

# Access to anti-money-laundering information by tax authorities

2016/0209(CNS) - 06/12/2016 - Final act

**PURPOSE:** to grant access for tax authorities to information held by authorities responsible for the prevention of money laundering.

**LEGISLATIVE ACT:** Council Directive (EU) 2016/2258 amending Directive 2011/16/EU as regards access to anti-money-laundering information by tax authorities.

**CONTENT:** the Directive will **enable tax authorities to access the mechanisms, procedures, documents and information as regards anti-money-laundering** for the performance of their duties in monitoring the proper application of [Directive 2011/16/EU](#) and for the functioning of all forms of administrative cooperation provided for in that Directive.

[Council Directive 2014/107/EU](#), amending Directive 2011/16/EU implements the global Standard for Automatic Exchange of Financial Account Information in Tax Matters within the Union thereby ensuring that information on Account Holders of Financial Accounts is reported to the Member State where the Account Holder is resident.

Directive 2011/16/EU stipulates that, where the Account Holder is an intermediary structure, Financial Institutions are to look through that structure, and identify and report on its beneficial owners. That important element in the application of that Directive relies on anti-money-laundering information obtained pursuant to [Directive \(EU\) 2015/849](#) for the identification of the beneficial owners.

Access to anti-money-laundering information would ensure that tax authorities are better equipped to fulfil their obligations under Directive 2011/16/EU and to combat tax evasion and fraud more effectively.

**TRANSPOSITION:** 31.12.2017 at the latest.

**APPLICATION:** from 1.1.2018.

**ENTRY INTO FORCE:** 6.12.2016.