

LEGAL UPDATE

Amended Money Laundering and Terrorist Financing (Prevention) Act Has Entered into Force

Date: 2 August 2018

We recently reported to you on the Fourth Anti-Money Laundering Directive Implementation Act, which was passed by the Dutch Senate on 10 July 2018. This Act amends the current Laundering and Terrorist Financing (Prevention) Act on a large number of points. For an overview of the most important changes, please refer to our [Legal Update](#) of 12 July 2018.

The amended Act entered into force on 25 July 2018, faster than expected. This effective date is remarkable, as it deviates from the fixed timing ordinarily applied for legislative amendments. According to the minister of Finance, this is justified in this case because it concerns European legislation that should have been implemented no later than on 26 June 2017.

With the entry into force of the Implementation Act, the current Laundering and Terrorist Financing (Prevention) Act has been realigned to the European legislation. However, it remains to be seen how long this Act will continue in its current form now that the European Union has adopted and [published](#) a Fifth Anti-Money Laundering Directive (as the successor to the Fourth Anti-money Laundering Directive). The Fifth Anti-Money Laundering Directive entered into force on 9 July 2018 and must be implemented by the Netherlands in its current legislation no later than on 10 January 2020. This date may still seem a long way off, but considering how long it took to implement the Fourth Anti-Money Laundering Directive, this date will soon approach.

Finally, the introduction of the much discussed UBO register, which will provide insight into the ultimate beneficial owners of companies and other legal entities, will take some more time. The minister of Finance has announced that the bill to amend the Trade Register Act 2007, which provides for the creation of the UBO register, will be submitted to the House of Representatives in early 2019.

This is a Legal Update from Timon Eissens.

For more information:

Timon Eissens
+31 30 25 95 733
timoneissens@vbk.nl