

Rules of Procedure for the General Board of AMLA

Decision of the General Board

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The General Board

Having regard to Regulation (EU) 2024/1620 of the European Parliament and of the Council of 31 May 2024 establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010¹ (the “Regulation” and “Authority”), and in particular Article 60 (7) thereof,

Has decided as follows:

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Article 1 – Composition

- (1) The General Board shall have either a supervisory composition or an FIU composition.

Members of the General Board in supervisory composition

- (2) The General Board shall be composed of the following (each a “member”):
- a) the Chair of the Authority, with the right to vote;
 - b) the heads of the supervisory authorities of obliged entities in each Member State, with the right to vote;

¹ OJ L, 2024/1620, 19.6.2024, ELI

- c) one representative of the European Commission, without the right to vote.
- (3) Regarding the heads of the supervisory authorities referred to in the second subparagraph, point (b), in each Member State:
- a) they shall share a single vote and shall agree on a single common representative, which shall be either a permanent representative or an ad hoc voting representative, for the purposes of each specific meeting or voting procedure;
 - b) where items to be discussed by the General Board in supervisory composition concern the competence of several supervisory authorities, the single common representative may be accompanied by a representative from up to two other supervisory authorities, without the right to vote. Even in the case no representative from the relevant national authorities accompanies the single common representative, the latter shall be responsible for coordinating with the relevant national authorities to be sufficiently informed on the item to be able to carry out his functions as such. In doing so, the single common representative shall have regard to the requirement to act independently and objectively in the sole interest of the Union as a whole, in accordance with Article 59 of the Regulation.
 - c) each supervisory authority that has a voting member under an ad hoc or permanent agreement shall nominate, in writing, a high-level alternate from its authority, who may replace its voting Member, where this person is unable to attend.

Observers in the General Board in supervisory composition

- (4) The General Board may decide to admit observers under the conditions and circumstances set forth in Article 6. In particular, the General Board shall admit a representative nominated by the Supervisory Board of the ECB and a representative of each of the ESAs, namely EBA, EIOPA and ESMA, as observers, where matters within the scope of their respective mandates are discussed or decided upon.

Members of the General Board in FIU composition

- (5) The General Board shall be composed of the following (each a “member”):
- a) the Chair of the Authority, with the right to vote, unless otherwise provided for in the Regulation or these Rules;
 - b) the heads of FIUs, with the right to vote;
 - c) one representative of the European Commission, without the right to vote.
- (6) Each FIU shall nominate, in writing, a high-level alternate from its unit, who may replace the head of the FIU, where this person is unable to attend.

Observers in the General Board in FIU composition

- (7) The General Board may decide to admit observers under the conditions and circumstances set forth in Article 6. In particular, the General Board may admit representatives of OLAF, Europol, Eurojust and the EPPO as observers, where matters within the scope of their respective mandates are discussed.

General Board decisions of relevance to both supervisory composition and FIU composition

- (8) Where a decision (such as opinions, recommendations, guidelines and decisions of the Authority referred to in Chapter II, Section 7 of the Regulation) concerns both supervision-related matters and FIU-related matters, it shall be adopted through separate votes by the General Board in supervisory composition and the General Board in FIU composition.

Notification of information for supervisory composition and FIU composition

- (9) For both compositions, the staff of the Authority shall maintain and make available, lists of the members and observers, and alternates.
- (10) Members and observers shall notify the Chair in writing of the email addresses to which notifications required by these rules of procedure shall be sent and shall inform the Chair of any necessary change.

