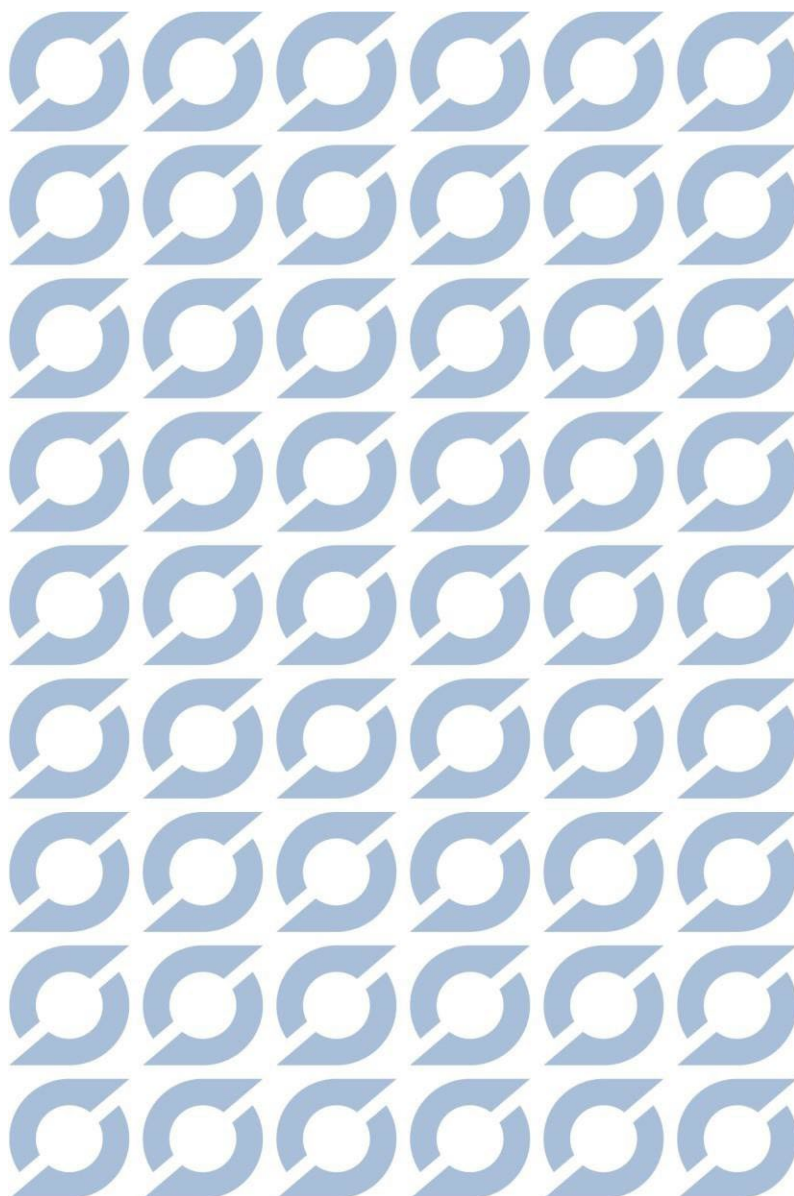


Consultation Paper

Draft Implementing Technical Standards specifying the format to be used for the exchange of the information between Financial Intelligence Units under Article 31(2) of Directive (EU) 2024/1640.



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1. Responding to this consultation

AMLA invites to provide comments during the public hearing on all proposals put forward in this paper and in particular on the specific questions summarised in 5.2.

Oral comments are most helpful when they directly address the questions posed at the end of this paper, briefly explain the rationale, and, where relevant, highlight possible alternative regulatory approaches for AMLA to consider.

The public consultation will be conducted through a public hearing on 27 May 2026 at 15:00 – 17:00 CET.

1.1 Data protection

The protection of individuals with regard to the processing of personal data by AMLA is based on Regulation (EU) 1725/2018 of the European Parliament and of the Council of 23 October 2018. Further information on data protection can be found under the Legal notice section of the AMLA website.

