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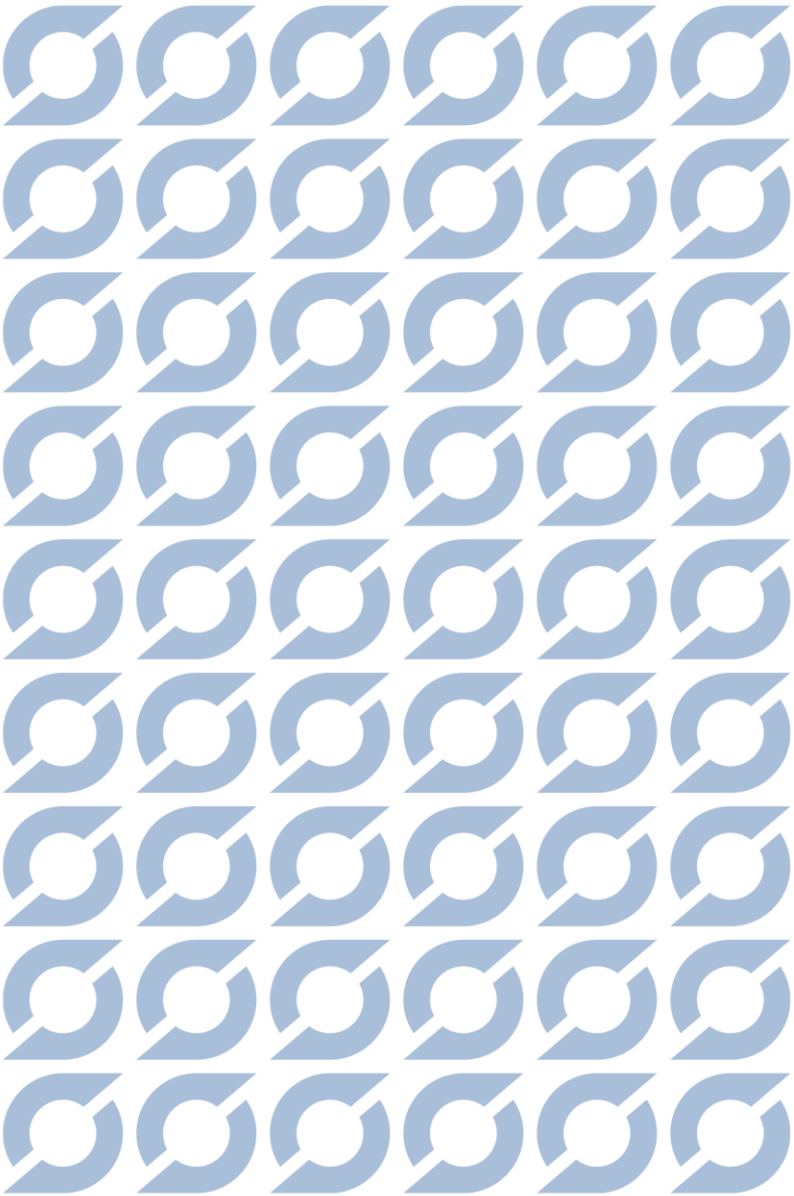
Consultation Paper

Draft Regulatory Technical Standards on criteria for business relationships, occasional transactions and linked transactions as well as lower thresholds under Article 19(9) of Regulation (EU) 2026/1624



AMLA
Anti-Money Laundering Authority

Frankfurt am Main – 09/02/2026

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1 Responding to this consultation

AMLA invites comments on all proposals put forward in this paper and in particular on the specific questions summarised in 5.2.

Comments are most helpful if they:

- respond to the question stated;
- indicate the specific point to which a comment relates;
- contain a clear rationale;
- provide evidence to support the views expressed/ rationale proposed; and
- describe any alternative regulatory choices AMLA should consider.

1.1 Submission of responses

To submit your comments, click on the 'send your comments' button on the consultation page by 08/05/2026. Please note that comments submitted after this deadline, or submitted via other means may not be processed.

1.2 Publication of responses

Contributions will always be published. The name of organisations submitting their contribution will also always be published. The name of the natural person providing a contribution will be published unless they object to said publication.

1.3 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.

1.4 Who should read this paper?

All interested stakeholders are invited to respond to this Consultation Paper. In particular, AMLA encourages obliged entities from the financial and the non-financial sector to participate.

2 Executive Summary

In order to strengthen the Union's framework for anti-money laundering and countering the financing of terrorism ('AML/CFT'), Regulation (EU) 2024/1624 ('AMLR') aims to harmonise the preventative measures to be put in place at Union level.

To this end, Article 19(9) of the AMLR requires AMLA to develop draft regulatory technical standards ('RTS') specifying:

a) criteria for identifying business relationships, occasional transactions and linked transactions;
b) high-risk obliged entities, sectors or transactions to which a lower threshold for customer due diligence ('CDD') measures should apply.

The mandate in Article 19(9) AMLR aims to ensure, in the first place, the proper identification of business relationships, occasional transactions and linked transactions throughout the Union to safeguard that the first step in the application of the AML/CFT framework is effective and thresholds for occasional transactions are not circumvented. Secondly, the mandate aims to ensure that higher risks of money laundering and terrorist financing ('ML/TF') connected with occasional transactions are addressed effectively.

The draft RTS ensures a proportionate and risk-based approach and demonstrates a commitment to simplification by not introducing additional lower thresholds as AMLA did not identify additional higher risks that justify such thresholds at this point in time. The approach on the criteria for business relationships, occasional transactions and linked transactions provides a balance between flexibility and clarity, thus ensuring a sufficient level of harmonisation in the identification of these concepts and the subsequent application of CDD measures by obliged entities. Some entities might face additional implementation costs in adapting their practices to this draft RTS. These costs are deemed proportionate to the benefits of a more harmonised approach to the identification of business relationships, occasional transactions and linked transactions.

2.1 Next steps

This Consultation Paper is published for a period of three months. AMLA will consider the feedback to this consultation when preparing its submission to the European Commission.