Article 2 – Tasks and powers

- (1) The General Board shall have the tasks specified in Article 60 of the Regulation and any other tasks provided for in Union acts.
- (2) The General Board shall, in accordance with Articles 63(4) and 68(1) of the Regulation, be involved in the selection of the members of the Executive Board.
 - a) For the selection of the Chair, the General Board may conduct hearings of the candidates on the shortlist prepared by the European Commission, and issue a public opinion on the results of its hearings, or address its opinion to the European Parliament, the Council and the European Commission. Both compositions of the General Board should be involved, with decisions taken through secret ballots (with each voting member having one vote and the Chair not participating in the vote); the opinion shall be based on the addition of the votes in the two ballots, with the candidate receiving the highest number of votes being proposed. In the event of a tie, successive ballots shall take place. The final opinion reflecting the outcome of the hearings, including the possibility of making it public, shall be submitted to a vote, requiring a simple majority in both compositions.
 - b) For the selection of the five other full-time members of the Executive Board, including the Vice-Chair, the General Board may conduct hearings of the candidates, and shall submit a proposal to the European Parliament, based on the shortlist prepared by the European Commission. Both compositions of the General Board should be involved, with decisions taken through secret ballots (with each voting member having one vote per vacant position, and the Chair not participating in the vote); the final proposal of the General Board shall be based on the addition of the votes in the two ballots, with the candidates receiving the highest number of votes being proposed. In the event of a tie, successive ballots shall take place. The final proposal reflecting the outcome of the hearings shall be submitted to a vote, requiring a simple majority in both compositions.
- (3) The General Board, on its initiative or at the request of the Chair, may establish internal committees for specific tasks attributed to it.
- (4) The General Board may provide for the delegation of certain clearly defined tasks and decisions to internal committees, to the Executive Board or to the Chair. The General Board may revoke such delegation at any time.
- (5) The General Board in FIU composition shall establish the Standing Committee supporting it in performing its tasks, adopt the rules of procedure, and appoint its nine members, ensuring a fair balance and rotation between members or representatives of national FIUs. The members of the Standing Committee should be members of the General Board in FIU composition, or representatives with adequate expertise from their respective national FIU. Nominations should be submitted to the Chair in advance of the meeting scheduled for the appointments by members of the General Board in FIU composition. The appointments shall take place through elections and the organization of one or more secret ballots. The result shall be that the candidates receiving a simple majority and the highest number of votes shall be elected. In the event of a tie, successive ballots shall take place. The terms of office of the members of the Standing Committee shall be two years, renewable once.

Article 3 – Chairmanship and Vice-Chairmanship

- (1) The Chair presides over the General Board. If the Chair is absent, the Vice-Chair carries out this function.
- (2) The Vice-Chair shall be selected by the Executive Board from amongst the five-full-time members of the Executive Board.

Article 4 – Access to Information

- (1) All members of the General Board shall have equal access to complete updated information as submitted to and as deliberated in the setting of the General Board - supervisory composition or FIU composition - to which they belong, and may request further relevant information, necessary for the execution of their respective tasks. For deliberations including written procedures, in supervisory composition, on draft decisions prepared by the Executive Board in relation to selected obliged entities, access to information shall be based on the “need to know principle” within this setting. The “need to know principle” should also apply to deliberations including written procedures, in FIU composition, related to specific issues such as joint analyses.
- (2) Members of the General Board in one composition may decide to make information available to the other composition, in accordance with applicable confidentiality policies.
- (3) The information made available to the members of the General Board shall include key items of information that enable a meaningful understanding of the issues being deliberated.
- (4) Observers will be provided by the Authority with the information for the items which they have been invited to attend, at the same time as it is sent to the members.
- (5) Members of the General Board in the relevant composition should have access to information as submitted to and as deliberated by internal committees and Executive Board when tasks have been delegated to them, based on Article 2(4).
- (6) The General Board in FIU composition shall have full access to information as submitted to and as deliberated in the Standing Committee supporting it in performing its tasks.

Article 5 – Decision-making procedures*Quorum*

- (1) In order for the General Board to vote, there shall be a quorum of two-thirds of the voting members in the respective composition.
- (2) If the quorum is not met, decisions shall be taken after the meeting by written procedure.