1.2 Who should read this paper?

All interested stakeholders are invited to participate in the public hearing. AMLA encourages, in particular, Financial Intelligence Units to participate.

2. Executive Summary

Article 31(2) of Directive (EU) 2024/1640 ('AMLD') requires AMLA to develop implementing technical standards ('ITS') specifying the format to be used for the exchange of the information between Financial Intelligence Units ('FIUs').

In accordance with this mandate, the draft ITS sets out harmonised sample templates and minimum content requirements for all types of FIU-to-FIU information exchanges, whether spontaneous or upon request. These include requests for information, responses, spontaneous disclosures and provision of feedback as well as Cross Border Disseminations ('XBDs') and Cross Border Reports ('XBRs'), whose selection and relevance criteria will be established by the Regulatory Technical Standards under article 31(3) AMLD.

The overarching aim of the ITS is to ensure a consistent, clear and interoperable framework for FIU cooperation across the Union. By harmonising both structure and content, the ITS seeks to improve the quality, usability and reliability of information exchanged. In particular, the proposed standards enhance:

- standardisation of FIU-to-FIU communications, both in form and substance.
- simplified and streamlined procedures, notably regarding prior consent mechanisms for the use and dissemination of information.
- seamless integration into FIU.net, which remains the sole channel for cooperation under Article 30(2) AMLD.
- analytical value of exchanges, through minimum data requirements and harmonised fields.

The templates introduced by the ITS are designed to be neutral, flexible and compatible with existing national systems, avoiding duplication and supporting a coherent operational approach across Member States. This harmonisation not only strengthens consistency but also enables faster and more efficient exchanges of information, which is crucial in an operational context where timeliness is a decisive factor in detecting and preventing money laundering and terrorist financing.

For XBDs, the ITS further specifies the structured key data to be transmitted, ensuring consistency with the new concept of selection and relevance criteria that will be established in the delegated act under Article 31(3) AMLD.

Overall, the proposed ITS is expected to deliver significant operational efficiencies, reduce administrative burden on FIUs, and promote more rapid, reliable and effective cross border cooperation within the Union.

3. Background and rationale

3.1 General considerations

Article 31(1) of Directive (EU) 2024/1640 ('AMLD') requires Member States to ensure that Financial Intelligence Units (FIUs) exchange information effectively, both spontaneously and upon request. It also sets out the minimum content that a request for information from one FIU to another must contain in order to enable a meaningful and useful response.

Despite the existence of FIU.net as the designated channel for FIU-to-FIU cooperation, current practices display a high degree of heterogeneity. Rather than relying on harmonised templates or a common minimum content, FIUs frequently exchange information by attaching annexes in varying formats and with differing levels of detail. This discretion in the form and structure of exchanges leads to inconsistencies, incomplete submissions and inefficient communication flows, thereby hampering the effectiveness and timeliness of cooperation.

To remedy these shortcomings and support the effective implementation of Article 31(1), Article 31(2) AMLD mandates AMLA to develop Implementing Technical Standards specifying the format for the exchange of information between FIUs.

The primary objective of the proposed ITS is therefore to establish uniform and comprehensive templates for each category of information exchange. These templates define the relevant data fields – covering information on subjects of interest, transactions, accounts and business relationships – and identify which elements are required to ensure a consistent and effective exchange of information across Member States. By doing so, the ITS aims to ensure that each exchange contains a consistent and sufficiently detailed set of information, thereby enabling FIUs to issue and receive complete, clear and operationally useful communications.

The ITS also introduces templates for the transmission of Cross-Border Reports (XBRs) and Cross-Border Disseminations (XBDs). In developing these templates, the ITS takes into account the new concept of relevance and selection criteria that will be introduced by the delegated act adopted under Article 31(3) AMLD. While the structure for XBRs remains aligned with current practices, XBDs will be transmitted by forwarding, at a first stage, only a set of selected key structured data directly extracted from the original report and following the application of the selection criteria.