3 Background and rationale

3.1 General considerations

Firstly, the mandate requires AMLA to specify criteria to be taken into account by obliged entities for identifying business relationships, occasional transactions and linked transactions. Distinguishing between business relationships and occasional transactions is at the very heart of the AML/CFT framework, as it is the first step in determining the extension of the application of the AML/CFT framework. As the distinction is relevant for the obliged entity's assessment whether to apply customer due diligence ('CDD') and whether to perform ongoing monitoring of a business relationship, it is important that obliged entities distinguish properly between occasional transactions and business relationships and that these concepts are understood in the same way throughout the Union.

Identifying linked transactions is relevant for ensuring that the thresholds for occasional transactions are applied effectively throughout the Union. Not identifying linked transactions properly can lead to circumvention of the AML/CFT framework by criminals operating just below the relevant threshold to avoid CDD and eventually, detection.

Business relationships and linked transactions are defined in the AMLR.[1] These definitions are sufficient for some obliged entities to properly identify these concepts in their business. However, in some instances, it is necessary to provide criteria to ensure that obliged entities identify business relationships and linked transactions properly and in a harmonized way throughout the Union. The objective of the draft RTS is therefore to provide criteria that aim to reduce fragmentation throughout the Union and enhance the proper identification of these concepts where necessary.

An important point to note is that, as business relationships and linked transactions are already defined in the AMLR, these definitions should be leading in the obliged entity's assessment whether a business relationship or linked transaction is established. The draft RTS provides certain criteria for various elements of the definitions in the AMLR. However, it is crucial to emphasize that the mere fulfillment of any criterion in this draft RTS does not automatically indicate that the definition of a business relationship or a linked transaction in the AMLR is satisfied. The criteria in this draft RTS are not conditional or exhaustive in relation to the definitions

[1] 'Business relationship' means a business, professional or commercial relationship connected with the professional activities of an obliged entity, which is set up between an obliged entity and a customer, including in the absence of a written contract and which is expected to have, at the time when the contact is established, or which subsequently acquires, an element of repetition or duration.

'Linked transactions' means two or more transactions with either identical or similar origin, destination and purpose, or other relevant characteristics, over a specific period.

in the AMLR. Consequently, a business relationship or linked transactions may exist even in the absence of any of the criteria specified in this draft RTS.

Secondly, the mandate in Article 19(9) AMLR aims to ensure that higher money laundering and terrorist financing ('ML/TF') risks connected with occasional transactions are addressed effectively. In general, obliged entities are required to perform CDD for occasional transactions with a value of at least 10 000 EUR. Additionally, lower thresholds for CDD are introduced in the AMLR for specific sectors or transactions that pose higher ML/TF risks.[2] Given the evolving nature of ML/TF risks, AMLA is mandated to specify additional lower thresholds for obliged entities, sectors or transactions with higher ML/TF risks.

3.2 Business relationships and occasional transactions

Business relationships and occasional transactions are mutually exclusive. To clarify this, occasional transactions are defined negatively in Article 1 of this draft RTS. Additionally, this article clarifies that the provision of services connected to a transaction can also be identified as an occasional transaction. This is relevant for those entities that do not perform transactions themselves, but instead provide services connected to a transaction, such as real estate agents. This provision of services can exist in the context of a business relationship, as well as in the context of an occasional transaction.

Article 2 of this draft RTS provides criteria that should be taken into account by obliged entities when assessing whether the definition of a business relationship from the AMLR applies. The criterion in the first paragraph applies to all obliged entities. The other criteria specifically address certain obliged entities.

3.3 Linked transactions

The AMLR stipulates that transactions should be linked if two or more transactions have an 'identical or similar origin, destination and purpose'. Transactions should also be linked on the basis of 'other relevant characteristics'. Both categories of linked transactions should take place over a 'specific period'. Article 3 of this draft RTS provides criteria which should be taken into account when considering the different elements of the definition of linked transactions.

Some of the criteria in Article 3 should only be taken into account based on information available to the obliged entity. This means that obliged entities should only take those criteria into account

[2] Paragraphs 2 to 5 of Article 19 introduce the following lower thresholds: 1 000 EUR for transfers of funds by credit institutions and financial institutions (except for crypto-asset service providers), 1 000 EUR for occasional transactions by crypto-asset service providers, at least identification and verification for occasional transactions under 1 000 EUR for crypto-asset service providers, 3 000 EUR for cash transactions, 2 000 EUR for providers of gambling services upon the collection of winnings, the wagering of stake or both.

if the information is already available to them. Where an obliged entity has, or should have, access to information relevant to the listed criteria, it should take that information into account. If it does not have access and is not required to, it does not need to obtain the information from the customer solely for the purposes of this RTS.

3.4 Additional lower thresholds

No additional lower thresholds for CDD regarding occasional transactions are identified in this draft RTS, at this point in time. The AMLR already provides lower thresholds for specific sectors and transactions that pose higher ML/TF risks. AMLA has considered the necessity of introducing additional lower thresholds. As this will pose a burden on the relevant obliged entities and their customers, such a burden should be justified by providing evidence of the need and proportionality of these thresholds. Since the entry into force of the AMLR, no conclusive information has emerged indicating that any additional lower thresholds are necessary and proportionate to mitigate ML/TF risks across the Union. If in the future it becomes apparent that mitigation of ML/TF risks via the introduction of an additional lower threshold is necessary and proportionate for certain obliged entities, sectors or transactions, a proposal for amendment of the RTS will be made.

4 Draft regulatory technical standards

COMMISSION DELEGATED REGULATION (EU) …/…

of XXX

supplementing Regulation (EU) 2024/1624 of the European Parliament and of the Council with regard to regulatory technical standards specifying criteria for identifying business relationships, occasional transactions and linked transactions, as well as identifying higher risk areas with lower thresholds for the application of customer due diligence measures when carrying out occasional transactions

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and in particular Article 19(9), thereof,

Whereas:

(1) Regulation (EU) 2024/1624 aims for harmonisation of the measures to be put in place to prevent money laundering, its predicate offences and terrorist financing at Union level. Distinguishing between business relationships and occasional transactions is central to the AML/CFT framework. This distinction is relevant for the obliged entity's assessment whether to apply customer due diligence measures. For occasional transactions below the thresholds mentioned in Article 19 of Regulation (EU) 2024/1624, in general, no customer due diligence measures are required. Article 19(1), points (c), (d), (e) and (f) of Regulation (EU) 2024/1624 provide a list of four situations in which the application of customer due diligence measures is required regardless of the value of the transaction.