Voting

- (3) The Chair tables items for decision and shall have the prerogative to call a vote at any time. Without prejudice to these prerogatives and to the effectiveness of the Authority’s decision-making procedures, the General Board shall strive for consensus when taking its decisions.
- (4) The Vice-Chair shall vote on behalf of the Chair in his/her absence.
- (5) Decisions of the General Board shall be taken by a simple majority of its voting members which are present, in the respective composition, unless otherwise stated. Each voting member shall have one vote. A simple majority is achieved where more voting members vote in favour of a proposal than vote against it. Abstentions will not be counted as approvals or as objections and will not be considered

when calculating the number of votes cast. In the event of a tied vote, the Chair shall have a casting vote.

- (6) For acts relating to draft technical standards, guidelines and recommendations, as well as opinions and technical advice referred to in Articles 49, 53, 54 and 55 of the Regulation, the General Board shall take decisions on the basis of a qualified majority of its members, as defined in Article 16(4) of the Treaty on European Union (“TEU”).
- (7) When a decision is to be adopted by the General Board by a qualified majority, as defined in Article 16(4) of the TEU, it shall be adopted if there are at least 55% of the voting members in favour and coming from Member States comprising at least 65% of the population of the Union. A blocking minority shall be achieved as defined in Article 16(4) of the TEU.
- (8) For the purpose of paragraph 7, population figures shall be calculated using the population figures adopted by the Council of the European Union and in force at the relevant time for the purpose of adopting its own decisions by a qualified majority.
- (9) The Chair shall not vote on decisions referred to in Articles 49, 53, 54 and 55 of the Regulation, the opinions referred to in Article 60(2) of the Regulation, as well as the decisions related to the evaluation of the performance of the Executive Board referred to in Article 63(5) of the Regulation.
- (10) Votes shall be open and not taken through secret ballot, except (i) if the Chair decides to initiate a secret ballot, (ii) in the context of elections, or (iii) if it is requested by at least three voting members present.
- (11) AMLA staff shall maintain a record of votes taken on the adoption of decisions.

Written procedure

- (12) Where appropriate, decisions may be taken by written procedure, unless at least one third of the members of the General Board with a voting right (for the supervisory composition, one third of the single common representatives), object. In such case, the item shall be put on the agenda of the subsequent meeting of the General Board or a meeting shall be convened by the Chair to that effect. A written procedure shall require normally not less than five working days for consideration by members of the General Board; where appropriate, the Chair may extend the deadline of a written procedure. The absence of a reply by a member of the General Board in a written procedure shall be deemed as a vote supporting the proposal.
- (13) The result of a written procedure shall be notified without delay to the General Board in the respective composition and recorded in the minutes of the subsequent General Board meeting.

Article 6 – Meetings

Convening meetings

- (1) The General Board shall hold at least two ordinary meetings per year in each composition, supervisory composition and in FIU composition. In addition, it shall meet on the initiative of its Chair, or at the request of at least one third of its members with a voting right in the respective composition.
- (2) Invitations shall be sent to email addresses notified by each member and observer to the Chair for this purpose. The invitation is deemed to have been received if it is sent to the last email address known to the Authority.
- (3) Meetings may be held physically, or remotely by video conference call unless at least three voting members of the General Board, in the respective composition, object.
- (4) The General Board shall decide on the dates of its meetings on a proposal from the Chair. The General Board shall, in principle, meet regularly following a schedule that it shall determine in good time before

the start of each calendar year. When circumstances require, and provided a majority of the voting members does not object, the Chair may change the date or place of a meeting. Notification of such change shall be given to members and observers as soon as practicable.

- (5) When a meeting is requested by one third of the voting members, the Chair shall convene a meeting to take place within six weeks of receipt of the request, or as soon as practicable in urgent cases.
- (6) A provisional agenda shall be drawn up by the Chair and sent to the members of the General Board in the respective composition at least three weeks before the relevant meeting. The meeting documents shall be circulated at least eight working days before the relevant meeting. Until the end of 2025, the respective deadlines shall be ten and five working days.