On a practical level, the effective use of the templates requires FIUs to ensure interoperability between their internal case-management systems and FIU.net, where the templates will be embedded. Implementing such interoperability may require significant time and technical adjustments. For this reason, the application date of part of the ITS is postponed, allowing FIUs sufficient time to adapt their systems and ensure an efficient, fully automated use of the templates once the standards become operational.

Overall, the proposed ITS contributes to a more coherent, efficient and predictable system for FIU cooperation within the Union, ensuring that information exchanges are complete, structured and operationally meaningful, while reducing administrative burdens and improving the timeliness of cross-border exchanges.

Simplification is a core component of AMLA’s mandate. In line with the Commission’s wider agenda on simplification and better regulation, this draft ITS creates a coherent framework for the exchanges of information between FIUs. By introducing standardised formats, the instrument reduces administrative burdens and enhances the efficiency of cooperation among FIUs.

3.2 Consent for the usage and for the dissemination of the information exchanged

To enhance the efficiency of FIU-to-FIU cooperation, the ITS also harmonises the mechanisms governing prior consent for the use and dissemination of exchanged information. The objective is to reduce the current practice of issuing repeated, case specific consent requests, which generates delays and administrative burdens. In line with Article 34(2) AMLD, the ITS therefore introduces a system in which the default option corresponds to the broadest possible level of consent, unless the disclosing FIU explicitly indicates otherwise. In situations where the level of consent granted differs from the level requested, the disclosing FIU is required to provide a justification when selecting a more restrictive option.

To further streamline cooperation, the ITS also establishes a mechanism of assumed consent for dissemination. This applies where information was originally requested with the explicit purpose of being further disseminated to a specific authority. In such cases, the receiving FIU is not required to seek additional consent, unless the disclosing FIU expressly limits such onward dissemination. This mechanism avoids unnecessary duplication and promotes a more predictable and timelier framework for the transmission of information.

The consent mechanism deals both with:

- i. dissemination, i.e. identifying to whom the information exchanged between FIUs may be further shared; and
- ii. use, i.e. determining for which purposes and in which ways the receiving FIU may use the information.

Regarding consent for further dissemination, the templates preselect a general consent, allowing onward transmission to any competent authority as defined in Article 2(44)(c) and (d) AMLR. FIUs may alternatively opt for a restricted consent, preventing any onward dissemination outside the FIU, or for a specific consent, identifying the individual authorities to which dissemination is permitted.

In addition to dissemination, the ITS also addresses the consent related to the use of the information received. The current practice across Member States is fragmented, partly due to differing interpretations of the terminology used when granting consent. To ensure a consistent approach, the ITS provides definitions of “intelligence” and “investigative” purposes and outlines a broad and harmonised set of possible uses in the templates.

4. Draft regulatory technical standards

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

laying down implementing technical standards for the application of Directive (EU) 2024/1640 of the European Parliament and of the Council with regard to the format to be used for the exchange of information between FIUs.

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,
Having regard to Directive (EU) 2024/1640 of the European Parliament and of the Council of 31 May 2024 on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Directive (EU) 2019/1937, and amending and repealing Directive (EU) 2015/849, and in particular Article 31(2), first subparagraph, thereof,

Whereas:

- (1) For the purposes of enhancing uniformity and facilitating the data processing for incoming and outgoing information flows, it is appropriate to specify the format for the exchanges of information between Financial Intelligence Units (hereinafter 'FIUs') referred to in Article 31(1) and (2) of the Directive (EU) 2024/1640.
- (2) In order to ensure effective cooperation between FIUs and to guarantee an appropriate level of detail in the information exchanged, multiple templates for exchange of information between FIUs are provided in this Regulation.
- (3) The templates provided should be guided by the principles of simplicity, flexibility, compatibility and neutrality.
- (4) In order to enhance the timely and effective exchange of information between FIUs and to allow the prompt forwarding of the report which concerns another Member State, or all the relevant information obtained from it, to the FIU of that other Member State, it is essential to provide templates that are sufficiently flexible to serve multiple purposes within a single document.

