EBA guidelines on policies and procedures in relation to compliance management and the role and responsibilities of the AML/CFT compliance officer


The AMF complies with the EBA guidelines on policies and procedures in relation to compliance management and the role and responsibilities of the AML/CFT compliance officer under Article 8 and Chapter VI of Directive (EU) 2015/849.

These guidelines are addressed to competent authorities as defined in Article 4(2), point iii) of Regulation (EU) No 1093/2010, which includes the AMF. They are also addressed to financial institutions as defined in Article 3(1) and (2) of Directive (EU) 2015/849, which are the financial sector operators referred to in Article 4(1a), of Regulation (EU) No 1093/2010. They accordingly concern the persons and entities referred to in Article L. 561-36 I 2* of the French Monetary and Financial Code.

These guidelines specify the role, tasks and responsibilities of the AML/CFT compliance officer, the management body and senior manager in charge of AML/CFT compliance, as well as the internal policies, controls and procedures referred to in Articles 8, 45 and 46 of Directive (EU) 2015/849.

The AMF applies these guidelines within the framework of the supervision of market participants coming within its jurisdiction under the terms of Article L. 561-36, I, 2* of the French Monetary and Financial Code.1

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1 Asset management companies referred to in Article L. 543-1, branches of European management companies that manage UCITS and AIFs referred to in Articles L. 532-20-1 and L. 532-21-3, collective investment schemes referred to in Article L. 214-1 I, the persons referred to in Article L. 440-2 7, for those of them who come under the jurisdiction of the Autorité des Marchés Financiers, the central depositaries referred to in Article L. 441-1 I 1* and 2* and managers of settlement and delivery systems for financial instruments, authorised persons by virtue of Article L. 621-18-S, financial investment advisers, crowdfunding service providers by virtue of their activities referred to in Article L. 547-4, token issuers referred to in Article L. 561-2 7* ter, and service providers referred to in Article L. 561-2 7* quater.
These guidelines are available on the EBA website at the following addresses:

- In French:
  

- In English:
  