Europäische Bausparkassenvereinigung
European Federation of Building Societies
Fédération Européenne d'Epargne et de Crédit pour le Logement

Mailing list Supervision/Accounting/Money Laundering

9 June 2026
MP/AF/LW

Public consultation on the draft guidelines for the ongoing monitoring of business relationships pursuant to Article 26(5) of the AML Regulation (Regulation (EU) 2026/1624) – with a request for feedback by the 30 June 2026

KEY POINTS:

- On 3 June 2026, the AMLA published draft guidelines on the ongoing monitoring of business relationships in accordance with Article 26(5) of the AML Regulation and launched a public consultation on the matter.
- The guidelines are intended to assist obliged entities in fulfilling their obligations regarding the ongoing monitoring of their business relationships and the monitoring of their customers' transactions and activities in accordance with Article 26 of the AML Regulation.
- They include, amongst other things, the principles of proportionality in ongoing monitoring by obliged entities, expectations regarding the up-to-date nature of customer documents, the updating of customer information and a risk-based approach to decide whether to update an expired identification document or equivalent.
- A public consultation will run until 3 September 2026.
- The AMLA will hold a public hearing on 2 July 2026, in which the European Federation of Building Societies will participate, and is requesting feedback on the key points of the consultation paper by 30th of June 2026.

Dear Sir or Madam,

We refer to our letter of 18 May 2026 regarding the consultation on the draft Regulatory Technical Standards (RTS) on the obligations and arrangements for supervisory authorities in cross-border cooperation pursuant to Article 46(4) of the 6th AML Directive (Directive (EU) 2024/1640) and on the results of the AMLA 'roadshow', and would like to inform you that on 3 June 2026, in accordance with Article 26(5) of the AML Regulation, AMLA published draft guidelines on the ongoing monitoring of business relationships and launched a public consultation on them. The guidelines aim to help obliged entities fulfil their obligations regarding the ongoing monitoring of their business relationships and the monitoring of their monitoring of their customers' transactions and activities in accordance with Article 26 of the AML Regulation. To this end, the guidelines explain how ongoing monitoring should be structured and applied in practice and set out basic principles applicable to both the financial and non-financial sectors. In doing so, they also take into account the diversity of business models, data availability and the need for proportionate and technology-neutral requirements.

Principles of proportionality in ongoing monitoring by obliged entities under numbers 9 and 10
Numbers 9 and 10 set out principles of proportionality. Accordingly, the framework for ongoing monitoring must be designed and implemented in a manner that is proportionate to the nature, risks and complexity of the business, as well as the size of the obliged entity.

Expectations regarding the up-to-date nature of customer documents under Guideline 1
Guideline 1 sets out the expectations regarding the up-to-date nature of customer documents, data and information, which must be ensured through both regular and ad hoc checks. This guideline identifies sources of information that obliged entities may use to update information as part of their due diligence obligations and contains non-exhaustive lists of information that obliged entities should consider and assess during regular and ad hoc reviews.

Updating customer documents, data or information and withdrawing expired identity documents
According to number 12, customer information should be updated using one or more of the sources listed below:

a) Reliable and independent sources of information which may include official registers or databases of government and competent authorities
b) Information collected through reliable and reputable commercial organisations such as vendors and data service providers, and information from reliable and independent open sources;
c) Information or confirmation provided directly by the customer, either in writing or through digital means, provided that this information is of sufficient quality to enable them to assess the authenticity and accuracy of the information;
d) Information provided by other obliged entities.

According to number 13, obliged entities shall take the necessary measures to ensure that personal data from public and commercial sources is accurate and up to date. Numbers 16 to 18 concern the re-collection of expired identity documents.

Risk-based approach based on the customer's risk profile
According to paragraphs 19 and the following, the structure of regular verifications should follow a risk-based approach, whereby the obliged party assesses, on the basis of the customer's risk profile, which information, data or documents need to be updated. Numbers 24 et seq. concern ad hoc reviews.

Termination or temporary suspension of business relationships due to a lack of updated documents, data or information from the customer
Numbers 30 et seq. of the guidelines assume that the obliged entity must ultimately terminate the business relationship if it requests updated documents, data or information from the customer or "confirmation from the customer" and receives "no response" from the customer, thereby temporarily preventing compliance with Article 20(1)(f) of the AML Regulation. According to number 36, the suspension or restriction of transactions and activities as a merely temporary measure should only be applied if an obliged entity has repeatedly taken appropriate steps to request up-to-date customer documents, data or information, and only until the obliged entity receives the necessary

documents, data or information from the customer. By contrast, termination should take place if the obliged entity is ultimately unable to fulfil its obligations.

Design of monitoring systems by obliged entities in accordance with Guideline 2
Guideline 2 explains how obliged entities should design, implement and review monitoring systems in order to detect unusual or suspicious transactions and activities.
This detailed Guideline 2 comprises numbers 34 to 95 and is structured as follows:

- General principles
- Monitoring framework using manual, automated or semi-automated processes and controls
- Link between customer due diligence and the framework for ongoing monitoring
- Implementation of the monitoring framework
- Internal controls and ongoing review
- Use of technology

Public consultation until 3 September 2026 and the association's position
We intend to draw up a coordinated position based on your feedback and to participate in the consultation on behalf of the association. It would be helpful if individual institutions could also take part in the public consultation by the **3 September 2026** via the following link:
https://ec.europa.eu/eusurvey/runner/eaddcaba-57d5-0f7d-d5e1-f33d815dee5b
Please note that, in this case too, the submissions received will be published by the AMLA once the consultation has concluded, unless a request for confidential treatment of the submissions is made in advance.

The AMLA will hold a **public hearing** on this matter on **2 July 2026**. If you wish to participate in this public hearing on the draft guidelines, you can register via the following link:
https://www.amla.europa.eu/events/public-hearing-draft-guidelines-ongoing-monitoring-business-relationship-2026-07-02_en

As the number of participants is limited, the AMLA recommends registering early.
We will be attending the hearing on behalf of the association and therefore ask you to highlight any content in the consultation paper that you consider particularly relevant or critical, if possible by the **30 June 2026**, to Leila.White@efbs-bausparkassen.org. The related AMLA press release on the draft guidelines and the consultation paper can be found in the attachment. We will keep you informed about further developments. Please do not hesitate to contact us if you have any questions.

Yours sincerely,



Christian König

Managing Director

European Federation of Building Societies

Annex