(2) All obliged entities are required to have internal policies and procedures in place to ensure compliance with the obligations regarding customer due diligence in Chapter III of Regulation (EU) 2024/1624. These internal policies and procedures should be proportionate to the nature of the business – including its risks and complexity – and the size of the obliged entity. In the context of this Regulation, this includes internal policies and procedures to ensure that obliged entities can properly detect business relationships, occasional transactions and linked transactions for the purpose of application of customer due diligence measures. Such internal policies and procedures could include the identification and verification of the customer.

(3) Identifying linked transactions is, among other, relevant for ensuring that the thresholds for occasional transactions are applied effectively to avoid circumvention of customer due diligence requirements and for identifying the obliged entities in Article 3(3), points (i) and (j) of Regulation (EU) 2024/1624. Although there can be other instances within the AML/CFT framework for associating transactions for other purposes – such as for the purpose of detecting suspicious transactions during the ongoing monitoring of a business relationship or in the context of the limit to large cash payments pursuant to Article 80 of Regulation (EU) 2024/1624 – this Regulation does not apply to those instances.

(4) Business relationships and linked transactions are defined in respectively Article 2(1), points (19) and (20) of Regulation (EU) 2024/1624. In some instances, it is necessary to provide criteria to ensure that obliged entities identify business relationships and linked transactions properly and in a harmonized way throughout the Union. The objective of this Regulation is therefore to provide criteria that aim to reduce fragmentation throughout the Union and enhance the proper identification of these concepts where necessary. An important point to note is that, as business relationships and linked transactions are already defined in Regulation (EU) 2024/1624, these definitions should be leading in the obliged entity's assessment whether a business relationship or linked transaction is established. This Regulation provides certain criteria for various elements of the definitions in Regulation (EU) 2024/1624. However, it is crucial to emphasize that the mere fulfilment of any criterion in this Regulation does not automatically indicate that the definition of a business relationship or a linked transaction in Regulation (EU) 2024/1624 is satisfied. The criteria in this Regulation are not conditional or exhaustive in relation to the definitions in Regulation (EU) 2024/1624. Consequently, a business relationship or linked transactions may exist even in the absence of any of the criteria specified in this Regulation.

(5) Business relationships and occasional transactions are mutually exclusive. To clarify this, occasional transactions are defined negatively in the Regulation. For instance, a one-off donation via a crowdfunding intermediary will not meet the definition of a business relationship – since the elements of repetition or duration will not be fulfilled. In line with Article 1 in this Regulation, such a transaction would fall within the definition of an occasional transaction. This Regulation in general, and the definition of occasional transactions in particular, only apply to activities that fall within the scope of the AML/CFT framework. Consequently, activities that do not fall within the scope of the AML/CFT framework, cannot fall within the definition of an occasional transaction.

(6) The Union's AML/CFT framework applies to a wide variety of obliged entities. Some of these entities perform transactions, other obliged entities – for example real estate agents and notaries – provide services connected to transactions. The provision of services that falls within the AML/CFT framework can be provided in the context of a business relationship, as well as in the context of an occasional transaction. The latter is clarified in the definition of an occasional transaction. To assess whether the threshold for the application of customer due diligence measures is met, obliged entities should consider the value of the transaction or – in the case an obliged entity

that does not perform transactions but instead provides services – the value of the transaction to which their services are connected, excluding any transaction or service fees.

(7) An element of the definition of a business relationship is the expectation, or subsequent acquisition of an element of duration. The use of online services through a registration providing ongoing access should at least be taken into account when considering this element. This includes, for instance, the use of online services for online gambling, as well as the online services offered by payment service providers or crypto-asset service providers. Normally and by its nature, the use of online services after having gone through any form of registration implies that a certain degree of duration of the provision of services may reasonably be expected.

(8) The second paragraph of Article 2 of this Regulation provides two criteria that should at least be taken into account by obliged entities in the non-financial sector that usually do not perform transactions themselves, but instead provide services, commonly connected to a transaction. The first criterion that should at least be taken into account when considering the element of repetition is the provision of services at different intervals. Many of the services provided by, for instance, notaries, lawyers, accountants, trust or company service providers, investment migration operators and tax advisors, are not circumscribed. Instead, the provision of service occurs at different intervals that point towards an ongoing engagement. For instance, a notary or lawyer managing a bank account or client money, as defined in Article 3(3)(b), points (ii) and (iii) of Regulation (EU) 2024/1624, provide this service at different intervals, which should be considered as pointing towards a repetition of the provision of services. This criterion should also be understood as the provision of one service regarding multiple objects. For instance, a client may be selling a property and purchasing another as part of a wider property chain. This ongoing engagement is characterized by repeated instructions, financial movements, and documents exchanges. By contrast, the provision of services by, for instance, a real estate agent regarding the buying of a property can be circumscribed as it is clarified in Regulation (EU) 2024/1624 that the services provided by real estate agents start to be relevant for AML/CFT purposes where there is a clear indication that the parties are willing to proceed with the purchase, sale, rental or lease or with taking the necessary preparatory steps. Such transactions therefore do not fulfil the criterion of occurring at different intervals. The second criterion that should at least be taken into account when considering the element of repetition is the provision of different services. This should be understood as the provision of different categories of services falling within the scope of the AML/CFT framework. The provision of different services points towards repetition by a customer.

(9) The third paragraph of Article 2 of this Regulation contains specific criteria for considering the element of repetition for financial institutions that carry out currency exchanges, obliged entities engaged in the activity of money remittance and comparable services offered by crypto-asset service providers. Supervisory experience throughout the Union shows that these sectors do not only pose a higher risk for money laundering and terrorist financing, but also apply divergent approaches to the

identification of business relationships and linked transactions. To mitigate the risks in these sectors, this Regulation provides the criterion of three transactions within a rolling period of 12 months that should at least be taken into account when considering the element of repetition in the definition of a business relationship. A rolling period of 12 months means that this criterion applies if three or more transactions occur within any 12-month period. The cumulative figure is not reset at, for instance, the end of the calendar year. Additionally, Article 3 of this Regulation provides the criterion of a rolling period of a month that should be taken into account when considering the element of a specific period in the definition of a linked transaction in these sectors.

