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Finanšu ministrija
Smilšu iela 1, Rīga LV-1919
Latvia

14 August 2026

Dear Sir/Madam

Re: EMA response to the Procedure for the subjects of the Law on the Prevention of Money Laundering and the Financing of Terrorism and Proliferation to request and receive information from state information systems (Project ID 26-TA-976)

The EMA is the EU trade body representing electronic money issuers and alternative payment service providers. Our members include leading payments and e-commerce businesses worldwide, providing online payments, card-based products, electronic vouchers, and mobile payment instruments. Most members operate across the EU, most frequently on a cross-border basis. A list of current EMA members is available on our website.

I would be grateful for your consideration of our comments and proposals.

Yours sincerely,

Dr Thaer Sabri
Chief Executive Officer
Electronic Money Association

EMA responses

After reviewing the Procedure for the subjects of the Law on the Prevention of Money Laundering and the Financing of Terrorism and Proliferation to request and receive information from state information systems ("**Draft Regulations**") that provides for the possibility for subjects[1] of the Law on Prevention of Money Laundering and the Financing of Terrorism and Proliferation ("**AML Law**") to receive the data necessary for customer research from state information systems in one place, using the state data exchange platform, the EMA welcomes Latvia's continued commitment to strengthening its anti-money laundering and counter-terrorist financing network.

We support the Draft Regulations particularly the focus on transparency and allowing more data availability.

Point of Concern

EMA notes that 'users' under point 1.1 of the Draft Regulations are defined by reference to Section 3(1) of the AML Law, which does not distinguish between Latvian-established subjects and entities providing services in Latvia under the freedom to provide services basis ("**passporting**"). We would welcome confirmation that passporting payment ("**PI**") and e-money institutions ("**EMI**") licensed in another Member States and operate in Latvia on passporting basis[2], qualify as "users" for "Data Exchange Provision Service" ("**DAGR**") access purposes.

Impact on CDD and onboarding

Under Regulation (EU) 2024/1624 ("**AMLR**")[3], obliged entities are required to identify and verify beneficial owners and other customer due diligence data using reliable and independent sources, which in practice requires timely access to that data within short onboarding timeframes. For example, if passporting PIs and EMIs are not recognised as "users" for DAGR purposes, they would be unable to access state information systems data through the single data exchange platform, placing them at a practical disadvantage in carrying out customer due diligence and onboarding compared to firms established in Latvia that fall within the scope of the AML Law.

FATF Recommendation 24 emphasises the importance of ensuring timely access to beneficial ownership and related information for financial institutions, so that such information can be used effectively for customer due diligence and verification purposes. Limiting or delaying access for passporting entities therefore creates practical barriers to compliance and risks undermining the effectiveness and consistency of AML/CFT controls, particularly in cross-border contexts.

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[1] As defined in Article 3 of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing
[2] In accordance with the procedure laid down in Article 31 of the Law on Payment Services and Electronic Money (Maksājumu pakalpojumu un elektroniskās naudas likums)
[3] https://eur-lex.europa.eu/eli/reg/2024/1624/oj/eng

Recommendations

The EMA therefore recommends that the Draft Regulations be clarified to ensure that PIs and EMI's from other Member States that are lawfully providing services in Latvia are expressly recognised as "users" entitled to direct access to the DAGR, for the purposes of customer due diligence, on the same basis as Latvian-established obliged entities.

Suggested Wording

Amend point 1.1 of the Draft Regulations as follows:

"the procedure by which the subjects of the law referred to in Section 3, Paragraph one of the Law on the Prevention of Money Laundering and Financing of Terrorism and Proliferation, as well as institutions licensed in other Member States that have commenced operations in Latvia in accordance with the procedure laid down in Article 31 of the Law on Payment Services and Electronic Money, for the purposes of customer due diligence (hereinafter – users), request and receive information from the State Revenue Service Register of Politically Significant Persons [...]"