- (5) For the same reason, the procedure for granting prior consent to the dissemination of information should be simplified, so as to avoid unnecessary delays in the cooperation process.
- (6) To facilitate their effective use by all FIUs, the templates should be provided in a neutral form, enabling their integration both into the management systems of the respective FIUs and into FIU.net, which remains the sole channel for exchanging information between FIUs pursuant to Article 30(2) of the Directive (EU) 2024/1640.
- (7) To ensure that information exchanges between FIUs are clear, comprehensive and consistent, thereby supporting effective cooperation and enabling receiving authorities to properly assess, understand and use the information provided, it is necessary to establish uniform requirements defining the minimum content to be included in the templates.
- (8) In order to enable each FIU to adequately adapt its IT system to FIU.net and to ensure effective compliance with the requirements set out in this Regulation without generating disproportionate manual workloads, it is necessary to allow sufficient time for the development and automation of the processes required to populate the relevant templates. To avoid operational inefficiencies and ensure a smooth and harmonised implementation across all FIUs, the application of the provisions requiring the use of FIU.net exclusively through the completion of the designated template fields should therefore be deferred. This deferral shall not affect the immediate applicability of the mandatory nature of the information required under this Regulation, nor of the uniformed formulas used for obtaining consent. To this end, the content of the mandatory fields in the Annexes should be included in the current FIU.net data structure or in separate attachments since the twentieth day following that of the ITS publication in the Official Journal of the European Union.
- (9) Simplification is a core component of the mandate of the Authority. By introducing standardised formats, the instrument reduces administrative burdens and enhances the efficiency of cooperation among FIUs.
- (10) This Regulation is based on the draft implementing technical standards submitted to the Commission by the Authority for Anti-Money Laundering and Countering the Financing of Terrorism.
- (11) The Authority has consulted the FIUs and has conducted open public consultations through a public hearing on the draft regulatory technical standards on which this Regulation is based and analysed the potential related costs and benefits. Given that this regulation concerns exclusively the exchange of information between FIUs and imposes no direct obligations on private entities, a shortened open public consultation was proportionate,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down implementing technical standards on the format to be used for the exchanges of the information between FIUs and their content, referred to in Article 31(1) and (2) of Directive (EU) 2024/1640, by establishing templates for spontaneous exchange of information, requests for information, responses, provisions of feedback, Cross-Border Disseminations and Cross-Border Reports.

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

- a. ‘cross border report’ (hereinafter ‘XBR’) means, in accordance with Article 31(1), third subparagraph, and 34(1), second subparagraph, of Directive (EU) 2024/1640, a report of suspicions submitted by an obliged entity operating under the freedom to provide services, in accordance with Article 69(1) of Regulation (EU) 2024/1624, which relates to the host Member State, as defined in Article 2(6) of Directive (EU) 2024/1640, and is promptly transmitted to it before conducting operational analysis, where the only link to the Member State of the sending FIU is its role as the home Member State, as defined in Article 2(5) of Directive (EU) 2024/1640.
- b. ‘cross border dissemination’ (hereinafter ‘XBD’) means, in accordance with Article 31(1), third subparagraph, of Directive (EU) 2024/1640, the relevant information contained in a report of suspicions which is promptly transmitted to the FIU of another Member State, before conducting operational analysis and following positive verification against selection criteria, and for which no response from the receiving FIU is expected.
- c. ‘template’ means an adaptive model that provides the core data set, its basic structure, and the meaning of each data point to be used for the exchange of information between FIUs, and whose data points are to be incorporated into the corresponding designated fields within FIU.net.

Article 3

General principles

1. When exchanging information, FIUs shall use the templates provided by this Regulation with Annexes I, II, III, IV, V and VI for the spontaneous exchange of information, the request of information, the related response, the provision of feedback and the dissemination of XBDs and XBRs.
2. The templates are structured in several sections, with multiple fields, and are accompanied by the indication of mandatory fields.