(10) Most transactions concerning football clubs will in practice fall within the definition of a business relationship, because the activities inherently meet the elements of repetition or duration. This is not necessarily the case for football player's transfers. When considering the element of repetition, football clubs should at least take into account whether certain conditions apply to the transfer that lead to ongoing engagement. The addition of conditions to a transfer, for instance a bonus scheme, implies additional actions or money flows, that point towards the element of repetition. Transfers without any conditions can on the other hand lack the elements necessary for the fulfilment of the definition of a business relationship.

(11) Regulation (EU) 2024/1624 stipulates that transactions should be linked if two or more transactions have an identical or similar origin, destination and purpose. Transactions should also be linked on the basis of other relevant characteristics. Both categories of linked transactions should take place over a specific period. Article 3 of this Regulation provides criteria for the different elements of the definition of linked transactions. Some of the criteria in Article 3 of this Regulation should only be taken into account based on information available to the obliged entity. This means that obliged entities should only take those criteria into account if the information on the basis of which this criterion could be assessed is already available to the obliged entity. This information could be available to the obliged entity for different reasons. It can be inherent to the business of the obliged entity to have access to certain information: for instance, crypto-asset service providers have access to the IP addresses of their customers. The obliged entity could also be obliged to have access to certain information on the basis of other regulations: for instance, Article 4(2), point (a) of Regulation (EU) 2023/1113 obliges the payment service provider of the payer to have access to the name of the payee. An obliged entity could also have obtained the information through observation: for instance, multiple people entering a currency exchange office and exhibiting behaviour that indicates that they are operating in concert. If the obliged entity has or should have access to information relevant to the assessment of the listed criteria, it should take that criterion into account. If the obliged entity, however, does not have access to the information and was not required to have access to the information, it is not required to acquire the information from the customer for the sole purpose of this Regulation.

(12) Two or more transactions performed by different customers of the obliged entity might not appear to be linked. If the obliged entity, however, has the information available that customers are connected via family ties, this information should be taken into

account. Family members should be understood broadly: it includes, for instance, spouses, parents and children. Other family ties can also be relevant, provided the obliged entity has information on the existence of these ties.

(13) Customers operating in concert should at least be taken into account by obliged entities when considering the elements of identical or similar origin and destination, if the obliged entity has the information available. Operating in concert should be understood broadly: it includes, for instance, customers coming in together and customers coordinating between themselves before or during the transaction. The apparent use of the same digital infrastructure, if the obliged entity has the information available, should also be understood broadly. This includes, for instance, the same IP address, the same device identifier and the same geolocation. The use of the same digital infrastructure can be relevant for addressing attempts to circumvent the thresholds for customer due diligence measures via the use of more complex schemes. These schemes might consist of transactions that are individually below the thresholds and are performed by the same payer to different payees, vice versa or from many payers to many payees. When taken cumulatively, they can meet or exceed the threshold for customer due diligence measures.

(14) Transactions pertaining to the same purchase should at least be considered as a criterion for the element of identical or similar purpose. This can take different forms: for instance, transactions pertaining to the same invoice, booking number or order. Payments in instalments should also fall within the scope of this criterion.

(15) Transactions that share common characteristics can mean a circular movement of money across multiple accounts or jurisdictions, synchronized transactions or transactions being part of a series. When considering the element of other relevant characteristics, obliged entities should also take into account transactions with an identical or similar origin and destination that are performed through different establishments or via a network of agents or distributors. For example, if the obliged entity performs successive money remittances with an identical or similar origin and destination through its network of agents, this might point towards linked transactions. Similarly, betting activity by the same customer at different establishments of the same gaming operator should likewise be taken into account for the purpose of identifying linked transactions.

(16) Another criterion that should be taken into account when considering the element of other characteristics is the participation by the same customer or customers that can be linked to that customer in a loyalty program offered by the obliged entity. This can take different forms: for instance, issuance of a loyalty card or the offering of discounts for the performance of multiple transactions or multiple purchases. It is important to emphasize that loyalty programs can also be used within the context of a business relationships. This criterion should therefore not be used for distinguishing between business relationships and occasional transactions.

(17) When considering the element of a specific period, obliged entities should at least take into account transactions that are performed within a short period of time. The duration that constitutes a short period of time may differ significantly between obliged entities

and the services they offer. Therefore, it should be considered on the basis of the nature of the business, including its risks and complexity and the size of the obliged entity.

(18) Article 19(9), point (a) of Regulation (EU) 2024/1624 provides the Authority for Anti-Money Laundering and Countering the Financing of Terrorism ('the Authority') with the mandate to develop draft regulatory technical standards specifying the obliged entities, sectors or transactions that are associated with higher money laundering and terrorist financing risk, to which a lower threshold for customer due diligence for occasional transactions should apply. Article 19 of Regulation (EU) 2024/1624 provides lower thresholds for specific sectors and transactions that pose higher money laundering and terrorist financing risk. The introduction of additional lower thresholds for customer due diligence for certain occasional transactions poses a burden on the obliged entities the lower thresholds apply to. Therefore, such additional lower thresholds should be justified by the provision of evidence of the need and proportionality of these thresholds. Since the entry into force of Regulation (EU) 2024/1624, no conclusive information has emerged indicating that any additional lower thresholds are necessary and proportionate to mitigate money laundering and terrorist financing risks across the Union. Consequently, this Regulation does not specify any additional lower thresholds for customer due diligence at this point in time. If in the future it becomes apparent that mitigation of money laundering and terrorist financing risks via the introduction of a lower threshold is necessary and proportionate for certain obliged entities, sectors or transactions, a proposal for amendment of this Regulation will be made.

(19) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the Authority.

(20) The Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based and analysed the potential related costs and benefits,

HAS ADOPTED THIS REGULATION:

Section I:

Definitions

Article 1 – Definitions

For the purpose of this Regulation, in addition to the definitions set out in Article 2 of Regulation (EU) 2024/1624 and Article 2 of Directive (EU) 2024/1640, the following definition shall apply:

(1) 'occasional transaction' means a transaction or a provision of services connected to a transaction that is not carried out as part of a business relationship.