Attendance

- (7) In the absence of both the Chair and the Vice-Chair, the General Board shall be exceptionally chaired by the most senior voting member in terms of the length of his/her term in office in the first instance, and by age in the event of two or more voting members having equal standing in terms of the length of term in office.
- (8) For the supervisory composition, for each Member State, the supervisory authority that has a voting member under an ad hoc or permanent agreement, in accordance with Article 1(2), shall liaise with the other national supervisory authorities and inform the Secretariat of the General Board at least three calendar days before the General Board meeting of the items on the agenda of the General Board meeting in which they will participate.
- (9) The five full-time members of the Executive Board other than the Chair may participate in the meetings of the General Board, without the right to vote, where the items covered by their areas of responsibility as determined by the Chair and referred to in Article 69(2) of the Regulation are discussed.
- (10) Representatives of the Commission, OLAF, Europol, Eurojust and the EPPO, the Supervisory Board of the ECB, and the ESAs, may also nominate alternates to replace them in the respective compositions of the General Board.
- (11) On top of representatives of OLAF, Europol, Eurojust and the EPPO, the Supervisory Board of the ECB, and the ESAs, the General Board may decide to admit any person whose opinion may be of interest to attend its meetings as an observer. These other observers may be admitted on an ad hoc basis if approved by a two-thirds majority of the voting members of the General Board in the relevant composition.
- (12) The members of the General Board and their alternates may each be assisted at the meetings by one adviser or expert. The proceedings may be broadcasted in a separate meeting room for such accompanying persons.
- (13) In supervisory composition, non-voting members and observers, as well as advisers and experts mentioned in the previous paragraph, shall not attend any discussions relating to individual obliged entities, unless otherwise provided in the legislative acts referred to in Article 1(2) of the Regulation, or otherwise decided upon by the members with the right to vote by simple majority vote. The above shall not apply to the Executive Board members and the ECB representative nominated by the Supervisory Board of the ECB. In FIU composition, observers, as well as advisers and experts mentioned in the previous paragraph, shall not attend any discussions related to joint analysis, unless otherwise decided upon by the members with the right to vote by simple majority vote.
- (14) The Chair and the other five full-time members of the Executive Board shall not attend meetings of the General Board where matters concerning the performance of their mandate are discussed or decided upon.

Agenda

- (15) At the beginning of each meeting, the members with a right to vote shall adopt by simple majority the meeting agenda. The General Board may decide to remove items from or add items to the provisional agenda on a proposal from the Chair or from any other member of the General Board. Except in emergencies, an item shall be removed from the provisional agenda at the request of at least one third of its voting members if the related documents were not submitted to the members of the General Board in due time.
- (16) The agenda shall indicate the aim of each item (information, discussion, decision).
- (17) Once the agenda is approved, the Chair shall invite all members of the General Board as set out in Article 1, including their alternates, to orally declare the existence of any conflict of interest as provided for in Article 15(2) in the Annex to this document, including rules of direct relevance to the functioning of the General Board under its Title III – *Specific procedure for identifying and handling potential conflict of interests at the General Board*. Oral declarations shall be recorded into the minutes of the meeting of the General Board.

Proceedings of the meetings

- (18) AMLA staff shall prepare minutes of each meeting of the General Board setting out the discussions held, and decisions taken, including the outcome of any vote. The draft minutes shall be submitted for comments to members and observers within two weeks following the meeting, and submitted for approval at the subsequent meeting (or if necessary earlier by written procedure).
- (19) Within six weeks of each meeting of the General Board, the Authority shall at least provide the European Parliament with a comprehensive and meaningful record of the proceedings of that meeting that enables an understanding of the discussions held within that meeting, including an annotated list of decisions. Such record of proceedings, to be submitted for approval to the members of the General Board, shall not reflect discussions within the General Board relating to individual obliged entities or discussions relating to confidential supervisory or FIU-related data, unless otherwise provided for in the legislative acts referred to in Article 1(2) of the Regulation.
- (20) Following the submission of the records of proceedings to the European Parliament, a summary thereof should be published on AMLA's website, without the annotated list of decisions or any information relating to discussions on individual obliged entities or to confidential supervisory or FIU-related data as 'summaries of the meetings of the General Board'.

