

Brussels, 19 June 2026

Subject: Concerns regarding Article 22 of regulatory technical standards on Customer Due Diligence under Article 28(1) of Regulation (EU) 2024/1624

Dear Madam, Sir,

I am taking the liberty of contacting you on behalf of the Council of Bars and Law Societies (CCBE) representing members from all EU Member States. The CCBE is closely following the work of AMLA on regulatory technical standards, including on the ones regarding Customer Due Diligence under Article 28(1) of Regulation (EU) 2024/1624. The CCBE took part in both public hearing and in the public consultation to which it provided its written answers.¹

As it has been pointed out in our answers, we are particularly concerned about the wording of Article 22, which will have a major impact on a very large part of lawyers' activities. It therefore must be amended.

Article 22 (a) in its original form makes the use of pooled accounts for lawyers impossible.

Simplified due diligence measures could only be applied if *“the credit or financial institution is satisfied that the account holder will provide the information and documents required pursuant to Article 20(1)(h) of Regulation (EU) 2024/1624 in relation to clients for whom it administers their funds, immediately after such request has been made by the credit or financial institution”*, which is only fulfilled for matters falling under Article 3(3)(b) AMLR.

As a result, banks may terminate all lawyers' pooled accounts and subsequently cease offering them altogether which has already happened e.g. in Germany, when banking standards were changed respectively, since banks are unable or unwilling to comply with the additional due diligence obligations for economic reasons. If the pooled client account product were to disappear to some extent, or entirely from the market because banks are unwilling or unable to comply with the additional obligations and the associated burden, would be a fatal development that could no longer be reversed.

Against this background, the rules must be designed in such a way that Member States can establish their own supervisory systems that are equally able to fulfill the requirements of the AML Regulation, and that sole decision-making authority and control over the existence of pooled accounts does not rest with the banks alone.

We would like to reiterate our observation, that the RTS drafts obviously are tailored for large entities of the financial sector. The non-financial sector is comprised in large part of many small(er) entities that do not possess the same amount of resources to implement time-

¹ [CCBE response to AML Public Consultation on the draft Regulatory Technical Standards on Customer Due Diligence under Article 28\(1\) of Regulation \(EU\) 2024/1624](#)

consuming administrative CDD-measures (not including the time it will take to study and comprehend those new rules). The heavy administrative burdens which would result from having to open individual accounts for each client threaten to severely increase the cost of compliance for obliged entities, hampering access of citizens and businesses to their services.

Moreover, this provision causes major concern from the viewpoint of lawyer professional privilege/professional secrecy.

For the reasons above and explained further in our written response to the public consultation, we would like to propose the following wording:

“Article 22 - ...

(a) the credit institution is satisfied that

(i) the funds are not related to activities that fall within the scope of the obligations of Regulation (EU) 2024/1624, in particular its Article 3 and Article 19 or

(ii) third-party funds in pooled client accounts of persons bound by professional secrecy or professional privilege are subject to national supervisory arrangements in the Member States or

(iii) the account holder will provide the information and documents required pursuant to Article 20(1)(h) of Regulation (EU) 2024/1624 in relation to clients for whom it administers their funds, immediately after such request has been made by the credit institution;”

Additional recital:

“Due diligence obligations designed for the banking sector cannot always be applied to persons bound by professional secrecy, since the information in question may be covered by e.g. the legal privilege/LLP of lawyers and therefore may not be shared with the banks.

In the case of pooled accounts, additional rules are required that take account of existing national supervisory arrangements for those persons bound by professional secrecy.”

We remain at your disposal, should any questions arise.

Best regards,

Roman Zavrsek



CCBE President