

Access to anti-money-laundering information by tax authorities

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The Committee on Economic and Monetary Affairs adopted, following the Parliament's consultation procedure, the report by Emmanuel MAUREL (S&D, FR) on the proposal for a Council directive amending Directive 2011/16/EU as regards access to anti-money-laundering information by tax authorities.

The committee responsible stressed that combating tax evasion and tax avoidance, including in connection with money laundering, is an **absolute priority for the Union**. It also stressed the need to:

- benefit synergies stemming from **domestic, Union and international cooperation** between the different authorities involved in fighting these crimes and abuses;
- take account of issues, such as **beneficial ownership transparency** or the extent to which entities, such as legal professions, are subject to the Anti-money laundering (AML) framework in third countries, are crucial to enhancing the ability of Union authorities to address tax dodging and money laundering.

This Directive shall apply to all taxes of any kind levied by, or on behalf of, a Member State or the Member State's territorial or administrative subdivisions, including the local authorities, as well as to virtual currency exchange services and custodial wallet providers.

Members stressed the need to: (i) ensure **direct and facilitated access** by the tax authorities to the AML information, procedures, documents and mechanisms for the performance of their duties in monitoring the proper application of Directive 2011/16/EU; (ii) include that information, where relevant, in the automatic exchanges between Member States, and to provide access to the Commission, on a confidential basis.

Since AML information is in many cases of a cross-border nature, it should be **included, where relevant, in the automatic exchange between Member States** and should be made available on request to the Commission in the framework of its power to enforce state aid rules.

Member States shall ensure that all information exchanged and obtained shall be investigated in a **timely manner**, whether that information has been obtained by authorities on request, through spontaneous information exchange by another Member State, or from a public information leak. Should a Member State fail to do this in a timeframe required by national law, it should publicly communicate the reasons for this failure to the Commission.

Member States shall adopt and publish, by 31 December 2017 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall apply those provisions **from 1 January 2018**.