:

Please indicate if the internal AML/CFT policies, procedures and controls have been assessed by an internal/external audit in line with requirements of Article 9(2)b of AMLR.

Is this data point clearly formulated and understandable?

- **Yes**
- No

Is the requested information available to you?

- **Yes, readily available**
- Yes, but only with manual adjustments or additional processing
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- **Easy**
- Neutral
- Difficult



Controls Data Point 11: How often are the obliged entity's internal AML/CFT policies, procedures and controls assessed by an internal/external audit?

Legal References and Draft Definitions:

Please indicate the frequency at which the obliged entity's internal AML/CFT policies, procedures and controls are assessed by an internal/external audit:

- *Once per year*
- *Every 2 years*
- *Over 2 years*
- *Other (please specify)*

Is this data point clearly formulated and understandable?

- **Yes**
- No

Is the requested information available to you?

- **Yes, readily available**
- Yes, but only with manual adjustments or additional processing
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- **Easy**
- Neutral
- Difficult

Controls Data Point 12: Are there any findings of internal/external audits pending remediation?

Legal References and Draft Definitions:

Please indicate the total number of findings detected by internal or external audits that are pending remediation as of the end of the reference year, broken down by the area of AML/CFT compliance that they concern, among the following ones:

- *Internal policies, procedures and controls (including group-wide requirements)*
- *Business-wide risk assessment*
- *Integrity of employees and adequacy of the compliance function (including training)*
- *Whistleblowing channels and procedures*
- *Outsourcing/reliance on third parties*
- *Identification and verification of the customers' identity*
- *Identification and verification of the identity of beneficial owners/understanding BO and control structure of the customer (including reporting of discrepancies)*
- *Understanding of the purpose and nature of the business relationship*
- *Understanding the nature of customers' business/source of funds/source of wealth*
- *Ongoing monitoring of the business relationship*
- *Record-keeping*
- *Transaction monitoring*
- *Suspicious transaction/activity identification and reporting (including non-tipping off)*
- *Other disclosures/reporting to FIU and communications/orders from FIU (block-ages, non-execution of transactions)*
- *PEP identification and application of enhanced measures*
- *Customer risk assessment*
- *Application of enhanced due diligence measures (including specific ones in relation to high-risk countries/cross-border transactions, correspondent relationships, CASPs/crypto, residence by investment, etc.)*
- *Application of simplified due diligence measures*
- *Compliance with the Regulation on information accompanying transfers of funds and certain crypto-assets*
- *Terrorist Financing specific controls*
- *Proliferation Financing specific controls*
- *Targeted financial sanctions screening and implementation*



For the purposes of this data point, findings are to be interpreted as weaknesses in the internal policies, procedures and controls subject to remediation have been detected by the internal or external audit

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear over what timeframe a remediation action should be considered “pending”, and who is responsible for determining this status. As an alternative, AMLA could focus on findings that remain unresolved at the time of the next internal or external audit. This would provide a clearer and more objective measure of remediation effectiveness and reduce the risk of inconsistent interpretation across obliged entities.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral

- **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

Whether this information can be reported readily depends on how the requirement should be interpreted. Also, the categorisation required by the Legal References and Draft Definitions of this data point is unlikely to be routinely collected or maintained in practice and would therefore require additional data extraction, classification and reporting efforts.

Controls Data Point 13: Does the obliged entity outsource any of the AML/CFT obligations?

Legal References and Draft Definitions:

Please indicate if the obliged entity outsources any of its AML/CTF obligations as defined in Article 18 AMLR. Cases of services outsourced within the same group (intragroup outsourcing and shared services centres) must be accounted for. Processes or arrangements that contribute to the performance of a requirement under AMLR, but where the performance of the requirement itself is not carried out by a service provider, such as the use or acquisition of third-party software or the access to databases or screening services by the obliged entity, are not considered to be outsourcing (cf. Recital 47 AMLR).

Is this data point clearly formulated and understandable?

- **Yes**
- No

Is the requested information available to you?

- **Yes, readily available**
- Yes, but only with manual adjustments or additional processing
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- **Easy**
- Neutral
- Difficult



Controls Data Point 14: Is there a written agreement with the party to whom the AML/CFT obligations are outsourced outlining the roles and responsibilities in place?

Legal References and Draft Definitions:

Please indicate if there is a written agreement with the party to whom the AML/CFT obligations are outsourced outlining the roles and responsibilities in place in line with the Article 18(4) of AMLR.

Is this data point clearly formulated and understandable?

- **Yes**
- No

Is the requested information available to you?

- **Yes, readily available**
- Yes, but only with manual adjustments or additional processing
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- **Easy**
- Neutral
- Difficult

Category III: Risk Assessment

Controls Data Point 15: Does the obliged entity perform business-wide risk assessments?

Legal References and Draft Definitions:

Please provide one of the following answers: Yes/No/ Not applicable (in line with Article 10(3) of AMLR).

Business Wide Risk Assessment (BWRA) as referred to in Article 10 AMLR

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

It is unclear which specific information is meant by “requested information” in the question above. Further clarification is needed to ensure consistent reporting by obliged entities.

Controls Data Point 16: Date when the obliged entity’s business-wide risk assessment was last reviewed or updated.

Legal References and Draft Definitions:

Please provide date when the obliged entity’s business-wide risk assessment was last reviewed or updated.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Controls Data Point 17: Based on the latest business-wide risk assessment performed, what is the risk exposure of the obliged entity?

Legal References and Draft Definitions:

Please provide the level of residual risk exposure of the obliged entity based on the latest BWRA:

- ☐ Low
- ☐ Medium
- ☐ High
- ☐ Other (please specify)

Business Wide Risk Assessment (BWRA) as referred to in Article 10 AMLR.

