

EN

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Answer given by Ms Albuquerque
on behalf of the European Commission
(25.11.2025)

Directive (EU) 2015/849¹ requires enhanced due diligence measures for all business relationships or transactions involving high-risk third countries². While obliged entities can outsource certain functions to third parties, they cannot rely on third parties established in high-risk third countries, except for branches or majority-owned subsidiaries under certain conditions. This will continue to apply under the new framework in Article 18 of Regulation (EU) 2024/1624³.

Furthermore, under the new framework, the Anti-Money Laundering Authority (AMLA) will issue guidelines on supervisory practices and anti-money laundering and countering the financing of terrorism (AML/CFT) requirements for obliged entities on outsourcing. These guidelines are to define the conditions under which outsourcing may occur and clarify the respective roles and responsibilities of all parties involved. They will also aim to ensure consistent oversight across the EU by providing guidance to supervisors on how to assess outsourcing arrangements and verify that such practices comply with AML/CFT obligations.

Lastly, AMLA will also be required to carry out cost-benefit analyses in relation to the measures, guidelines and technical standards it proposes. This obligation, set out in Article 49 and subsequent provisions of the AMLA Regulation⁴, aims to ensure that AMLA's regulatory initiatives are proportionate and take into account both the expected effectiveness of the measures and their potential impact on obliged entities.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L0849>.

² Risk-based exemptions are provided for branches or majority-owned subsidiaries of obliged entities established in the EU and located in high-risk third countries.

³ OJ L, 2024/1624, 19.6.2024.

⁴ <https://eur-lex.europa.eu/eli/reg/2024/1620/oj>.