

Use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences: single access point

2021/0244(COD) - 20/07/2021 - Legislative proposal

PURPOSE: to provide competent authorities with access to centralised registers of bank accounts through the single access point.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: illegal revenues generated by criminal activities in the EU amounted to EUR 139 billion in 2019, corresponding to 1% of its gross domestic product. **Swift access to financial information** is key to effective financial investigations and successfully tracing and confiscating the instrumentalities and proceeds of crime.

In order for competent authorities in one Member State to obtain information on subjects of an investigation who hold bank accounts in another Member State, they currently have to collect the information via police cooperation or judicial cooperation channels. This is an often burdensome and time-consuming process that hampers speedy access to the information.

Under the Commission's proposal for a new anti-money laundering Directive (presented alongside this proposal), Member States will have to ensure that information obtained from centralised bank accounts registries is available through the bank account registers (BAR) single access points be developed and operated by the Commission. However, the new anti-money laundering directive will provide access to the BAR single access point only to financial intelligence units (FIUs).

In the interest of combatting serious crime and, in particular, carrying out effective financial investigation authorities competent for the prevention, detection, investigation or prosecution of criminal offences also need to have access to the BAR single access point allowing them to identify, analyse and interpret the financial information relevant for criminal proceedings.

In its [resolution](#) of 10 July 2020, the European Parliament welcomed the Commission's plan to ensure the interconnection of centralised bank accounts registries in order to speed up access to financial information for law enforcement authorities' and FIUs' access to financial information in different investigation phases and facilitate cross-border cooperation in full compliance with applicable data protection rules.

CONTENT: the proposed amendment to [Directive \(EU\) 2019/1153](#) would allow clearly designated competent authorities responsible for the prevention, investigation, detection or prosecution of criminal offences to access and search the interconnected system of centralised bank account registers through the BAR single access point. This would allow them to establish quickly whether an individual holds bank accounts in other Member States without having to ask all their counterparts in all Member States.