

Single Rulebook Q&A

Question ID	2021_5771
Status	Final Q&A
Legal act	Directive 2013/36/EU (CRD)
Topic	Other issues
Article	Annex I
Paragraph	Annex I, point 10
Subparagraph	-
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	Not applicable
Article/Paragraph	not applicable
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Disclose name of institution / entity	No
Type of submitter	Competent authority
Subject matter	Money broking
Question	What specific services and products are part of money broking?
Background on the question	For the purposes of our ML/TF (Money Laundering and Terrorism Financing) risk assessment we are trying to understand: - firstly whether these services can be provided only by credit institutions or also by nonbanking providers; - secondly what are typical customers of these services; - thirdly and most importantly what specific services and products are being broked in the framework of money broking.
Final answer	<p>In accordance with point 10 of Annex I to Directive 2013/36/EU, money broking is one of the activities subject to mutual recognition.</p> <p>It is a service that can be provided by credit institutions and non-bank providers. It can be defined as the business of arranging transactions between buyers and sellers in the money, securities and foreign exchange markets, with brokers acting as intermediaries in consideration of brokerage or commission fees paid or to be paid.</p> <p>The types of services that money broking may consist in are not defined in</p>

	<p>the Directive. However, those may include a certain number of financial services such as trading in securities, currency exchange services, interbank broking etc.</p> <p>Disclaimer:</p> <p>The answers clarify provisions already contained in the applicable legislation. They do not extend in any way the rights and obligations deriving from such legislation nor do they introduce any additional requirements for the concerned operators and competent authorities. The answers are merely intended to assist natural or legal persons, including competent authorities and Union institutions and bodies in clarifying the application or implementation of the relevant legal provisions. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law. The views expressed in the internal Commission Decision cannot prejudice the position that the European Commission might take before the Union and national courts.</p>
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