Is this data point clearly formulated and understandable?



- Yes
- **No**

Explanation:

The wording of the question refers to the obliged entity's risk exposure, while the accompanying guidance refers to residual risk exposure. As these are different concepts, it is unclear which assessment should be reported. Further clarification is therefore needed.

Is the requested information available to you?

- Yes, readily available
- **Yes, but only with manual adjustments or additional processing**
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- Easy
- Neutral
- **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max

The ease of reporting depends on the definitions applied. Furthermore, the categories used in the survey do not appear to be fully aligned with those in the RTS (e.g. the "substantial" category in paragraph 3.2 mentioned in the consultation document is not included in the survey), which creates uncertainty regarding the expected reporting approach.

Controls Data Point 18: Does the obliged entity have policies and procedures on Customer Risk Assessment (CRA)?

Legal References and Draft Definitions:

Please indicate whether the obliged entity has policies and procedures in place to calculate and assign risk scores to customers.

Is this data point clearly formulated and understandable?

- Yes
- **No**

Explanation:

It is unclear what is meant by "policies and procedures on customer risk assessment". It is not clear whether AMLA for example is referring to the obliged entity's general customer risk assessment framework and related policies, or whether a specific customer risk scoring model is expected. AMLA should clarify the intended scope of this requirement to ensure consistent interpretation and reporting across obliged entities.

Is the requested information available to you?

- Yes, readily available
- **Yes, but only with manual adjustments or additional processing**
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- Easy
- Neutral
- **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters max



Whether this information can be reported readily depends on the definition applied. Smaller obliged entities, in particular, may not operate sophisticated customer risk scoring models and may instead rely on a more principles-based customer risk assessment framework.

Category IV: Customer Due Diligence

Controls Data Point 19: Number of customers per ML/TF risk category.

Legal References and Draft Definitions:

Number of customers during the reference year per ML/TF risk category assigned as of the end of reference year:

- *low risk*
- *medium risk*
- *high-risk*
- *other(s) (please specify)*

The number of customers reported has to include ongoing business relationships, terminated business relationships and occasional transactions that took place during the reference year.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**

Explanation:

We refer to our comments on the definition of “business relationship” in our response on the consultation on the draft RTS on criteria for business relationships. It is unclear whether this data point relates to regulated services, non-regulated services or both. This is relevant, as obliged entities may have a single onboarding process for all services.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)



If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

It is unclear whether the requirement relates to regulated services, non-regulated services, or both. AMLA should clarify the scope.

Controls Data Point 20: Number of customers that are legal entities or legal arrangements whose beneficial owners have not been identified and/or whose identity has not been verified.

Legal References and Draft Definitions:

Indicate the number of customers that are legal entities or legal arrangements whose beneficial owners have not been identified, or the identify of whom has not been verified, as of the end of the reference year.

As per Article 2(1)(28) AMLR, ‘beneficial owner’ means “any natural person who ultimately owns or controls a legal entity or an express trust or similar legal arrangement”.

As per recital 125 AMLR, senior managing officials (SMOs) reported instead of the beneficial owners where no natural person is identifiable who ultimately owns or exerts control over an entity (as per Article 22(2) AMLR) are not beneficial owners, and shall not be counted for the purpose of reporting this datapoint. Beneficial owners identified through

consultation of public registers or other reliable national systems that contain the necessary information shall be counted as being identified for the purpose of reporting this datapoint. In case a legal entity or legal arrangement has several Bos not all of which have been identified, it shall be reported for the purpose of this datapoint.

For the purposes of this data point, “verified” means that the reporting obliged entity has taken reasonable measures to verify the identity of the beneficial owner, using reliable documents, data or information, in accordance with Article 20(1)(b) and Article 22 AMLR. This includes consultation of the central register(s) as an additional verification step, in accordance with Article 22(7) AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear what this data point is intended to capture, as beneficial owners must generally be identified and verified.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters max

Although OEs may ultimately result in the identification of SMOs through the CDD process, it is unclear whether adequate oversight exists at an aggregate level to monitor the extent to which no BO could be identified and the SMO fallback provision was consequently applied. As a result, this information may not be readily available and would require additional manual analysis and reporting.



Controls Data Point 21: Number of customers for which the obliged entity applies enhanced due diligence (EDD) measures.

Legal References and Draft Definitions:

Please indicate the total number of customers for which the obliged entity applies enhanced due diligence (EDD) measures in line with Section 4 of AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear which reporting period should be used for this data point. Further clarification is therefore needed.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not be maintained on an aggregated basis, and not all obliged entities have systems in place to generate this data automatically. It is therefore unclear what additional insight this data point provides beyond the existing classification of customers by risk category. The relevance and proportionality of this requirement should be reconsidered.

Category V: Ongoing monitoring / Transaction monitoring

Controls Data Point 22: Does the obliged entity perform activity monitoring and/or transaction monitoring?

Legal References and Draft Definitions:

Indicate whether the obliged entity monitors transactions processed on behalf of customers (transaction monitoring) and other relevant activities within a business relationship in accordance with Article 26 AMLR. In the cases where, obliged entities do not process transactions or have limited transaction visibility performed by the customer throughout the course of a business relationship, refer only to the monitoring of relevant activities.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Controls Data Point 23: Is the obliged entity's activity monitoring and/or transaction monitoring manual, semi-automated or automated?

Legal References and Draft Definitions:

Please indicate whether the transaction and/or activity monitoring performed by the obliged entity is:

- ☐ *Manual*
- ☐ *Semi-automated*
- ☐ *Fully automated*

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult



Controls Data Point 24: Is the obliged entity's ongoing monitoring and/or transaction monitoring performed periodically, or is it event driven?

