

EXPLANATORY MEETING WITH ALBANIA AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

11th January 2019

Venue: Room 1A – Albert Borschette building (Rue Froissart 36)

AGENDA - Chapter 4: Free Movement of Capital

Chairperson: Marc JORNA (DG NEAR)

08:30 - 09:00	Arrival of participants
09:00 - 09:30	
Welcome	Welcome and opening remarks by the Chair – Marc JORNA
Opening speeches	Introductory statement by Deputy Minister for Europe and Foreign Affairs, Mr. Gent CAKAJ Introductory statement by Chief Negotiator, Mr. Bojan MARICHIKJ
FREE MOVEMENT OF CAPITAL AND PAYMENTS	
09:30 - 11:00 Agnes FRIDELY and Rok ZVELC (FISMA)	<ul style="list-style-type: none">• Treaty on the Functioning of the European Union: Articles 63-66;• Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty (OJ L 178, 08.07.1988, p. 5-18);• Protocol No (1) on the acquisition of property in Denmark;• Special Protocol on the Åland Islands (Finland);• The transitional arrangements set out in the Annexes to the Act of Accession of 9 December 2011 (Annex V, Chapter 3) for Croatia;• Protocol No 6 on the acquisition of secondary residences in Malta;• Relevant European Court of Justice case-law;

	<ul style="list-style-type: none"> • Communication of the Commission (97/C 220/06) on certain legal aspects concerning intra-EU investment (OJ C 220, 19.07.1997, p. 15-18) • Communication from the Commission (2005/C 293/02) on the Intra-EU investment in the financial services' sector (OJ C 293, 25.11.2005, p.2-7) • Communication from the Commission (COM/2018/547 final) on the protection of intra-EU investment; • Commission Interpretative Communication (C/2017/6168) on the Acquisition of Farmland and European Union Law (OJ C 350, 18.10.2017, p. 5-20)
11:00 - 11:20	Questions and Answers
11:20 – 11:45	<i>Coffee Break</i>
PAYMENT SYSTEM	
11:45 - 13:00 Regina WEBER (FISMA)	<ul style="list-style-type: none"> • Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35-127); • Directive 2009/110/EC on the taking up, pursuit and prudential supervision of the business of electronic money institutions, amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p. 7-17); • Regulation (EC) No 924/2009 of the European Parliament and of the Council of 16 September 2009 on cross-border payments in the Community (OJ L 266, 9.10.2009, p. 11-18) • Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22-37)
13:00 - 13:15	Questions and Answers

13:15 - 14:45	Lunch
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MONEY LAUNDERING

<p>14:45 - 17:45</p> <p>Steffen KRAUS (DG JUST)</p>	<p>New Funds Transfer Regulation - <u>Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015</u> on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141 of 5 June 2015, p. 1-18).</p> <p>Four Commission Implementation decisions on those territories with special status which are binding:</p> <ul style="list-style-type: none"> • <u>Commission Decision 2008/982/EC of 8 December 2008</u> authorising the United Kingdom to conclude an agreement with the Bailiwick of Jersey, the Bailiwick of Guernsey and the Isle of Man for transfers of funds between the United Kingdom and each of these territories to be treated as transfers of funds within the United Kingdom, pursuant to Regulation (EC) No 1781/2006 of the European Parliament and of the Council (OJ L 352 of 31 December 2008, p. 34); • <u>Commission Implementing Decision (EU) 2018/1803 of 20 November 2018</u> on authorising France to conclude an agreement with Saint-Barthélemy, Saint-Pierre-et-Miquelon, New Caledonia, French Polynesia, and Wallis and Futuna respectively for transfers of funds between France and each of these territories to be treated as transfers of funds within France, pursuant to Regulation (EU) 2015/847 of the European Parliament and the Council (OJ L 296, 22.11.2018, p. 35–36); • <u>Commission Decision 2010/259/EU of 4 May 2010</u> authorising the French Republic to conclude an agreement with with the Principality of Monaco for transfers of funds between the French Republic and the Principality of Monaco to be treated as transfers of funds within the French Republic, pursuant to Regulation (EC) No 1781/2006 of the European Parliament and of the Council (OJ L 112 of 5 May 2010, p. 23); • <u>Commission Implementing Decision 2012/43/EU of 25 January 2012</u> authorising the Kingdom of Denmark to conclude agreements with Greenland and the Faroe Islands for transfers of funds between Denmark and each of these
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	<p>territories to be treated as transfers of funds within Denmark, pursuant to Regulation (EC) No 1781/2006 of the European Parliament and of the Council (OJ L 24 of 27 January 2012, p. 12-13);</p> <p><u>4th AML/CFT Directive - Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015</u> on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73–117).</p> <p><u>5th AML/CFT Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018</u> amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU OJ L 156, 19.6.2018, p. 43-74). <i>The dates of transposition for the different parts of the amendments follow from Article 67 of the 5th AML/CFT Directive.</i></p> <p>New Delegated Regulation on high risk third countries - <u>Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016</u> supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies.</p> <p><u>Commission Delegated Regulation (EU) 2018/1108 of 7 May 2018 supplementing Directive (EU) 2015/849</u> of the European Parliament and of the Council with regulatory technical standards on the criteria for the appointment of central contact points for electronic money issuers and payment service providers and with rules on their functions (OJ L 203, 10.8.2018, p. 2–6).</p>
17:45 - 18:15	Questions and Answers
18:15 - 18:30	<p>Closing remarks by DG NEAR</p> <ul style="list-style-type: none"> • David Cullen – Head of Unit, DG NEAR • Michela Matuella – Head of Unit, DG NEAR