

### Basic information

2016/3007(DEA)

DEA - Delegated acts procedure

Identifying high-risk third countries with strategic deficiencies: Guyana

Supplementing [2013/0025\(COD\)](#)

#### Subject

7.30.20 Action to combat terrorism

7.30.30.08 Capital outflow, money laundering

#### Geographical area

Guyana

Procedure completed - delegated act rejected

### Key players

| European Parliament | Joint committee responsible                                 | Rapporteur | Appointed |
|---------------------|---|------------|-----------|
|                     | <span>ECON</span> Economic and Monetary Affairs             |            |           |
|                     | <span>LIBE</span> Civil Liberties, Justice and Home Affairs |            |           |

### Key events

| Date       | Event   | Reference   | Summary                 |
|------------|---|---|-------------------------|
| 24/11/2016 | Non-legislative basic document published  | <a href="#">C(2016)07495</a>  |                         |
| 24/11/2016 | Initial period for examining delegated act 1 month(s)                                     |   |                         |
| 12/12/2016 | Delegated act not objected by Council   |   |                         |
| 14/12/2016 | Committee referral announced in Parliament  |   |                         |
| 14/12/2016 | Referral to joint committee announced in Parliament                                       |   |                         |
| 14/12/2016 | Initial period for examining delegated act extended at Parliament's request by 1 month(s) |   |                         |
| 19/01/2017 | Decision by Parliament  | <a href="#">T8-0008/2017</a>  | <a href="#">Summary</a> |
| 19/01/2017 | Results of vote in Parliament   |  |                         |

### Technical information

|                     |                                |
|---------------------|--------------------------------|
| Procedure reference | 2016/3007(DEA)                 |
| Procedure type      | DEA - Delegated acts procedure |
| Procedure subtype   | Examination of delegated act   |

|                                   |  |
|-----------------------------------|--|
| <b>Amendments and repeals</b>     | Supplementing <a href="#">2013/0025(COD)</a>             |
| <b>Legal basis</b>                | Rules of Procedure EP 114-p3<br>Rules of Procedure EP 59 |
| <b>Stage reached in procedure</b> | Procedure completed - delegated act rejected             |
| <b>Committee dossier</b>          | CJ12/8/08555   |

| Documentation gateway                           |           |                              |            |                         |
|---|-----------|------------------------------|------------|-------------------------|
| European Parliament                             |           |                              |            |                         |
| Document type                                   | Committee | Reference                    | Date       | Summary                 |
| Amendments tabled in committee                  |           | <a href="#">PE595.562</a>    | 06/12/2016 |                         |
| Motion for a resolution objecting delegated act |           | <a href="#">B8-0001/2017</a> | 09/01/2017 |                         |
| Text adopted by Parliament, single reading      |           | <a href="#">T8-0008/2017</a> | 19/01/2017 | <a href="#">Summary</a> |
| European Commission                             |           |                              |            |                         |
| Document type                                   |           | Reference                    | Date       | Summary                 |
| Non-legislative basic document                  |           | <a href="#">C(2016)07495</a> | 24/11/2016 |                         |
| Commission response to text adopted in plenary  |           | <a href="#">SP(2017)205</a>  | 16/06/2017 |                         |

| Additional information |                         |      |
|------------------------|-------------------------|------|
| Source                 | Document                | Date |
| European Commission    | <a href="#">EUR-Lex</a> |      |

## Identifying high-risk third countries with strategic deficiencies: Guyana

2016/3007(DEA) - 19/01/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 393 votes to 67, with 210 abstentions, a resolution **objecting to a Commission Delegated Regulation** of 24 November 2016 amending Commission Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 by identifying high-risk third countries with strategic deficiencies.

The Delegated Regulation, its annex and the amending Delegated Regulation are meant to identify high-risk third countries with strategic deficiencies as regards anti-money laundering and countering terrorist financing (AML/CTF), which represent a threat for the EU financial system and for which enhanced customer due diligence measures are necessary at EU obliged entities under [Directive \(EU\) 2015/849](#) (4AMLD) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.

Parliament believes that the **list of criteria established by the Commission** – which corresponds to those laid down by the Financial Action Task Force (FATF) - is **non-exhaustive** and that it should be extended to include territories that facilitate tax crimes.

Stressing that the Commission assessment must be a fully independent and non-politicised process, Members expect the Commission to conduct its **own assessment** and to avoid relying solely on external information sources.

The evidence gathered by the Parliament's two Special Committees, the Committee on Tax Rulings and Other Measures Similar in Nature or Effect and the Inquiry Committee on Money Laundering, Tax Avoidance and Tax Evasion indicates that some countries not included in the present list of high-risk third countries may present such deficiencies.

On the basis of these considerations, Parliament called on the Commission to **submit a new delegated act** which takes account of the concerns set out above.

