EU adopts tougher rules on money laundering

The Council today adopted a new anti money laundering directive. This directive introduces new criminal law provisions which will disrupt and block access by criminals to financial resources, including those used for terrorist activities.

The new rules include:

- establishing minimum rules on the definition of criminal offences and sanctions relating to money laundering. Money laundering activities will be punishable by a maximum term of imprisonment of at least 4 years, and judges may impose additional sanctions and measures (e.g. temporary or permanent exclusion from access to public funding, fines, etc.).
- Aggravating circumstances will apply to cases linked to criminal organisations or for offences conducted in the exercise of certain professional activities.
- the possibility of holding legal entities liable for certain money laundering activities which can face a range of sanctions (e.g. exclusion from public aid, placement under judicial supervision, judicial winding-up, etc.)
- removing obstacles to cross-border judicial and police cooperation by setting common provisions to improve investigations. For cross-border cases, the new rules clarify which member state has jurisdiction, and how those member states involved cooperate, as well as how to involve Eurojust.

Next steps

Once the directive is published in the EU official journal, member states have up to 24 months to transpose it into national law.

Background

This directive complements, on the criminal law aspects, the directive on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing which was formally adopted in May 2018.

- Directive on countering money laundering by criminal law (PE-CONS 30/18)
- Directive on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (press release, 14/05/2018)