WIRTSCHAFTSPRÜFERKAMMER
Körperschaft des öffentlichen Rechts

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Stellungnahme zum Technischen Durchführungsstandard der AMLA zur zentralen Datenbank zur Bekämpfung von Geldwäsche und Terrorismusfinanzierung

Die WPK hat mit Schreiben vom 4. November 2026 gegenüber der EU-Anti-Geldwäschebehörde (Anti-Money Laundering Authority – AMLA) zu deren Entwurf eines Technischen Durchführungsstandards zur zentralen Datenbank zur Bekämpfung von Geldwäsche und Terrorismusfinanzierung (AML/CFT) wie nachfolgend wiedergegeben Stellung genommen.

We regret that there is no official written consultation on such an important RTS. Nevertheless, the Wirtschaftsprüferkammer (WPK) would like to comment on the above-mentioned consultation.

Article 2 of the RTS

Article 2 of the RTS requires the transmission of an excessive amount of data to the AML/CFT database. The benefits of transmitting much of this data are unclear. At the same time, these extensive reporting requirements place a significant administrative burden on the competent authorities and raise serious data protection concerns, particularly when it comes to sharing detailed information about individual obliged entities.

Although combating money laundering and financing of terrorism is undoubtedly an important public interest objective, we consider that there is a significant risk of a serious infringement of data protection requirements. At the same, it is not clear how the transmission of certain data contributes to combating money laundering and financing of terrorism.

Our concerns relate in particular to the information that supervisory authorities are required to submit to the central AML/CFT database under Article 2(1)(a) to (e) of the RTS. These reporting requirements go significantly beyond the scope of the information specified in Article 11(2) of the AMLA Regulation.

We acknowledge that Article 11(2) of the AMLA Regulation only sets out minimum requirements, as indicated by the wording "at least". Nevertheless, the underlying legislative intent and the approach taken by the EU legislator must be taken into account.

The AMLA Regulation clearly places particular emphasis on the financial sector, reflecting the legislator's intention to subject this sector to more extensive reporting requirements. At the same time, the legislator recognises that the non-financial sector is not transaction-driven and therefore presents a lower risk of money laundering and terrorist financing.

Therefore, it is difficult to understand why all supervisory authorities should be required to submit all the information specified in Article 2(1) of the RTS, when Article 11(2)(e) of the AMLA Regulation only requires the submission of the results of inherent risk assessments, and even then only in relation to credit institutions and financial institutions.

Furthermore, the reporting deadline laid down in Article 2(6) of the RTS is far too short. Given the volume of information to be collected, processed and submitted, the proposed timeframe is unrealistic and would be extremely difficult, if not impossible, for supervisory authorities to comply with in practice.

Article 3 of the RTS

The information required to be submitted under Article 3(2) of the RTS is also excessively extensive and raises significant data protection concerns. These reporting requirements go beyond those laid down in Article 11(2)(c) of the AMLA Regulation. In particular, unlike Article 11(2)(c) of the AMLA Regulation, Article 3(2)(a) of the RTS requires the transmission of personal data.

Furthermore, the reporting deadline set out in Article 3(5) of the RTS is far too short. Given the amount and level of detail of the information required, the proposed timeframe is unrealistic and would be extremely difficult, if not impossible, for supervisory authorities to meet in practice.

Article 6 of the RTS

We consider the requirement to submit such extensive statistical information, including a detailed breakdown of staff by area of responsibility, to be neither proportionate nor particularly useful. Collecting, compiling and reporting this level of detail would place a significant administrative burden on supervisory authorities and tie up valuable resources.

It is difficult to see how such extensive statistical reporting requirements would contribute meaningfully to the objectives of the AML/CFT framework. Instead, they would divert time and resources away from supervisory authorities' core responsibilities.

In our view, supervisory authorities should be able to focus their resources on carrying out effective supervision rather than on fulfilling excessive administrative reporting obligations.

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We hope that our comments are helpful. If you have any questions relating to our comments in this letter, we should be pleased to discuss matters further with you.

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