Legal References and Draft Definitions:

Please indicate whether the transaction and/or activity monitoring performed by the obliged entity is:

- Done periodically
- Event driven
- Done both periodically and event driven

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Controls Data Point 25: Number of customers for whom a review and update were due.

Legal References and Draft Definitions:

Indicate the number of unique customers (both natural persons and legal entities) for whom a review of customer information was due, in accordance with the reporting obliged entity's AML/CFT policies and procedures regarding ongoing monitoring obligations, during the reference year. For the purposes of this exercise, and in accordance with Article 26(2)-(3) AMLR, this data point should capture both periodic (risk-based) reviews and event-driven reviews/updates triggered by relevant changes or newly acquired relevant information.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

500 characters

We question the relevance and proportionality of this data point. The number of CDD files or reviews does not, in itself, provide a meaningful indication of an obliged entity's ML/TF risk profile. A high volume may simply reflect the size of the client portfolio rather than an increased level of risk. It is therefore unclear what additional supervisory value this data point provides for the risk assessment. AMLA should justify its inclusion or reconsider its necessity.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters max

The requested information may not be routinely collected or maintained in an aggregated format. Availability largely depends on how internal systems are configured. As an alternative, AMLA could consider focusing on the obliged entity's policies and procedures for ensuring timely updates of CDD information, rather than requiring quantitative reporting.



Controls Data Point 26: Number of customers for whom customer information was reviewed and updated.

Legal References and Draft Definitions:

Indicate the number of unique customers (both natural persons and legal entities) for whom a review of customer information was due during the reference year, in accordance with the reporting obliged entity's AML/CFT policies and procedures regarding ongoing monitoring obligations, and whose information was effectively reviewed and, where relevant, updated during the reference year.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear how the number of customers for whom CDD has been reviewed or updated contributes to assessing an obliged entity's ML/TF risk profile. Moreover, there may be no direct relationship between DP25 and DP26, as client relationships may end before a scheduled review is completed. AMLA should therefore clarify the relevance and supervisory value of this data point.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters max

The requested information may not be routinely collected or maintained in an aggregated format. Availability largely depends on how internal systems are configured. As an alternative, AMLA could consider focusing on the obliged entity's policies and procedures for ensuring timely updates of CDD information, rather than requiring quantitative reporting.



Controls Data Point 27: Total number of STRs/SARs submitted to the FIU.

Legal References and Draft Definitions:

Indicate the total number of STRs and SARs submitted to the FIU during the reference year. The reporting of suspicions should be carried out according to Article 69(1)(a) AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The definition of the total number of STRs/SARs is unclear, as it is not specified which entities within a group should be included. AMLA should clarify whether reporting is expected at the level of the obliged entity only, or whether STRs/SARs submitted by other entities within the group should also be taken into account.

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Controls Data Point 28: Total number of terminated/not initiated business relationships/occasional transactions due to ML/TF concerns.

Legal References and Draft Definitions:

Please indicate the total number of terminated/not initiated business relationships or not performed occasional transactions, either in line with the requirements of Article 21(1) or due to any other ML/TF concerns detected by the obliged entity.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

Information on terminated or non-initiated BRs due to ML/TF concerns may not be recorded in a structured and aggregated manner. Such decisions are often based on multiple factors. Also, prospective clients rejected at an early stage may not be tracked. As an alternative, AMLA could collect data on cases where CDD requirements could not be fulfilled and a SAR was submitted under Article 69 AMLR. We do question the relevance of this data point for assessing an OEs ML/TF risk profile.

Controls Data Point 29: Does the obliged entity have policies, procedures and controls in place to ensure compliance with TFS?

Legal References and Draft Definitions:

Please indicate if the obliged entity has policies, procedures and controls in place to apply targeted financial sanctions, and to mitigate and manage the risks of non-implementation and evasion of targeted financial sanctions, as required in Article 9(1)(b) AMLR.

Targeted financial sanctions (TFS) have the meaning defined in Article 2(49) of AMLR.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may be difficult to report, as OEs may currently not distinguish between controls relating specifically to targeted financial sanctions (TFS) and other sanctions controls. While such distinctions will need to be implemented by 10 July 2027, the information is expected not yet to be readily available.



Controls Data Point 30: If controls are in place to ensure compliance with TFS, are these performed manually, semi-automated or automated?

Legal References and Draft Definitions:

Please indicate whether the controls put in place by the obliged entity to ensure compliance with targeted financial sanctions obligations are:

- *Manual*
- *Semi-automated*
- *Fully automated*

Is this data point clearly formulated and understandable?

- **Yes**
- No

Is the requested information available to you?

- **Yes, readily available**
- Yes, but only with manual adjustments or additional processing
- No, the information is not routinely collected or recorded
- Not applicable (N/A)

If available, how easy is it to report this information?

- **Easy**
- Neutral
- Difficult



3. Auditors, external accountants and tax advisors

This survey seeks feedback on the list of data points set out in Annex I of the draft RTS, which specifies the data points to be collected for the assessment of the inherent ML/TF risk exposure of obliged entities. Obligated entities should complete all questionnaires that are relevant to the activities and services they carry out or offer. Where an obliged entity performs activities or provides services falling under more than one category of obliged entities, it should provide responses for each relevant category and corresponding set of data points in the relevant survey. This will help ensure that the final RTS reflect the practical availability, clarity, relevance and proportionality of the proposed reporting requirements across the different categories of obliged entities in the non-financial sector.

Data point 1: Does the obliged entity have a complex structure?

Legal references and draft definitions

This data point is only applicable to obliged entities that are legal entities.