3. FIUs may submit additional documents in their original format, including identity documents and transaction records, where these documents provide added analytical value and avoiding unnecessary duplication of information already reported in the relevant data fields of the templates.

4. The templates set out in the Annexes to this Regulation define the data structure to be implemented within FIU.net for the purposes of information exchanges between FIUs. Information required under this Regulation shall be transmitted solely through the completion of the corresponding designated fields within FIU.net, and the templates annexed to this Regulation shall not be attached or transmitted in their annexed form as part of any exchange conducted via FIU.net.

Article 4

Conditions for use and dissemination of information exchanged

1. FIUs shall indicate, in the dedicated sections of the templates, the prior consent required for the use and dissemination of the information exchanged to third parties, specifying any applicable conditions or restrictions where relevant.

2. Prior consent shall not be indicated in the template used for the forwarding of XBRs; in such cases, the receiving FIU may use and disseminate the information without any restriction or condition, in accordance with its national legislation, in line with Article 34(1), first subparagraph, AMLD.

3. The disclosing FIU shall indicate in the template the permitted use of the information transmitted as well as the conditions for the use and the dissemination of the information provided by completing the fields available in the dedicated sections of the templates I, II and III. In particular, the templates set out the following consent options that may be granted by the disclosing FIU:

- (a) general consent;
- (b) restricted consent;
- (c) consent to disseminate the information provided to one or more detailed entities.

4. General consent shall constitute the default option and shall therefore be pre-selected in the relevant templates. Where option (b) is chosen, specific reasons shall be provided, where possible, subject to any confidentiality restrictions that may prevent their disclosure.

5. Options (a) and (c) may be subject to additional restrictions and conditions as specified in the formats. The option indicating the absence of any such restrictions shall constitute the default choice and shall therefore be pre-selected in the relevant template.

6. The disclosing FIU shall indicate in the template the purpose for which the transmitted information may be used.

7. In the template for requests for information, the requesting FIU shall indicate the type of

consent required for the use and the dissemination of the information to be provided in the response, in accordance with paragraphs 3 and 6 this Article.

8. Where the requesting FIU seeks consent to disseminate the information provided to a specific authority and for a defined purpose, it shall complete the dedicated '*Prior assumption of consent*' field in the template. In such cases, the requested consent shall be deemed to be embedded in the reply unless the counterpart expressly indicates otherwise in the response template, where '*prior assumption consent*' option will be automatically preselected. The authorities to which the information may be disseminated on the basis of this assumption shall be expressly identified in the request and shall correspond to those indicated therein.

Article 5

Spontaneous exchange of information

1. When transmitting spontaneous information, FIUs shall follow the instructions provided in Annex I.

Article 6

Request for information

1. When sending a request for information, FIUs shall follow the instructions provided in Annex II.
2. Where the request for information is marked as urgent in accordance with Article 31(7) Directive (EU) 2024/1640, the requesting FIU shall complete the dedicated field to provide the specific reasons justifying such urgency. Urgent requests shall not be submitted where the necessary information has already been sought through other channels by national competent authorities as defined in Article 2(44) of the Regulation (EU) 2024/1624.
3. Where the request concerns the suspension of a transaction or the freezing of assets, the template shall indicate the details of the transaction(s) and the account(s) concerned, as well as the amount of assets for which the suspension or freezing is requested. The requesting FIU shall also provide the reasons supporting such request.

Article 7

Responses

1. When sending a response to a request for information, FIUs shall follow the instructions provided in Annex III.

Article 8

Provisions of feedback

1. FIUs shall, in line with Article 31(6) and (7) of Directive (EU) 2024/1640, provide a response to feedback requests submitted by other FIUs, after the analysis of their response to a request for information previously made or the assessment of a spontaneous exchange, following the instructions set out in Annex IV.

Article 9

Cross-Border Report

1. When transmitting a Cross-Border Report, the FIU shall, after applying the selection criteria laid down in the Commission Delegated Regulation (EU) 2027/XXXX adopted pursuant to Article 31(3) of Directive (EU) 2024/1640, forward the report received following the instructions provided in Annex V.