Section II:

Criteria for business relationships, occasional transactions and linked transactions

Article 2 – Criteria for distinguishing a business relationship from an occasional transaction

1. Obliged entities shall, for the purpose of distinguishing a business relationship from an occasional transaction, at least take into account the use of online services through a registration providing ongoing access as a criterion when considering the element of duration included in the definition of a business relationship.

2. Obliged entities as defined in Article 3(3), points (a) to (d), and (l) of Regulation (EU) 2024/1624 shall, for the purpose of distinguishing a business relationship from an occasional transaction, at least take into account the following criteria when considering the element of repetition included in the definition of a business relationship:

(a) the provision of services at different intervals;

(b) the provision of different services.

3. Financial institutions carrying out the activities of currency exchange offices as defined in Article 2(6), point (a) or Regulation (EU) 2024/1624, obliged entities engaged in the activity of money remittance as defined in Article 4, point (22) of Directive (EU) 2015/2366 and obliged entities providing the services as set out in Article 3(1), points (16) (c), (d) and (j) of Regulation (EU) 2023/1114, for the purpose of distinguishing a business relationship from an occasional transaction, shall at least take into account carrying out three or more transactions within the rolling period of 12 months as a criterion when considering the element of repetition included in the definition of a business relationship.

4. Providers of gambling services operating a physical premise shall, for the purpose of distinguishing a business relationship from an occasional transaction, at least take into account the criterion of the engagement in the services of the provider through a membership as a criterion when considering the element of repetition included in the definition of a business relationship.

5. Football clubs shall, for the purpose of distinguishing a business relationship from an occasional transaction, with respect to transactions for the purpose of a football player's transfer, at least take into account the existence of conditions applying to the football player's transfer as a criterion when considering the element of repetition included in the definition of a business relationship.

Article 3 – Criteria for identifying linked transactions

1. Obliged entities shall, for the purpose of identifying linked transactions, at least take into account the following criteria:

(a) when considering the elements of identical or similar origin and destination included in the definition of linked transactions, transactions performed or received by the same natural or legal person.

(b) when considering the elements of identical or similar origin and destination included in the definition of linked transactions, based on information available to the obliged entity:

(i) customers are family members;

(ii) customers are business partners;

(iii) customers are operating in concert;

(iv) customers are subsidiaries or beneficial owners of the same parent undertaking;

(v) use of the same digital infrastructure;

(vi) use of common intermediaries or service providers facilitating transactions.

(c) when considering the element of identical or similar purpose included in the definition of linked transactions, based on information available to the obliged entity, transactions pertaining to the same purchase.

(d) when considering the element of other relevant characteristics included in the definition of linked transactions:

(i) based on information available to the obliged entity, transactions share common characteristics;

(ii) transactions with an identical or similar origin and destination according to the definition of linked transactions, performed at different establishments or through a network of agents or distributors;

(iii) transactions with an identical or similar origin according to the definition of linked transactions, performed within a loyalty program;

(iv) completion of a transaction that depends on the prior completion of one or multiple transactions, all of which are handled by the same

obliged entity.

(e) when considering the element of a specific period included in the definition of linked transactions, transactions performed within a short timeframe, depending on the nature of the business, including its risks and complexity and the size of the obliged entity.

2. By way of derogation from paragraph 1, point (e), financial institutions carrying out the activities of currency exchange offices as defined in Article 2(6), point (a) or Regulation (EU) 2024/1624, obliged entities engaged in the activity of money remittance as defined in Article 4, point (22) of Directive (EU) 2015/2366 and obliged entities providing the services as set out in Article 3(1), points (16) (c), and (d) and (j) of Regulation (EU) 2023/1114, shall for the purpose of identifying linked transactions, at least take into account the criterion of a rolling period of one month, when considering the element of a specific period included in the definition of linked transactions.

3. In addition to the criteria set out in paragraph 1, point (c), providers of gambling services shall, for the purpose of identifying linked transactions, take into account the criterion of games provided by the same provider when considering the element of identical or similar purpose included in the definition of linked transactions.

Section III: Final provisions

Article 4 – 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*.

It shall apply from 10 July 2027, except in relation to obliged entities referred to in Article 3, points (3)(n) and (o), of Regulation (EU) 2024/1624, to which it shall apply from 10 July 2029.

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

Done at Brussels,

For the Commission
The President

5 Accompanying documents

5.1 Draft impact assessment with cost-benefit analysis

Introduction

As per Article 49(1) of Regulation (EU) 2024/1620, before submitting draft RTS 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 on the draft RTS under Article 19(9) of Regulation (EU) 2024/1624.

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 competent authorities from the financial and the non-financial sector, self-regulatory bodies (SRBs), the European Commission, and AMLA. The qualitative approach has been chosen because quantitative figures in relation to this mandate are currently unavailable and performing a targeted collection would impose a disproportionate burden on obliged entities. Where quantitative evidence is lacking, the analysis is supported by structured qualitative reasoning and professional judgement informed by supervisory experience and wider stakeholders' input.

A. Problem identification

By applying CDD measures to their customers, obliged entities act as gatekeepers of the Union's financial system, ensuring that criminals do not exploit loopholes to introduce the proceeds of illicit activities in the legal economy. Therefore, Article 19 of Regulation (EU) 2024/1624 requires obliged entities to apply CDD measures when establishing a business relationship and when carrying out occasional transactions (whether conducted in a single transaction or through linked transactions) above predefined thresholds.

