

**WRITTEN QUESTION TO THE
MINISTER FOR EXTERNAL RELATIONS AND FINANCIAL SERVICES
BY DEPUTY G.P. SOUTHERN OF ST. HELIER CENTRAL
QUESTION SUBMITTED ON MONDAY 28th NOVEMBER 2022
ANSWER TO BE TABLED ON MONDAY 5th DECEMBER 2022**

Question

“Following the latest E.U. ruling on money laundering, is it the Minister’s assessment that access should be guaranteed to the 6th E.U. Anti-Money Laundering Directive, including provisions that reconcile public access with privacy and security concerns?”

Answer

On 22nd November 2022, the European Union Court of Justice (ECJ) ruled that the legal provision whereby information on the beneficial ownership of legal entities is accessible in all cases to any member of the general public is invalid.

The question of whether the Sixth E.U. Anti-Money Laundering (AML) Directive should seek to reconcile public access with concerns regarding privacy in the wake of the recent ECJ ruling is one for the European Union. It would not be appropriate to comment on matters regarding the creation of laws which do not have application in Jersey.

This judgement, which relates to the Fifth AML Directive (2018/843), is not directly applicable to Jersey, however this is a seminal judgement in the international development of public access to registers. As a result, Jersey carefully considering the detail of the EU Court of Justice’s ruling as part of the ongoing development of the Island’s policy on beneficial ownership. The Government of Jersey intends to publish a policy statement and action plan on this issue in the near future.