Article 10

Cross-Border Dissemination

1. When transmitting a Cross Border dissemination, the FIU shall, after applying the selection criteria laid down in the Commission Delegated Regulation (EU) 2027/XXXX adopted pursuant to Article 31(3) of Directive (EU) 2024/1640, forward the structured key data of the report of suspicions, following the instructions provided in Annex VI.
2. After receiving a request for further information, the FIU shall follow the instructions provided in Annex III.

Article 11

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 3, paragraph 4, shall apply from 10 July 2028.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission
The President*

On behalf of the President

[Position]

ANNEX I

[See separate document - Spontaneous Exchange of information]

ANNEX II

[See separate document – Request for information]

ANNEX III

[See separate document – Response to request for information]

ANNEX IV

[See separate document – Provision of feedback]

ANNEX V

[See separate document – Cross-Border Report]

ANNEX VI

[See separate document – Cross-Border Dissemination]

1. Accompanying documents

5.1 Draft impact assessment with cost-benefit analysis

Introduction

As per Article 53(1) of Regulation (EU) 2024/1620, before submitting draft implementing technical standards (ITS) to the Commission, AMLA shall conduct open public consultations and analyse the potential related costs and benefits.

This analysis presents the Impact Assessment with Cost-Benefit Analysis (IA/CBA) of the main policy options included in the Consultation Paper (CP) on the draft ITS under Article 31(2) of Directive (EU) 2024/1640.

This IA/CBA is qualitative in nature and the policy choices have been taken primarily in accordance with qualitative considerations, taking into account the experience and professional judgment of FIUs and AMLA. Quantitative figures in relation to this mandate are currently unavailable and performing a targeted data collection would impose a disproportionate burden on FIUs.

A. Problem identification

Given the cross-border nature of financial crime, effective cooperation and exchange of information between FIUs is essential. Therefore, Article 31(1) of Directive (EU) 2024/1640 specifies that Member States shall ensure that FIUs exchange, spontaneously or upon request, any information that may be relevant for the processing or analysis of information related to money laundering, its predicate offences, or terrorist financing, and the natural or legal person involved.

Harmonisation of information sharing practices is necessary to enhance the effectiveness of cooperation and to increase administrative efficiency in relation to the analysis of information and effective follow-up. To that end, Article 31(2) of Directive (EU) 2024/1640 requires AMLA to develop draft ITS specifying the format for the exchange of the information between FIUs.

Currently, FIUs exchange information between them through the secure information sharing channel FIU.net. FIUs exchanges are normally based on mutual information sharing agreements adhering to the non-binding principles issued by international bodies such as the Egmont Group. Such exchanges have reached a certain level of convergence through the best practices adopted by FIUs over time. However, there are no binding legal provisions which ensure the harmonisation of the format and content of information exchanges, as well as the conditions for the dissemination and permissible use of information.

B. Policy objectives

Overall, this mandate aims to foster harmonisation in the exchanges of information between FIUs, with the ultimate goal of enhancing cooperation in the area of combating money laundering, its predicate offences, and terrorist financing.

By setting harmonised provisions on the formats for information exchanges, this draft ITS aims to enhance clarity and consistency of the information sharing between FIUs, covering all instances

arising in operational exchanges, namely information requests, spontaneous disclosures, provision of feedback, cross-border dissemination (XBD) and cross-border reports (XBR). This enhances administrative efficiency, since the improvement in the consistency and quality of information facilitates subsequent analyses and investigation, and enables timely and efficient follow-up.

Lastly, by setting common provisions on the conditions for the use and dissemination of information, this draft ITS aims to enhance cooperation, while ensuring compliance with AML/CFT and data protection requirements.

C. Baseline scenario

Under the baseline scenario, FIUs would exchange information related to money laundering, its predicate offences, or terrorist financing, in accordance with national provisions implementing the requirement under Article 31(1) of Directive (EU) 2024/1640.

