



EUROPEAN COMMISSION

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C(2016) 7801 final*

Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the proposal for a Council Directive amending Directive 2011/16/EU as regards access to anti-money laundering information by tax authorities {COM(2016) 452 final} and for its support to the EU initiatives in the areas of anti-money laundering, tax transparency and tax cooperation in the context of the fight against tax fraud and evasion.

This proposal is part of a broader package of ambitious current and pending measures and is the result of the continued efforts of the EU as a whole and its Member States to enable the tax authorities in Member States to fight tax fraud and evasion more effectively, to ensure fairness in applying the tax rules to all and to provide much needed resources to strained national budgets.

Recent scandals concerning tax fraud and evasion, for instance to Panama, exposed loopholes that made it easy to hide illicit money offshore and have proven that the same methods of obscuring ownership are used for laundering money and for tax fraud and evasion. Therefore, the Commission has intensified its efforts on both fronts, building on synergies between the relevant pieces of EU legislation in the fields of anti-money-laundering and tax cooperation.

The Commission welcomes the support of the Camera Deputaților for EU action in those areas. As regards the Camera Deputaților's observation on the need for a separate set of amendments to Directive 2011/16/EU, the Commission would like to point out two important main features of the proposed amendments:

(1) the access to anti-money laundering information in that Directive would concern not only the beneficial ownership registers, but the related mechanisms, procedures, documents and information;

*Mr Florin IORDACHE
President of the
Camera Deputaților
Palace of the Parliament
Str. Izvor nr. 2-4, sector 5
RO – 050563 BUCHAREST*

(2) the access would be provided strictly within the scope of that Directive, i.e. for the purpose of the implementation and enforcement of the obligations that it lays down and to ensure the functioning of the administrative cooperation in taxation that the Directive establishes. Neither of those two main features applies to the proposed amendments to Directive 2015/849/EU (Fourth Anti-Money-Laundering Directive).

The points made above are based on the initial proposal presented by the Commission which is currently in the legislative process involving both the European Parliament and the Council.

The Commission hopes that these clarifications address the issues raised by the Camera Deputaților and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Pierre Moscovici
Member of the Commission*