Complex structure refers to ownership structures where there are three or more layers between the obliged entity and the beneficial owner and, in addition, more than one of the following conditions is met:

- a) there is a legal arrangement or a similar legal entity such as a foundation in any of the layers;*
- b) the obliged entity and any legal entities present at any of these layers are registered in jurisdictions outside the EU;*
- c) there are nominees involved in the structure;*

A nominee is to be interpreted as a natural person or a legal entity instructed by a nominator (a different legal entity or natural person) to act as a shareholder or director in a legal entity on its behalf.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Data point 2: Does the entity have beneficial owners resident in high-risk third countries?

Legal references and draft definitions

This data point is only applicable to obliged entities that are legal entities.

Report if the obliged entity's Beneficial Owners (BOs) include at least one individual that is resident in a high-risk third country, as of the end of the reference year. "High-risk third country" includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year. The definition of the beneficial owner is contained in Article 2(1)(28) of the AMLR and, more in particular, Articles 51 to 55 of the same Regulation and, in the case of express trusts and other similar legal entities or legal arrangements, also Articles 57 to 60.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

If no, please explain which aspects are unclear and suggest possible improvements.

500 characters



It is unclear whether SMOs designated under the fallback mechanism should be included. Recital 125 AMLR states that SMOs are not beneficial owners, while Recital 9 of the draft RTS on CDD requires equivalent information to be collected for identification and verification purposes. AMLA should clarify whether SMOs are to be reported under this data point.

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Data point 3: Does the obliged entity have Politically Exposed Persons (PEPs) as beneficial owners?

Legal references and draft definitions

Report if the obliged entity's Beneficial Owners (BOs) include at least one politically exposed person (PEP), a family member of a PEP, or a person known to be a close associate of a PEP, as of end of the reference year.

The definition of politically exposed person (PEP), a family member of a PEP, or a person known to be a close associate of a PEP is provided in Article 2(34), 2(35) and 2(36) of AMLR.

The definition of the beneficial owner is contained in Article 2(1)(28) of the AMLR and, more in particular, Articles 51 to 55 of the same Regulation and, in the case of express trusts and other similar legal entities or legal arrangements, also Articles 57 to 60.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

If no, please explain which aspects are unclear and suggest possible improvements. Is the requested information available to you?

500 characters

It is unclear whether SMOs designated under the fallback mechanism should be included. Recital 125 AMLR states that SMOs are not beneficial owners, while Recital 9 of the draft RTS on CDD requires equivalent information to be collected for identification and verification purposes. AMLA should clarify whether SMOs are to be reported under this data point.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

In particular, identifying whether a beneficial owner is a family member or close associate of a PEP can be challenging. Furthermore, for audit firms, this requirement appears to overlap with screening already performed by the national regulator, resulting in unnecessary administrative burden.



Data point 4: Is the parent undertaking located in high-risk third country?

Legal references and draft definitions

Report if the obliged entity has a parent undertaking that is physically located and/or incorporated in a high-risk third country, as of the end of the reference year.

"Parent undertaking" is to be interpreted according to the definition provided in Article 2(1)(42) of the AMLR.

"High-risk third country" includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult

Data point 5: Number of branches and subsidiaries in high risk third countries

Legal references and draft definitions

If the obliged entity has branches and/or subsidiaries, indicate the number of such that are located in high-risk third countries, as of the end of the reference year.

For the purposes of this data point, branches are establishments of the reporting obliged entity that are not separate legal entities and that perform directly all or some activities of the reporting obliged entity. Subsidiaries are to be interpreted as undertakings that are obliged entities, controlled by the reporting obliged entity and that are not branches. "High-risk third country" includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ **Yes, readily available**
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ **Easy**
- ☐ Neutral
- ☐ Difficult



Data point 6: Total number of customers

Legal references and draft definitions

Report the number of unique customers to whom the obliged entity has applied Customer Due Diligence measures under Article 19 AMLR, and who entered, maintained or ended a business relationship with, or carried out at least one occasional transaction with the reporting obliged entity, during the reported period. Customer should be understood as an individual natural person, legal entity or legal arrangement.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The definition of “customer” in DP6 is unclear. It is not clear whether it covers only AMLR-regulated services or all customers of the obliged entity, nor how customers should be counted where services are provided to a group.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

Whether this information can be reported readily depends both on the definition of “customer” and on how customer information is recorded in the obliged entity’s systems. While the data may be available in some cases, reporting could be more challenging for smaller obliged entities with less sophisticated systems and data aggregation capabilities.



Data point 7: Total number of new customers

Legal references and draft definitions

Indicate the total number of new customers during the reference year. New customers refer to those cases where the business relationship is established, or an occasional transaction is conducted for the first time, meaning that the obliged entity has no previous customer due diligence information or records on that customer.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The definition of “new customer” in DP7 is unclear. It is not clear whether it covers only AMLR-regulated services or all new customers, nor how new customers should be counted in a group structure or for example when an existing customer establishes a new entity. Moreover, the number of new customers does not in itself indicate the ML/TF risk profile of an OE. The focus should be on customer risk characteristics rather than customer numbers.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

Whether this information can be reported readily depends both on the definition of “new customer” and on how new customer information is recorded in the obliged entity’s systems. While the data may be available in some cases, reporting could be more challenging for smaller obliged entities with less sophisticated systems and data aggregation capabilities.

Data point 8: Total number of customers that are legal entities

Legal references and draft definitions

Indicate the total number of customers during the reference year that are legal entities, excluding those legal entities that are similar to express trusts, as defined in Art. 2(1)(29) of the AMLR.

