



EBA guidelines on risk-based supervision with regard to anti-money laundering and combating the financing of terrorism - Comply or Explain procedure

References: Regulation (EU) No. 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority, Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on prevention of the use of the financial system for the purposes of money laundering or terrorist financing, Article L. 561-36, I 2° of the Monetary and Financial Code.

On 7 June 2022, the AMF notified the European Banking Authority (**EBA**) of its compliance with the guidelines on the characteristics of a risk-based approach to the supervision of anti-money laundering and combating the financing of terrorism, and the steps to be taken when conducting supervision on a risk-sensitive basis in accordance with Article 48, paragraph 10 of Directive (EU) 2015/849 (amending the Joint Guidelines ESAs/2016/72).

These revised guidelines are intended for the competent authorities as defined in point (2)(iii) of Article 4 of Regulation (EU) No. 1093/2010, and cancel the previous Joint Guidelines of the European Supervisory Authorities (ESAs/2016/72), to which the AMF complied.

In accordance with Article 48(10) of Directive (EU) 2015/849, these revised guidelines define the characteristics of a risk-based approach to the supervision of anti-money laundering and combating the financing of terrorism (AML/CFT), and the steps competent authorities should take when conducting AML/CFT supervision on a risk-sensitive basis.

The present position incorporates the aforementioned guidelines and is applicable as of 7 July 2022, the date on which the guidelines take effect.

AMF Position DOC-2022-02 – EBA guidelines on risk-based supervision with regard to anti-money laundering and combating the financing of terrorism - Comply or Explain procedure

These guidelines are available on the EBA website at the following addresses:

- In French:

https://www.eba.europa.eu/sites/default/documents/files/document_library/Publications/Guidelines/2021/EBA-GL-2021-16%20GL%20on%20RBA%20to%20AML%20CFT/Translations/1029562/GL%20on%20RBA%20AML%20CFT_FR_COR.pdf

- In English:

https://www.eba.europa.eu/sites/default/documents/files/document_library/Publications/Guidelines/2021/EBA-GL-2021-16%20GL%20on%20RBA%20to%20AML%20CFT/1025507/EBA%20Final%20Report%20on%20GL%20on%20RBA%20AML%20CFT.pdf