However, in the absence of binding requirements on the formats for information exchanges, information sharing would continue to be based on non-binding international standards and best practices developed by FIUs over time. This might create a risk of inconsistent and incomplete information exchanges, which would in turn lead to time-consuming follow-up questions and lengthen the time required to perform analyses, ultimately reducing administrative efficiency and impairing the effectiveness of cooperation.

D. Options considered, impact assessment, and preferred option

This section describes the main policy options considered and the decisions taken as part of the development of the draft ITS under 31(2) of Directive (EU) 2024/1640.

This section starts by outlining the overarching principle guiding the policy decisions. Then, it presents the main policy options considered for each policy issue addressed by the draft ITS, followed by a qualitative analysis of the potential costs and benefits of each option, and concludes by identifying the preferred option resulting from the analysis.

Overarching principles

Overall, in line with the objectives of the AML/CFT framework, this draft ITS contains standardised provisions aimed at enhancing harmonisation and improving the clarity and consistency of information exchanged between FIUs in relation to money laundering, its predicate offences, or terrorist financing. This strengthens cooperation and ensures administrative efficiency, by facilitating FIUs' analyses and subsequent follow-up.

Policy issue 1: Content of information exchange

Article 31(2) of Directive (EU) 2024/1640 requires AMLA to develop draft ITS specifying the format for the exchange of the information between FIUs. As part of this, AMLA considered whether a specific template for the exchange of information should be provided, analysing the following options:

- Option A: specifying the high-level content of information exchanges in the draft ITS, without providing a specific template;
- Option B: setting harmonised provisions on information exchanges, accompanied by standardised templates for information exchange as annex to the draft ITS (request, response,

feedback on the quality, spontaneous disclosure, XBR, XBD).

Under Option A, the draft ITS would contain principle-based provisions on the minimum content of information requests and responses, spontaneous disclosures, provision of feedback, XBD and XBR. However, no common template would be provided. This option would ensure that at least basic information is provided, such as a description of the case and data about the potential suspect, while leaving to FIUs a high level of flexibility in determining any additional information to be requested and/or provided. However, this option would not be in line with the objective to reach harmonisation in information exchanges between FIUs, meaning that there would be no significant improvement with respect to the baseline scenario. Under this scenario, FIUs might share with each other incomplete information, which might lead to time-consuming follow-up questions which would lengthen the time required to perform investigations, thus reducing administrative efficiency. Moreover, the content of information exchanges might not always be consistent, which would reduce comparability across cases and over time.

Under Option B, the draft ITS would contain principle-based provisions on the minimum content of information exchanges, but would also be accompanied by standardised templates for information exchange as annex to the draft ITS. Such templates would cover all instances of operational exchanges, namely information requests and responses, spontaneous disclosures, provision of feedback, XBD and XBR. This option would ensure a high level of harmonisation, along with enhancing the completeness and consistency of information exchanges. To further improve the quality of information exchanges, the draft ITS would also include templates for FIUs to provide feedback after receiving their peers' responses. This increases data comparability, facilitates FIUs' investigations, and reduces the risk of time-consuming follow-up questions, ultimately increasing administrative efficiency. Considering that some types of information might not be available to FIUs, the draft ITS would be composed of mandatory and optional fields. The mandatory fields are those either required directly under Directive (EU) 2024/1640 or without which it would not be possible to capture all the essential information that would be necessary for FIUs' to perform analyses. The optional fields, instead, would relate to additional information which could be useful to enhance FIUs' analyses, but might not be available or relevant to all situations. This option would ensure the reporting burden for FIUs is limited and proportionate, without compromising the quality and consistency of their analyses.

Based on the consideration explained above, Option B has been preferred. This option reaches the objective of ensuring harmonisation, improving cooperation between FIUs, and increasing administrative efficiency, while limiting reporting burden imposed on FIUs to a proportionate extent.