Legal entities in the same corporate group and connected legal entities should be counted separately. Legal entities with branches shall be reported only once, according to the country of registration of the head office

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

The definitions of “customer”, “legal entity” and “connected legal entities” in DP8 are unclear. It is unclear whether the data point covers only AMLR-regulated services, how customers should be counted within group structures (f.e. group components out of scope for services), and which legal forms are in scope. More fundamentally, the number of legal entity customers does not indicate an OE’s ML/TF risk profile; the focus should be on the risk characteristics of the customer portfolio.



Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

The requested information may not be collected or maintained in this format. Availability depends on how data is recorded within the obliged entity’s systems. In addition, there are no reliable external sources to verify this information. It is also unclear what is meant by “legal entities” and whether sole proprietorships, for example, should be treated as natural persons or legal entities.

Data point 9: Total number of customers that are legal arrangements

Legal references and draft definitions

Indicate the total number of customers during the reference year that are express trusts and other similar legal arrangements.

The definition of express trust is contained in Article 2(1)(29) of the AMLR, while definition of legal arrangement is in Article 2(1)(32) of the same Regulation.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

As trusts and similar legal arrangements generally lack legal personality, and, as a matter of law, cannot itself enter into contractual or legal relationships, it may be difficult to determine who should be treated as the customer. It is also unclear how “customer” and “similar legal arrangements” should be defined. This may lead to inconsistent identification and recording of customer relationships across OEs.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

Whether this information can be reported readily depends both on the definition and on how this information is recorded in the obliged entity's systems. While the data may be available in some cases, reporting could be more challenging for smaller obliged entities with less sophisticated systems and data aggregation capabilities.

Data point 10: Total number of customers which are Politically Exposed Persons

Legal references and draft definitions

Indicate the total number of customers (natural persons) during the reference year that are politically exposed persons (PEPs) or that are family members or close associates of PEPs. Definition of politically exposed person (PEP), a family member of a PEP, or a person known to be a close associate of a PEP is provided in Article 2(34), 2(35) and 2(36) of AMLR.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

Information on PEP customers is typically available at individual customer level but may not be maintained in an aggregated format by all OEs. Reporting this data point would therefore require additional data extraction and aggregation. This makes the requirement difficult to report and may create unnecessary administrative burden. Unless AMLA demonstrates clear supervisory value, this data point should be removed or limited to readily available information.



Data point 11: Total number of beneficial owners

Legal references and draft definitions

Total number of beneficial owners of customers of the obliged entity refers to unique beneficial owners, meaning that if a beneficial owner is featured in more than one legal entity or arrangement, it should be counted as one.

The definition of the beneficial owner is contained in Article 2(1)(28) of the AMLR and, more in particular, Articles 51 to 55 of the same Regulation and, in the case of express trusts and other similar legal entities or legal arrangements, also Articles 57 to 60.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP11 is unclear, as no reference date is specified. The number of beneficial owners may change during the reporting period, meaning different reporting dates could result in different outcomes. AMLA should therefore specify a reference date to ensure consistent and comparable reporting.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not currently be maintained in an aggregated format and would require additional extraction and analysis, particularly to identify unique beneficial owners across the customer portfolio. This may be disproportionately burdensome, especially for firms with a large number of clients. Moreover, it is unclear how the total number of beneficial owners contributes to assessing the ML/TF risk profile of the obliged entity.



Data point 12: Total number of beneficial owners that are PEPs

Legal references and draft definitions

Indicate the total number of beneficial owners of customers during the reference year that are politically exposed persons (PEPs) or that are family members or close associates of PEPs.

Definition of politically exposed person (PEP), a family member of a PEP, or a person known to be a close associate of a PEP is provided in Article 2(34), 2(35) and 2(36) of AMLR.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

It is unclear whether SMOs appointed under the fallback mechanism should be included. Recital 125 AMLR states that SMOs are not beneficial owners, while Recital 9 of the draft RTS on CDD requires equivalent information to be collected for identification purposes. In addition, the reference to the "reference year" is impractical, as these numbers may change over time. AMLA should clarify whether SMOs are in scope and specify a reference date instead.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

Information on PEP beneficial owners may not be maintained in an aggregated format and would require additional data extraction and analysis, and is particularly challenging to identify family members and close associates of PEPs. This creates a disproportionate administrative burden without a clear supervisory benefit. Unless AMLA can demonstrate the added value of this data point for assessing an OE's ML/TF risk profile, it should be removed or limited to readily available information.

Data point 13: Number of customers that are legal entities/arrangements that are part of a complex structure

Legal references and draft definitions

Indicate the total number of customers during the reference year that are legal entities or legal arrangements that are part of a complex ownership structure.

Complex ownership structure refers to ownership structures where there are three or more layers between the customer and the beneficial owner and, in addition, more than one of the following conditions is met:

- *there is a legal arrangement or similar legal entity (such as a foundation) in any of the layers;*
- *the customer and any legal entities present at any of these layers are registered in jurisdictions outside the EU;*
- *there are nominee shareholders or nominee directors involved in the structure.*

A nominee is to be interpreted as a natural person or a legal entity instructed by a nominator (a different legal entity or natural person) to act as a shareholder or director in a legal entity on its behalf.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

The requested information may currently not be collected or maintained in accordance with the proposed definition. Availability depends on how data is recorded within the obliged entity's systems. In addition, we have significant concerns regarding the proposed definition of "complex structure" and refer to our comments on the draft RTS on Customer Due Diligence (CDD).

Data point 14: Total number of customers for services provided

Legal references and draft definitions

Report the number of clients to whom the below services have been provided, which might differ from the total number of clients reported under DP #6 "Total number of customers".