The first issue addressed by this draft RTS relates to the distinction between business relationships and occasional transactions. Under Article 2(1), point (19), of Regulation (EU) 2024/1624, a business relationship is defined as 'a business, professional or commercial relationship connected with the professional activities of an obliged entity, which is set up between an obliged entity and a customer, and which is expected to have, at the time it is

established, or which subsequently acquires, an element of repetition or duration'. By contrast, Regulation (EU) 2024/1624 does not expressly define an occasional transaction. The distinction between business relationships and occasional transactions is a key element of the anti-money laundering and terrorist financing (AML/CFT) framework. Harmonisation in this area is essential to guarantee the consistent implementation of CDD measures throughout the Union, since the classification of an activity as a business relationship or an occasional transaction determines the application of CDD measures. This is particularly important for obliged entities, especially in the non-financial sector, which do not perform transactions themselves, but instead provide services related to transactions and assets, which may be offered either within a business relationship or as occasional transactions. In some of these sectors, a fragmented landscape in the interpretation of the concept of business relationship and occasional transactions has been identified. Such divergences could lead to inconsistent application of CDD requirements by obliged entities and could create opportunities for regulatory arbitrage and uneven level of protection of EU citizens against money laundering and terrorist financing (ML/TF) risks. Providing criteria to be taken into account when identifying business relationships and occasional transactions also supports the integrity and comparability of supervisory data that obliged entities must report under the draft RTS pursuant to Article 40(2) of Directive (EU) 2024/1640 and Article 12(7) of Regulation (EU) 2024/1620. These include, for instance, data on the number of customers and occasional transactions. Comparable data is indispensable for the effective application of a risk-based supervisory approach and for enabling AMLA to identify entities eligible for direct supervision. Therefore, AMLA is required to develop draft RTS that specify criteria for identifying occasional transactions and business relationships.

Secondly, this draft RTS addresses the identification of linked transactions. Since CDD obligations in the context of occasional transactions apply only above certain monetary thresholds, it is essential that obliged entities are able to identify when several transactions are linked in such a way that they should be considered in aggregate. As a matter of fact, criminals often structure transactions to evade such thresholds, a risk recognised since the adoption of the first AML Directive in 1991. Regulation (EU) 2024/1624 introduces a uniform definition of linked transactions, defined under Article 2(1), point (20), as 'two or more transactions with either identical or similar origin, destination and purpose, or other relevant characteristics, over a specific period'. To complement this definition, AMLA is required to develop a draft RTS to specify the criteria to identify linked transactions.

Lastly, this draft RTS addresses whether certain obliged entities, sectors, or transactions exposed to higher ML/TF risks may warrant lower thresholds for applying CDD measures than the standard EUR 10 000 threshold for occasional transactions or the lower thresholds set out in Article 19(2) to (5) of Regulation (EU) 2024/1624. Given the dynamic and evolving nature of ML/TF risks, it is not possible to exhaustively determine all situations that may justify lower thresholds in the

Regulation. Therefore, the co-legislators mandated AMLA to further identify the obliged entities, sectors or transactions that warrant lower thresholds, as well as the adequate thresholds.

B. Policy objectives

The general objective of this mandate is to contribute to the strengthening of the harmonised AML/CFT framework introduced by Regulation (EU) 2024/1624, while adhering to the risk-based approach.

More specifically, the draft RTS aims to specify criteria that obliged entities should take into account when identifying business relationships, occasional transactions and linked transactions, both in the financial and non-financial sector. By introducing such criteria, the draft RTS seeks to mitigate divergent interpretations that could otherwise lead to the inconsistent application, or non-application, of CDD measures across the Union.

Additionally, this mandate aims to ensure that emerging ML/TF risks affecting the internal market are properly addressed through the identification of obliged entities, sectors, or transactions which are exposed to higher ML/TF risks and to which lower occasional transaction thresholds than the general EUR 10 000 threshold would apply, as well as the related occasional transaction values. This includes assessing whether the lower thresholds specified in Regulation (EU) 2024/1624[3] should be complemented with additional lower thresholds, given the evolving nature of the ML/TF landscape.

C. Baseline scenario

Under the baseline scenario, obliged entities would apply CDD measures in the circumstances listed by Article 19(1) to (5) of Regulation (EU) 2024/1624. This includes applying CDD measures when establishing a business relationship and when carrying out an occasional transaction above one of the thresholds mentioned in Article 19, or the equivalent in national currency, whether that transaction is carried out in a single operation or through linked transactions, unless a lower threshold applies.

The baseline scenario would foresee that obliged entities rely solely on Regulation (EU) 2024/1624 without any additional criteria for identifying business relationships, occasional

[3] Paragraphs 2 to 5 of Article 19 introduce the following lower thresholds: 1 000 EUR for transfers of funds by credit institutions and financial institutions (except for crypto-asset service providers), 1 000 EUR for occasional transactions by crypto-asset service providers, at least identification and verification for occasional transactions under 1 000 EUR for crypto-asset service providers, 3 000 EUR for cash transactions, 2 000 EUR for providers of gambling services upon the collection of winnings, the wagering of stake or both.

transactions, and linked transactions. Regulation (EU) 2024/1624 provides uniform definitions of the concepts of business relationships and linked transactions, but does not provide specific criteria to ensure the uniform interpretation of these concepts by supervisors and obliged entities across the Union. This might lead to divergent interpretations in some sectors, which would ultimately undermine the consistent application of CDD measures and create opportunities for regulatory arbitrage, as criminals might exploit jurisdictions with more permissive interpretations. Article 19(9) of Regulation (EU) 2024/1624 therefore requires AMLA to develop a dedicated draft RTS specifying the criteria to be taken into account for identifying occasional transactions and business relationships; as well as the criteria to identify linked transactions.

Although the EUR 10 000 threshold, or the equivalent in national currency, applies to most occasional transactions, obliged entities operating in sectors or carrying out transactions exposed to higher ML/TF risks should be required to apply CDD measures at lower thresholds, in line with the risk-based approach. Regulation (EU) 2024/1624 establishes lower thresholds for occasional transactions in certain situations due to their higher exposure to ML/TF risks. It also empowers AMLA to further expand on the obliged entities, sectors or transactions that warrant lower thresholds, through the development of a draft RTS.

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 RTS under Article 19(9) of Regulation (EU) 2024/1624.

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 RTS, 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 set out in Regulation (EU) 2024/1624, the draft RTS aims to ensure harmonisation insofar as possible across Member States and sectors, while preserving flexibility for obliged entities and adhering to the risk-based approach.

In particular, AMLA adopted a risk-based approach, focusing on effective, workable outcomes to the extent that the requirements set out in Regulation (EU) 2024/1624 permit it.

In addition, AMLA placed a particular focus on simplification, by incorporating principle-based provisions that ensure flexibility for obliged entities and avoiding adding further requirements beyond those set out in Regulation (EU) 2024/1624, with the aim of minimizing complexity, regulatory burden and compliance costs.