Finalising documents

- (21) The text of acts adopted by the General Board as well as the proceedings of its meetings shall be signed by the Chair.

Article 7 – Urgent Procedures

- (1) In case of urgency, by way of derogation from Article 6.4, the Chair or, in his/her absence, the Vice-Chair, shall convene a meeting of the General Board in due time to take the necessary decisions, as appropriate also by means of video conference call. The reasons that justify this derogation from Article 6.4, and the further ones under this article, from the standard provisions shall be given by the Chair.
- (2) By derogation from Article 6.6, in case of urgency the Chair or, in his/her absence, the Vice-Chair, may convene meetings of the General Board, circulating the provisional agenda and the relevant documents, in a delay shorter than respectively three weeks and eight working days in advance of the meeting, (respectively ten and five working days until the end of 2025).

- (3) In situations of urgency, when convening a meeting, the Chair or, in his/her absence, the Vice-Chair shall make clear in the invitation letter that, by way of derogation from Article 5(1), the quorum of two-thirds of the voting members will not apply. The reasons for such derogation should be given.
- (4) With reference to deliberations by written procedures, in case of urgency, any time limits set under Article 5(12) may be shortened upon instruction of the Chair. The reasons for the derogations shall be stated. The members shall be informed in advance to the extent possible.
- (5) The Chair shall strive for written procedure under paragraph 4 to require no less than 24 hours, in which case the written procedure shall also be brought to the attention of members via phone immediately after the launch of the procedure.
- (6) In situations of urgency, when initiating a written procedure pursuant to paragraph 4 of this Article, the Chair may specify that, by way of derogation from Article 5(12), members may not object to the use of the written procedure. The reasons for such derogation shall be given. The decisions taken by means of such written procedures shall be presented at one of the subsequent meetings of the General Board.
- (7) The General Board may lay down further internal rules on the adoption of decisions and other measures in situations of urgency.

Article 8 – Code of conduct

Independence

- (1) When carrying out the tasks conferred upon them by the Regulation, the Chair and the members of the General Board in supervisory composition and in FIU composition shall act independently and in the general interest of the Union as a whole and shall neither seek nor take instructions from Union institutions, bodies, offices or agencies, nor from any government or any other public or private body.
- (2) Member States, Union institutions, agencies, offices and bodies, and other public or private bodies shall not seek to influence the members of the General Board in the performance of their tasks.

Confidentiality

- (3) All proceedings of the General Board shall be confidential, with the exception of the ‘summaries of the meetings of the General Board’ to be published on AMLA’s website. Anyone attending shall respect their confidentiality and shall comply with requirements of professional secrecy as stated in Article 88 of the Regulation. Members and alternates shall take all necessary measures to ensure that the staff members of their respective authorities are given access to confidential information only for the performance of the duties of the staff members and in accordance with applicable confidentiality policies, and are made aware of and strictly observe the relevant professional secrecy requirements.

Transparency

- (4) The decisions of the General Board shall be subject to the provisions on access to documents in Article 96 of the Regulation and measures taken for its implementation.

Conflicts of interest

- (5) In line with article 59(3) of the Regulation, the Authority has a conflict of interest policy for non-staff in place which is covered in the Annex to this document, including rules of direct relevance to the functioning of the General Board under its Title III – *Specific procedure for identifying and handling potential conflict of interests at the General Board.*

Article 9 – Secretariat

- (1) The Executive Board shall provide a secretariat and the appropriate administrative support to enable the General Board to carry out its work.

Article 10 – Final provisions*Correspondence*

- (1) All correspondence with the General Board shall be addressed to the Authority at its headquarters.

This Decision shall take effect on the day of its adoption and shall be made public.

Done at Frankfurt am Main on 6 March 2025

Bruna Szego, Chair

[see separate document containing ANNEX on Practical arrangements for the prevention and management of conflicts of interest - Conflict of Interest Policy for Non-Staff]