For example, a single contract may cover multiple services; in such cases, obliged entities would be expected to report the same client multiple times, corresponding to each service



provided. In this regard, number of customers reflects more the number of engagements/written agreement per services provided.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**

Explanation:

DP14 is unclear. No definition or list of services is provided, making it unclear when an activity should be counted as a separate service. It is doubtful whether OEs will classify services consistently, particularly where services are closely linked. In addition, the supervisory value of this data point is unclear. AMLA should explain how this information contributes to the assessment of an OE's ML/TF risk profile, given the significant reporting burden involved.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not currently be collected or maintained in the proposed format. The requirement appears to create a new reporting obligation solely for the purpose of completing this template, rather than supporting existing AML/CFT processes. AMLA should carefully consider the principles of data minimisation and simplification, as these objectives do not appear to be reflected in the proposed approach.



Data point 15: Number of customers regarding payroll

Legal references and draft definitions

Report the number of engagements for providing payroll services. Double counting of clients is possible, if the client has other engagements than payroll, in addition.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**

Explanation

DP15 is unclear. No definition is provided, making it unclear when an activity should be counted as a payroll. It is doubtful whether obliged entities will classify services consistently, particularly where services are closely linked. In addition, the supervisory value of this data point is unclear. In addition, double counting should be avoided, as it may result in a distorted representation of the actual number of customers and reduce the reliability of the reported data.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not currently be collected or maintained in the proposed format. The requirement appears to create a new reporting obligation solely for the purpose of completing this template, rather than supporting existing AML/CFT processes. AMLA should carefully consider the principles of data minimisation and simplification, as these objectives do not appear to be reflected in the proposed approach.

Data point 16: Number of customers regarding Bookkeeping

Legal references and draft definitions

Report the number of engagements for providing bookkeeping services. Double counting of clients is possible, if the client has other engagements than booking, in addition.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation

DP16 is unclear. No definition is provided, making it unclear when an activity should be counted as a Bookkeeping. It is doubtful whether obliged entities will classify services consistently, particularly where services are closely linked. In addition, the supervisory value of this data point is unclear. AMLA should explain how this information contributes to the assessment of an OE's ML/TF risk profile, given the significant reporting burden involved.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)



If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not currently be collected or maintained in the proposed format. The requirement appears to create a new reporting obligation solely for the purpose of completing this template, rather than supporting existing AML/CFT processes. AMLA should carefully consider the principles of data minimisation and simplification, as these objectives do not appear to be reflected in the proposed approach.

Data point 17: Number of customers regarding preparation of financial statements

Legal references and draft definitions

Report the number of engagements for preparing financial statement services. Double counting of clients is possible, if a client has other engagements than preparing financial statements, in addition.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP17 is unclear. No definition is provided, making it unclear when an activity should be counted as a preparation of financial statements. It is doubtful whether obliged entities will classify services consistently, particularly where services are closely linked. In addition, the supervisory value of this data point is unclear. AMLA should explain how this information contributes to the assessment of an OE's ML/TF risk profile, given the significant reporting burden involved.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

This information may not currently be collected or maintained in the proposed format. The requirement appears to create a new reporting obligation solely for the purpose of completing this template, rather than supporting existing AML/CFT processes. AMLA should carefully consider the principles of data minimisation and simplification, as these objectives do not appear to be reflected in the proposed approach.

Data point 18: Number of customers regarding managing (on behalf of a client) the opening and/or management of bank accounts, saving accounts or other assets; or managing debt.

Legal references and draft definitions

Report the number of engagements when managing for example on behalf of a client various assets, such as financial assets, properties, etc. as well as managing debt obligations

Is this data point clearly formulated and understandable?

- ☒ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☒ **Not applicable (N/A)**

Data point 19: Number of customers regarding Managing (on behalf of a client) the creation, operation or management of companies, trusts, foundations or similar structures; including Mergers & Acquisition; as well as Liquidation of companies, including assisting liquidators in insolvency or winding up proceedings, whether appointed to do so by a court or otherwise

Legal references and draft definitions

Report the number of clients or engagements for which you have provided any of the services. If multiple different services have been provided to the same client, the client has to be counted several times, indicating the volume of services provided.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**



Explanation:

This data point is unclear. It is not clear what is meant by “Managing” the creation, operation or management of companies, trusts, foundations or similar structures, nor whether it also includes advisory services. The scope of the services covered is therefore uncertain. It is doubtful whether OEs will classify services consistently, particularly where services are closely linked. AMLA should provide clear definitions and examples to ensure consistent reporting across obliged entities.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☒ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

The requested information may not routinely be collected or recorded in this format. Determining whether services fall within the scope of the AMLR would require additional analysis across multiple service categories. This requirement appears to create a new reporting obligation solely for the purpose of completing this template, rather than supporting existing AML/CFT processes. AMLA should give greater consideration to the principles of data minimisation and simplification.

Data point 20: Number of customers regarding external audit services

Legal references and draft definitions

Report the number of clients to whom you have provided external audit services

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☒ **No**

Explanation:

DP20 is unclear, as it is not clear what is meant by “external audit services”. It is uncertain whether this includes for example only statutory audits or also other assurance engagements, such as assurance engagements related to subsidy. It is also unclear how customers should be counted in group engagements. No definition is provided and similar services may be classified differently across firms. The supervisory value of this data point is also unclear.

Is the requested information available to you?

- ☐ Yes, readily available
- ☒ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☒ **Neutral**
- ☐ Difficult



Data point 21: Number of customers regarding assurance services

Legal references and draft definitions

Report the number of clients to whom you have provided other assurance services than audit.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP21 is unclear and closely linked to the ambiguity surrounding DP20. It is not clear what services fall within the scope of “assurance services”, nor whether this definition is applied consistently across Member States. In addition, it is unclear how customers should be counted in group engagements. Given these definitional uncertainties, the reliability and comparability of the reported data are questionable, while the reporting burden is significant.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ **Neutral**
- ☐ Difficult

Data point 22: Number of customers regarding tax litigation

Legal references and draft definitions

Report the number of clients to whom you have provided tax litigation services, whereby tax litigation refers to resolving disputes concerning tax obligations therefore it covers handling of disputes, appeals, court proceedings (if permissible by law).