Moreover, AMLA strived to be comprehensive, by considering the material impacts of this regulatory instrument on all target groups, being mindful that the provisions of this draft RTS affect a wide range of obliged entities within the financial and non-financial sectors, including entities which were not subject to CDD requirements under the previous AML/CFT framework, as well as supervisory authorities and customers.

In addition, AMLA ensured to be unbiased by considering the problem from the perspective of the different actors to which the regulatory product is addressed, giving equal importance to the interests and needs of the parties that are impacted at the same level.

The policy decisions also adhere to the principle of proportionality. This means that the draft RTS aim to impose obligations that are suitable and necessary to achieve the desired end, and do not impose a burden on the target groups that is excessive in relation to the objective pursued.

Policy Issue 1: Criteria for identifying business relationships and occasional transactions

Article 19(9), letter (c), of Regulation (EU) 2024/1624 requires AMLA to specify the criteria to be taken into account for identifying occasional transactions and business relationships. Article 2(1), point (19), of Regulation (EU) 2024/1624 provides a definition of business relationship, focused on the element of repetition or duration, or an expectation thereof.

Supervisory experience shows that currently some obliged entities have difficulties with properly distinguishing between business relationships and occasional transactions. Additionally, a fragmented approach to the identification of business relationships and occasional transactions has been identified in some cases, particularly in the non-financial sector.

Addressing this policy issue is necessary to ensure a more consistent and effective application of CDD measures. Clarifying how the elements of duration and repetition should be assessed in practice supports both obliged entities and supervisors, without altering the legal definition laid down in Regulation (EU) 2024/1624. The objective of the draft RTS is therefore to provide criteria that aim to reduce fragmentation and enhance the proper identification of business relationships and occasional transactions where supervisory practice has shown persistent difficulties.

To specify the criteria for identifying business relationships, AMLA considered the following options:

A. Relying on **fully harmonised, horizontal criteria**, applying to both the financial and non-financial sector;
B. Introducing **sector-specific criteria**, differentiating between the financial and non-financial sector, and possibly between different subsectors within them;
C. Adopting a **balanced approach**, combining horizontal principles with targeted sector-specific criteria.

Under **Option A**, the draft RTS would provide a set of fully harmonised, horizontal criteria for identifying business relationships, without any sector-specific provisions. This means that such criteria would be principle-based and flexible enough to accommodate the significant differences in business models and nature of transactions in different sectors. While this option would preserve maximum flexibility for obliged entities, it would not adequately address the identified inconsistencies and fragmentation in some sectors. Leaving the application of the definition of business relationships in Regulation (EU) 2024/1624 entirely to horizontal criteria, without addressing targeted sector-specific circumstances, would risk perpetuating inconsistent application. As a result, the objective to ensure the proper identification of business relationships by obliged entities across sectors and Member States would not be achieved. Moreover, the effectiveness of AML/CFT supervision and the comparability of supervisory information would be impaired.

Option B would introduce detailed and granular sector-specific criteria, differentiating between the wide range of sectors under Regulation (EU) 2024/1624, explicitly defining when certain services or activities constitute a business relationship. Although this approach would reduce the risk of misclassification, it would also significantly increase regulatory complexity and compliance costs for obliged entities. Highly prescriptive rules would prove to be insufficiently adaptable to different business models or future developments, potentially leading to unintended outcomes and facilitate circumvention.

Option C would rely on horizontal, principle-based criteria, with targeted sector-specific provisions where supervisory experience demonstrates a need for clarification. This approach would provide a balance between flexibility and clarity, thus ensuring a sufficient level of harmonisation in the identification of business relationships and the subsequent application of CDD measures by obliged entities. Although some entities might face additional implementation costs when adapting to the application of newly identified criteria, these would be offset by the benefits from a more harmonized approach.

Based on the above-described considerations, Option C was chosen.

Accordingly, the draft RTS sets out one horizontal criterion that obliged entities must take into account when assessing whether a business relationship exists: the existence of ongoing access through registration-based online platforms. This criterion provides clarity and enhance harmonisation by operationalising the element of duration set out in the definition of a business relationship in Regulation (EU) 2024/1624, while remaining sufficiently flexible to accommodate diverse business models.

At the same time, the draft RTS introduces specific criteria for those sectors and activities where consistent difficulties in classification or significant fragmentation across Member States have been observed. This is, for instance, the case for currency exchange. These targeted provisions respond directly to evidence from supervisory practice and focus regulatory intervention where it is most needed, without imposing unnecessary regulatory complexity and compliance burden on sectors where the definition of a business relationship is already applied in a relatively consistent manner.

The choice of Option C reflects a proportionate and risk-based approach to harmonisation. The draft RTS clarifies that at least the listed criteria should be taken into account when assessing the definition of a business relationship. However, whether the definition of a business relationships has been met, should be decided on the basis of the definition in Regulation (EU) 2024/1624. An engagement may meet the Regulation (EU) 2024/1624 definition of a business relationship even if none of the criteria from the draft RTS are present, and conversely, the presence of a criterion does not automatically establish such a relationship. This ensures that the draft RTS supports, rather than replaces, the definition under the Regulation (EU) 2024/1624. As such, Option C best achieves the policy objective of harmonising the criteria to be taken into account for identifying business relationships across the Union, while preserving flexibility and proportionality and avoiding unnecessary compliance cost.

Regarding occasional transactions, given that the concepts of a business relationship and occasional transaction are mutually exclusive under Regulation (EU) 2024/1624, the draft RTS defines occasional transactions in negative terms, whereby an occasional transaction is understood as a transaction that is not carried out as part of a business relationship. This approach ensures conceptual coherence with Regulation (EU) 2024/1624 and avoids creating an overlap or uncertainty between the two concepts. As a result, the identification of business relationships necessarily mirrors the identification of occasional transactions, since any engagement that does not meet the definition for a business relationship is an occasional transaction by default.

Policy issue 2: Criteria for identifying linked transactions

Article 19(9), letter (d), of Regulation (EU) 2024/1624 requires AMLA to specify the criteria to identify linked transactions.

While linked transactions were not explicitly defined under the previous AML/CFT framework, Article 2(1), point (20), of Regulation (EU) 2024/1624 introduces a uniform definition of linked transactions, based on the origin, destination, purpose, or other relevant characteristics of two or more transactions over a specific period. Financial and non-financial supervisors have noted divergent approaches in some sectors with the identification of linked transactions.

