Use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences: single access point

2021/0244(COD) - 19/06/2024 - Final act

PURPOSE: to empower competent authorities designated under Directive (EU) 2019/1153 to access and search the centralised bank account registries of other Member States through the bank account registers interconnection system (BARIS) and to facilitate the use of transaction records by competent authorities for the prevention, detection, investigation or prosecution of serious criminal offences.

LEGISLATIVE ACT: Directive (EU) 2024/1654 of the European Parliament and of the Council amending Directive (EU) 2019/1153 as regards access by competent authorities to centralised bank account registries through the interconnection system and technical measures to facilitate the use of transaction records.

CONTENT: this Directive is part of a package of new rules that will protect EU citizens and the EU financial system against money laundering and terrorist financing.

Optimising and facilitating access to financial information is necessary to prevent, detect, investigate and prosecute serious crime, including terrorism. In particular, swift access to financial information is essential for carrying out effective criminal investigations and for successfully tracing and subsequently confiscating the instrumentalities and proceeds of crime, in particular as part of investigations into organised crime and cybercrime.

Directive (EU) 2019/1153 of the European Parliament and of the Council enables authorities designated by Member States among their authorities competent for the prevention, detection, investigation or prosecution of criminal offences to access and search, subject to certain safeguards and limitations, bank account information.

Directive (EU) 2019/1153 as amended establishes:

- measures to **facilitate access to and the use of financial information and bank account information** by competent authorities for the prevention, detection, investigation or prosecution of serious criminal offences;

- measures to **facilitate access to law enforcement information by Financial Intelligence Units** (FIUs) for the prevention and combating of money laundering, associate predicate offences and terrorist financing and measures to facilitate cooperation between FIUs; and

- technical measures to **facilitate the use of transaction records** by competent authorities for the prevention, detection, investigation or prosecution of serious criminal offences.

Member States will ensure that the competent national authorities designated pursuant to this Directive have the power to access and search, directly and immediately, bank account information in other Member States available through the bank account registers interconnection system (BARIS) put in place pursuant to Directive (EU) 2024/1640 where necessary for the performance of their tasks for the purpose of preventing, detecting, investigating or prosecuting a serious criminal offence or supporting a criminal investigation concerning a serious criminal offence, including the identification, tracing and freezing of the assets related to such investigation.

ENTRY INTO FORCE: 9.7.2024.

TRANSPOSITION: no later than 10.7.2027.