Policy issue 2: Consent for the use and dissemination of information

Given the confidentiality of data exchanged between FIUs, it is essential that the formats for information sharing also embed the provisions regarding the permitted use and the dissemination of information exchanged. In line with Article 34 of Directive (EU) 2024/1640, which establishes that information shared between FIUs may be disseminated to third parties only with the prior consent of the disclosing FIU, the draft ITS integrates, within the format itself, the indication of the conditions for the use and dissemination of information. In relation to this, AMLA considered the following options:

- Option A: Providing 'general consent' as a default option for the use and dissemination of information;

- Option B: Providing ‘restricted consent’ as a default option for the use and dissemination of information.

Under Option A, the default option for the dissemination of information would be a general consent to disseminate the information provided to any national competent authority, including law enforcement authorities, of the country of the recipient FIU, as well as to the EPPO and OLAF, where competent, and to the relevant foreign FIUs expressly identified in the request. However, FIUs would have the possibility to restrict the consent of using information, or to provide consent to disseminate information only to specific parties, by indicating the reasons for that. Moreover, FIUs would indicate the purpose of the use of the information transmitted. This option would prioritise effective cooperation between FIUs, since the general consent to disseminate information allows timely and effective forwarding of the report to other parties, where relevant. This would also reduce administrative burden, thus allowing a more efficient and timely response, especially in urgent cases. Although this option would provide for a lower level of security by default, the possibility for FIUs to derogate this default option, and the obligation for FIUs to indicate the permissible use of information, would ensure the protection of confidential information.

Under Option B, the default option for the dissemination and use of information would be a restricted consent of using the information provided only within the receiving FIU, with no possibility to disseminate it to any third party. FIUs would have the possibility to enlarge the scope of the permissible use and dissemination of information, by indicating the reasons for that. Analogously to Option A, FIUs would indicate the purpose of the use of the information transmitted. This option provides a high level of security by default, thus ensuring the maximum level of protection of personal data. However, administrative burden would be higher compared to Option A: on one hand, the disclosing FIUs would be required to derogate from the default option in most cases, given that Article 34(2) of Directive (EU) 2024/1640 stipulates that prior consent to disseminate information to competent authorities should be granted promptly and to the largest extent possible. Conversely, in the limited situations where the disclosing FIU does not derogate, it would still need to spend time providing a justification for maintaining the default restricted option, thereby adding to the overall administrative workload. On the other hand, if the default option is selected, and the receiving FIU deems that the report should be shared with other parties, the recipient FIU would need to go back to the disclosing FIU with time-consuming follow-up questions. This would represent an obstacle to effective cooperation and timely response.

Based on the considerations explained above, Option A has been selected. Although this option provides a lower level of security by default, it reaches the objective of enhancing the effectiveness of cooperation and information exchanges. Security is still ensured by the possibility for FIUs to derogate the default option and the obligation to indicate the permissible use of information. Moreover, this option appears to be the most consistent with the requirements of Article 34(2) of Directive (EU) 2024/1640, which stipulates that prior consent for the dissemination of information to competent authorities should be granted promptly and to the largest extent possible.

5.2 Overview of questions for consultation

Question 1: Do you consider the templates proposed for the exchange of information to be sufficient for supporting effective cooperation between FIUs? In your view, are additional templates needed to address specific operational scenarios or to facilitate more consistent information-sharing practices?

Question 2: Do you consider the mechanism for providing consent on the use and dissemination of information exchanged between FIUs to be effective in ensuring an appropriate level of information security while supporting the objective of enhancing cooperation and information-sharing? If not, what adjustments would you suggest to improve this balance?

Question 3: Do you consider the minimum set of mandatory information required for each type of information exchange to be appropriate? If not, which additional elements should, in your view, be included in the mandatory set, and which existing elements should instead be excluded from it?

Question 4: Do you consider the proposed date of application of the Implementing Technical Standards to be appropriate, considering the IT developments and adjustments that would need to be carried out at national level? If not, please specify which alternative timeline you would consider more feasible and provide supporting evidence or justification (e.g. expected duration of IT development cycles, procurement constraints, resource allocation, national implementation processes, or other operational considerations).