Identifying linked transactions is relevant for ensuring that the thresholds for occasional transactions are applied effectively and CDD measures are effectively applied to avoid circumvention. Analogously to the identification of business relationships, the draft RTS aims to provide criteria that reduce fragmentation and enhance clarity where fragmentation and inconsistent application have been identified.

For the specification of the criteria for identifying linked transactions, AMLA considered the same options described in the section above.

Analogously to the criteria for identifying business relationships, Option C was chosen for defining criteria for identifying linked transactions. By combining horizontal principles applicable to all obliged entities with targeted sector-specific provisions, this option ensures a consistent interpretation of the definition of linked transactions under Regulation (EU) 2024/1624, while providing targeted sectoral criteria.

The horizontal criteria should be at least taken into account by all obliged entities when assessing whether the different elements of the definition for linked transactions are fulfilled. Some of these criteria are explicitly grounded in information that is available or should be available to obliged entities, ensuring effectiveness without imposing disproportionate data collection or monitoring obligations for transactions below CDD thresholds, ultimately decreasing compliance costs.

Targeted sector-specific criteria address vulnerabilities and supervisory challenges in higher-risk sectors, such as money remittance and currency exchange, where supervisors noted significant difficulties in the identification of linked transactions. Tailored criteria, such as a defined rolling period of one month for assessing the element of a specific period, enhance clarity and supervisory convergence while directly responding to sector-specific risk patterns.

Policy Issue 3: Lower occasional transaction thresholds

Article 19(9), points (a) and (b), of Regulation (EU) 2024/1624 mandate AMLA to develop a draft RTS identifying obliged entities, sectors or transactions associated with higher ML/TF risk to which lower CDD thresholds for occasional transactions should apply. To do so, AMLA must take due account of the inherent risk of different business models and of the Union-level risk assessment conducted pursuant to Article 7 of Directive (EU) 2024/1640.

Regulation (EU) 2024/1624 already establishes lower thresholds for specific sectors and transactions identified by the legislator as presenting higher risks. The mandate therefore concerns whether additional lower thresholds should be specified through this RTS.

When assessing whether additional lower thresholds should be introduced, the following options were considered:

A. Maintaining **only the lower thresholds already defined** in Regulation (EU) 2024/1624, without introducing additional thresholds in the draft RTS;
B. Introducing **additional lower thresholds** for selected high-risk sectors or transactions.

Under **Option A**, only the thresholds already foreseen under Regulation (EU) 2024/1624 would be applied. Therefore, no additional compliance costs would arise, as obliged entities would not be required to further adapt systems, procedures or controls for occasional transactions below the thresholds already set in Regulation (EU) 2024/1624. This option supports legal clarity and reduces complexity, at a time when obliged entities are preparing for the implementation of a substantially revised and more harmonised AML/CFT framework. However, if high-risk circumstances existed, these would be left unaddressed.

By contrast, **Option B** would generate immediate, tangible and significant costs for obliged entities, while its potential benefits in terms of additional risk mitigation would remain uncertain. Introducing further lower thresholds at this stage would add complexity and compliance burden without conclusive evidence that the existing thresholds under Regulation (EU) 2024/1624 are insufficient. This would run counter to AMLA's commitment to proportionality and simplification.

Lowering thresholds for occasional transactions would constitute a significant regulatory intervention, as it would directly expand the scope of mandatory CDD requirements, resulting in additional operational and administrative burden for obliged entities. Such measures could only be justified where there is clear and compelling evidence of both necessity and proportionality. Since the entry into force of Regulation 2024/1620, no conclusive information has emerged

indicating that any additional lower thresholds are necessary and proportionate to mitigate ML/TF risks across the Union. Consequently, this Regulation does not specify any additional lower thresholds for CDD at this point in time.

Based on the considerations described above, Option A was adopted. Maintaining only the lower thresholds defined in Regulation (EU) 2024/1624 ensures a proportionate and coherent approach, while adhering to the risk-based approach and ensuring commitment to the simplification objective. If in the future it becomes apparent that mitigation of ML/TF risks via the introduction of a lower threshold is necessary and proportionate for certain obliged entities, sectors or transactions, a proposal for amendment of this Regulation will be made.

Further assessments

During the public consultation, respondents will have the opportunity to provide supporting data, evidence, or concrete examples to substantiate any proposals or suggested amendments to the RTS. In particular, stakeholders will be invited to submit quantitative data and information illustrating sector-specific risks, operational constraints, compliance costs, or supervisory impacts, where relevant.

This evidence-based input will support AMLA in reassessing, where justified, whether proposed changes are proportionate, justified, and consistent with the risk-based approach underpinning the RTS, and in determining whether any further clarification or targeted adjustments are warranted.

5.2 Overview of questions for consultation

Question 1: Do you find the criteria listed in Article 2 of the draft RTS effective to identify **business relationships** properly? If not, could you please indicate why, where possible substantiated by relevant data?

Question 2: Do you find the criteria listed in Article 3 of the draft RTS effective to identify **linked transactions** properly? If not, could you please indicate why, where possible substantiated by relevant data?

Question 3: Do you consider it necessary to add additional criteria that should at least be taken into account when considering the different elements of the definition of a **business relationship** to ensure the proper identification of business relationships? If so, could you please indicate which criteria and for which sector(s)?

Question 4: Do you consider it necessary to add additional criteria that should at least be taken into account when considering the different elements of the definition of **linked transactions** to ensure the proper identification of linked transactions? If so, could you please indicate which criteria and for which sector(s)?

Question 5: Do you consider the criteria for identifying **business relationships and linked transactions** listed in Article 2(3) and Article 3(2) of this draft RTS proportionate? If not, could you please indicate why, where possible substantiated by relevant data, and which alternative criterion you would find more proportionate?

Question 6: Do you foresee any **operational challenges** in implementing this draft RTS? If so, could you please indicate which, where possible substantiated by relevant data? Do you have any suggestions that would make the criteria better suited operationally?

Question 7: Do you see a need for the introduction of an **additional lower threshold** for a specific obliged entity, sector or transaction? If so, could you please indicate why, where possible substantiated by data, and at which value the threshold should be set?