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP22 is unclear, as no clear definition is provided of what constitutes “tax litigation”. It is doubtful whether OEs will classify services consistently, particularly where services are closely linked. AMLA should specify which services fall within scope. It is also unclear what is meant by “where permissible by law”. Without further clarification, consistent reporting across obliged entities and Member States is unlikely.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or recorded in this format. It is unclear which services fall within scope, and distinctions between tax litigation, tax compliance, tax planning and advisory services are difficult and may not be tracked in this manner. As a result, reporting would require data collection processes solely for this purpose. Given the limited link to an OE’s ML/TF risk profile, the proportionality and necessity of this data point should be reconsidered.



Data point 23: Number of customers regarding tax compliance

Legal references and draft definitions

Report the number of clients to whom you have provided tax compliance services, whereby tax compliance refers to fulfilling tax obligations according to tax laws; therefore it includes the preparation, filing and fulfilling tax related obligations

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP23 is unclear. No clear definition is provided of what constitutes “tax compliance” and AMLA should specify which services fall within scope. See also, our comments on DP22. Without a clear definition, reliable and comparable reporting cannot be achieved, while the supervisory value of this data point remains unclear.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or recorded in this format. It is unclear which services fall within scope, and distinctions between tax litigation, tax compliance, tax planning and advisory services are difficult and may not be tracked in this manner. As a result, reporting would require data collection processes solely for this purpose. Given the limited link to an OE’s ML/TF risk profile, the proportionality and necessity of this data point should be reconsidered.



Data point 24: Number of customers regarding tax planning (e.g. corporate structure and transactions, succession and estate planning and repatriation of assets, etc.)

Legal references and draft definitions

Report the number of clients to whom you have provided tax planning services, whereby tax planning refers to services aimed at structuring a person's or legal entity's financial, commercial and/or organisational affairs in a tax efficient manner; therefore it includes advise on corporate structures, cross-border arrangements, financing, real estate, personal wealth, succession planning, etc.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP24 is unclear. No clear definition is provided of what constitutes “tax planning” and AMLA should specify which services fall within scope. See also, our comments on DP22 and DP23. Without a clear definition, reliable and comparable reporting cannot be achieved, while the supervisory value of this data point remains unclear.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or recorded in this format. It is unclear which services fall within scope, and distinctions between tax litigation, tax compliance, tax planning and advisory services are difficult and may not be tracked in this manner. As a result, reporting would require data collection processes solely for this purpose. Given the limited link to an OE's ML/TF risk profile, the proportionality and necessity of this data point should be reconsidered.

Data point 25: Number of customers whose underlying transactions was paid fully or partially in crypto-assets to the obliged entity

Legal references and draft definitions

Report the number of customers who settled their obligations with the obliged entity in full or in part in crypto assets. Crypto-asset means a crypto-asset as defined in Article 3(1), point (5), of Regulation (EU) 2023/1114 except when falling under the categories listed in Article 2(4) of that Regulation.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ **Not applicable (N/A)**

Data point 26: Number of customers whose underlying transactions was paid fully or partially in cash to the obliged entity

Legal references and draft definitions

Report the number of customers who settled their obligations with the obliged entity in full or in part in 'cash'. Under EU law, cash includes currency, negotiable bearer instruments, certain commodities used as highly liquid stores of value, and prepaid cards. (Ref Art. 2 (1)(a) of Regulation (EU)2018/1672)

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ No, the information is not routinely collected or recorded
- ☐ **Not applicable (N/A)**

Data point 27: Value (EUR) of the largest transaction

Legal references and draft definitions

Provide the value in EUR of the single largest transaction that the obliged entity has carried out during the reference year on behalf of its customers.

In situations where the obliged entity is providing services related to transactions rather than processing transactions directly, refer to the value of the transaction to which the provided services are connected, excluding any fees, as per recital 6 of the draft regulatory technical standards specifying the criteria for identifying business relationships, occasional transactions and linked transactions under Article 19(9) of the AMLR.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing



- **No, the information is not routinely collected or recorded**
- Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

DP27 may not be routinely collected or recorded. The data point appears relevant mainly to M&A engagements and is therefore not applicable to many accountancy firms, which typically do not execute transactions. Reporting would require additional data collection, while the relevance of this data point for assessing an OE's ML/TF risk profile appears limited.

Data point 28: Total number of customers that are non-resident or incorporated/created/governed under the law of a country other than the obliged entity's Member State

Legal references and draft definitions

Indicate the total number of customers during the reference year that are non-resident or incorporated, created or governed under the law of a country other than the Member State where the reporting obliged entity is located.

Is this data point clearly formulated and understandable?

- Yes
- **No**

Explanation:

DP28 is unclear in the context of group structures, as it is not clear how customers should be counted where group entities are located both within and outside the OE's Member State. It is also unclear why this information is requested over a reference year rather than as at a specific date, as customer populations change over time. Moreover, the number of non-resident customers does not in itself indicate an OE's ML/TF risk profile.

Is the requested information available to you?

- Yes, readily available
- Yes, but only with manual adjustments or additional processing
- **No, the information is not routinely collected or recorded**
- Not applicable (N/A)



If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or maintained in an aggregated format. While the residence and location of customers and group entities are assessed and documented at customer level as part of CDD and risk assessments, aggregating this information for reporting purposes would require additional processing without a clear link to the OE's ML/TF risk profile.

