












Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Awaiting Parliament's position in 1st reading
Use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences: single access point Amending Directive 2019/1153 2018/0105(COD)	
Subject 2.50.04.02 Electronic money and payments, cross-border credit transfers 7.30 Police, judicial and customs cooperation in general 7.30.05 Police cooperation 7.30.30 Action to combat crime 7.30.30.08 Capital outflow, money laundering	
Legislative priorities Joint Declaration 2021	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs		29/11/2021
		 RADEV Emil	
		Shadow rapporteur	
		 CHINNICI Caterina	
		 TANG Paul	
		 KELLER Fabienne	
		 CARÊME Damien	
		 VANDENDRIESSCHE Tom	
		 BRUDZIŃSKI Joachim Stanisław	
	 DALY Clare		
	Committee for opinion	Rapporteur for opinion	Appointed
	 Economic and Monetary Affairs		16/09/2021
		 VAIDERE Inese	
Council of the European Union			
European Commission	Commission DG Migration and Home Affairs	Commissioner JOHANSSON Ylva	

Key events			
20/07/2021	Legislative proposal published	COM(2021)0429	Summary
13/09/2021	Committee referral announced in Parliament, 1st reading		
12/01/2023	Vote in committee, 1st reading		
12/01/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
17/01/2023	Committee report tabled for plenary, 1st reading	A9-0004/2023	Summary
01/02/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/02/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		

Technical information	
Procedure reference	2021/0244(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2019/1153 2018/0105(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 087-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Awaiting Parliament's position in 1st reading
Committee dossier	LIBE/9/06887

Documentation gateway					
Legislative proposal		COM(2021)0429	20/07/2021	EC	Summary
Document attached to the procedure		SWD(2021)0210	20/07/2021	EC	
Committee opinion	ECON	PE700.736	15/03/2022	EP	
Committee draft report		PE734.352	01/07/2022	EP	
Amendments tabled in committee		PE735.598	27/07/2022	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0004/2023	17/01/2023	EP	Summary

Additional information		
Research document	Briefing	16/05/2022

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

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.

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

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Emil RADEV (EPP, BG) on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2019/1153 of the European Parliament and of the Council, as regards access of competent authorities to centralised bank account registries through the single access point.

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 bank account registers (BAR) single access point.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Members specify that national competent authorities should have the power to access and search information on bank accounts in other Member States where they have justified reasons to consider that relevant information on bank accounts necessary for the performance of their tasks might exist in other Member States.

Data gathered as a result of accessing or searching bank account information through the BAR single access point should be adequate and relevant for the purposes for which they are sought and should not be excessive for those purposes.

Competent authorities would only be able to carry out searches if the national competent authorities are able to carry out such searches in the national register under the same conditions as in a similar domestic case.

Furthermore, when accessing and searching information available in other Member States through the BAR single point of access, those competent authorities should respect the procedural rights of individuals as well as national and Union rules on the protection of personal data.

Lastly, the staff of the designated competent authorities having access through BAR single access point should maintain high professional standards of confidentiality and data protection, are of high integrity and are appropriately skilled.