

ECJ Ruled on Concept of "External Accountants" in AML Directive

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On 5 December 2024, the ECJ [delivered a ruling](#) on the personal scope of application of the fourth Anti-Money Laundering Directive (Directive (EU) 2015/849). The underlying Latvian proceedings concerned the question of whether a company (a legal person) that provides accounting services for entities affiliated with it can be considered an "external accountant" within the meaning of Art. 2(1)(3)(a) of the Directive. If the answer was in the affirmative, the company would be subject to the duties of prevention and due diligence provided for in the Directive and would therefore also be exposed to possible sanctions in the event of non-compliance. The case is referred as [C-3/24 \(MISTRAL TRANS\)](#).

The ECJ explained that, according to the usual meaning of the term in everyday language, the context in which it occurs and the purpose of the provision, the term "external accountants", within the meaning of Article 2(1)(3) (a) of Directive 2015/849, covers natural or legal persons whose professional activity consists in independently providing accounting services, such as the preparation, keeping or auditing of accounts, to third parties. This does not apply to the Latvian company in the main case. It took over the bookkeeping for its affiliated companies in order to pool resources and its main activity is the business of transporting goods.

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