Data point 29: Total number of customers that are resident or incorporated/ created/ governed under the law of a high-risk third country

Legal references and draft definitions

Indicate the total number of customers during the reference year that are resident, incorporated, created or governed under the law of a high-risk third country.

High-risk third country includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year.

Is this data point clearly formulated and understandable?

- Yes
- **No**

Explanation:

DP29 is unclear in the context of group structures, as it is not clear how customers should be counted where group entities are located both within and outside the OE's Member State. It is also unclear why this information is requested over a reference year rather than as at a specific date, as customer populations change over time.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or maintained in an aggregated format. The location of customers and group entities is assessed at customer level as part of CDD.

Data point 30: Number of customers where the major operations are in high-risk third countries

Legal references and draft definitions

Indicate the total number of clients, where the major operations, i.e. principle or substantive business activities of the obliged entity are in high-risk third countries, and the OE applied enhanced CDD measures according to Art. 34 of AMLR and in reference to cases referred to in Art. 29, 30, 31.

High-risk third country includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP30 is unclear, as no objective definition of "major operations" is provided. Without clear criteria, consistent reporting across OEs and Member States is unlikely. In addition, no reference date is specified, even though customer circumstances may change during the reporting period. AMLA should provide a clear definition and require reporting as at a specific reference date to ensure consistency and comparability.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ **Yes, but only with manual adjustments or additional processing**
- ☐ No, the information is not routinely collected or recorded
- ☐ Not applicable (N/A)

If available, how easy is it to report this information?

- ☐ Easy
- ☐ Neutral
- ☐ **Difficult**

If the data point is difficult to report, please provide a justification and suggest an alternative, specifying why the alternative will be easier to report.

500 characters

Whether this information can be reported readily depends on how the requirement is interpreted. This information may not be routinely collected or maintained in an aggregated format. The location of customers operations is assessed at customer level as part of CDD.



Data point 31: Total number of beneficial owners of the obliged entity's customers resident in a country other than the obliged entity's Member State

Legal references and draft definitions

Indicate the total number of beneficial owners of the customers of the obliged entity during the reference year that are resident in a country other than the Member State where the reporting obliged entity is located.

The definition of the beneficial owner is contained in Article 2(1)(28) of the AMLR and, more in particular, Articles 51 to 55 of the same Regulation and, in the case of express trusts and other similar legal entities or legal arrangements, also Articles 57 to 60.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP31 is unclear why this information is requested over a reference year rather than as at a specific date, as customer populations and therefore BO's change over time. Moreover, the number of BO's resident in a country other than the OE's Member State does not in itself indicate an OE's ML/TF risk profile.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or maintained in an aggregated format. While the residence and location of BO's are assessed and documented at customer level as part of CDD and risk assessments, aggregating this information for reporting purposes would require additional processing and leads to disproportionate administrative burden.



Data point 32: Total number of beneficial owners of the obliged entity's customers resident in high-risk third countries

Legal references and draft definitions

Indicate the total number of beneficial owners of the customers of the obliged entity during the reference year that are resident in high-risk third countries.

High-risk third country includes non-EU/EEA jurisdictions with strategic deficiencies, or with compliance weaknesses in their national AML/CFT regimes, or posing a specific and serious threat to the Union's financial system, according to Articles 29, 30 and 31 of the AMLR and/or are featured in the FATF list of jurisdictions for which a call for action is issued and the FATF list of jurisdictions under increased monitoring, as of the end of the reference year.

Is this data point clearly formulated and understandable?

- ☐ Yes
- ☐ **No**

Explanation:

DP32 is unclear why this information is requested over a reference year rather than as at a specific date, as customer populations and therefore BO's change over time.

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

This information may not be routinely collected or maintained in an aggregated format. The location of customers and group entities is assessed at customer level as part of CDD.

Data point 33: Number of customers whose identity was verified on a non-face-to-face basis

Legal references and draft definitions

Indicate the total number of customers for which, during the reference year, their identification and verification of their identity took place in a non-face-to-face manner and, therefore, the obliged entity has used the electronic identification means established in Article 22(6)(b) of the AMLR, or other remote solutions, to comply with its customer identity verification obligations.

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

We question the relevance of this data point for assessing an OE's ML/TF risk profile. Non-face-to-face verification is an identification method rather than a risk indicator and does not, in itself, imply higher ML/TF risk where appropriate controls are in place. The number of customers verified in this way provides limited supervisory value and should be reconsidered in light of the principles of proportionality and data minimisation.



Data point 34: Total number of customers for which the obliged entity relied on customer due diligence performed by other obliged entities

Legal references and draft definitions

Indicate the total number of customers for which, during the reference year, a third party (an obliged entity other than the reporting obliged entity) has performed, in full or in part, the customer due diligence (CDD) obligations, following the conditions established in Article 48 of the AMLR.

Regarding intra-group structures, CDD performed by another group-entity shall not be considered as reliance on another obliged entities

Is this data point clearly formulated and understandable?

- ☐ **Yes**
- ☐ No

Is the requested information available to you?

- ☐ Yes, readily available
- ☐ Yes, but only with manual adjustments or additional processing
- ☐ **No, the information is not routinely collected or recorded**
- ☐ Not applicable (N/A)

If not readily available, please explain the main challenges and, where possible, propose an alternative.

500 characters

We question the relevance of this data point for assessing an OE's ML/TF risk profile. Reliance on CDD performed by another obliged entity is a legally permitted compliance mechanism and does not, in itself, indicate higher or lower ML/TF risk. The number of customers

for which reliance is used therefore provides limited supervisory value and should be re-considered in light of the principles of proportionality and data minimisation.

