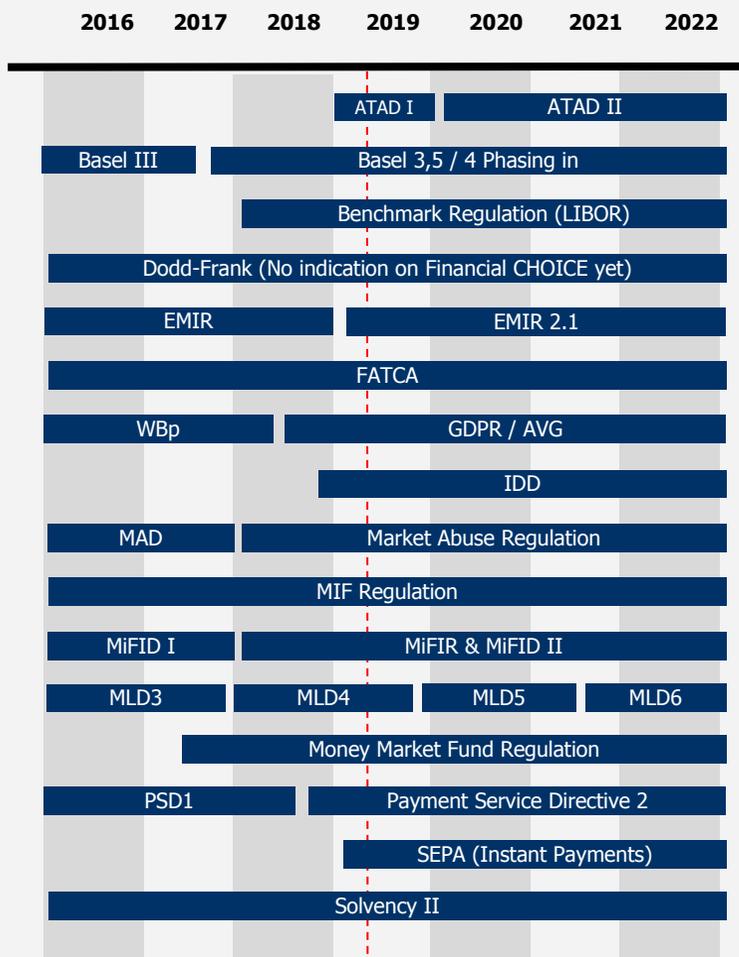




Regulatory timelines



Key developments

- EMIR 2.1 in process of adoption, currently concrete date not yet known yet
- PSD2 adopted, developments gaining traction, license applications completed and PSD2 becoming more mainstream news
- Brexit continues to be uncertain, April 12th next deadline
- BMR compliance (to be) delayed for 2 years
- MLD 6 adopted, see Regulatory spotlight below



Regulatory spotlight Q2 2019:

Money Laundering Directives (MLD) From 4 to 5 to 6

The first Money Laundering Directive (MLD) was adopted in 1990, intended to prevent misuse of the financial system for money laundering. Since then the level of (required) protection has increased significantly as well as the measures and effort required to comply, impacting Treasury directly or indirectly via banks' compliance requirements

MLD4 has been adopted and went live in 2018, and increases a.o. transparency on the Ultimate Beneficiary Owners ('UBO').

MLD5 raises the requirements on customer due diligence requirements and UBO transparency, as well as brings (some) cryptoassets into a supervised environment.

MLD6 however, is expected to be a bigger challenge for Treasury than MLD 5, due to the following consequences:

- Increased corporate liability
- "Failure to prevent" responsibility
- Direct responsibility of representative or 'controlling minds' for taking appropriate actions
- Uniform list of criminal offences, including cybercrime

Compliance with Money Laundering Directives, especially with MLD6 preparations, will need to be a topic on the compliance agenda of Treasury



More information

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The regulatory update is based upon the latest insights on selected regulations (including EACT publications and DNB Quarterly Newsletters), technical publications and a selection of law firm news updates.