

Response to Consultation on draft Regulatory Technical Standards on Customer Due Diligence under Article 28(1) of Regulation (EU) 2024/1624

Amsterdam, 7 May 2026

Dear Madam / Sir,

The Dutch Association of Tax Advisers (de Nederlandse Orde van Belastingadviseurs, also referred to as 'NOB'¹) is pleased to herewith provide comments on the public consultation on the draft Regulatory Technical Standards (RTS) (**Consultation Paper**) as published on the website of the Anti-Money Laundering Authority (AMLA) on 9 February 2026.

The comments in this document will focus on the Draft RTS on supplementing Regulation (EU) 2024/1624 of the European Parliament and of the Council with regard to regulatory technical standards specifying information and requirements necessary for the performance of customer due diligence for the purposes of Article 28(1) (draft RTS under Article 28(1) of the AMLR on Customer Due Diligence).

The NOB is pleased that the proportionality and risk-based approach have explicitly been incorporated in Article 1 of the RTS. In light of said approach the NOB sees room for improvement of some of the articles of the RTS.

¹ More information about the NOB is included at the end of this document.



Kind Regards,
The Dutch Association of Tax Advisers

A handwritten signature in blue ink, appearing to be 'Margriet Lukkien', is written over a horizontal line. The signature is stylized and somewhat cursive.

Margriet Lukkien
Chair of Commissie Beroepszaken of the Dutch Association of Tax Advisers





Observations regarding draft RTS on Customer Due Diligence under Article 28(1) of the AMLR

General observations

According to the Consultation Paper the draft RTS outlined contain proportionate, risk-based Customer Due Diligence measures that contribute to harmonising the way AML/CFT requirements are applied in the European Union. The provisions are flexible enough to ensure applicability across the range of products and services offered by obliged entities in both the financial and non-financial sector. The RTS promote simplification and enable obliged entities to determine the most effective and proportionate measures to be applied.

The NOB endorses AMLA's intention to place proportionality and the risk-based approach at the heart of its work and to ensure the effectiveness of the instruments to be delivered all while simplifying AML/CFT compliance for obliged entities where possible. The NOB is pleased to see that the proportionality and risk-based approach have explicitly been incorporated in Article 1 of the RTS.

Article 2 – Information to be obtained in relation to names

In paragraph (ii) of Article 2 an extra obligation and thus administrative burden is created, where the obliged entities have to obtain not only the registered name, but also the trade name where it differs from the registered name. The NOB does not see why or how this additional obligation could contribute to the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. In the opinion of the NOB obtaining the entities' registered name should suffice. The NOB urges AMLA to reconsider this requirement, as each requirement significantly increases the administrative burden for the obliged entities, taking into account that the requirements apply to each and every client.

Besides, in the Netherlands an entity may have several trade names. As the RTS use the singular 'trade name', it can be argued that obtaining one trade name suffices, regardless which trading name. Requiring that all trade names that differ from the registered name are obtained, would definitely create an excessive administrative burden in the opinion of the NOB.

Article 4 – Specification on the provision of the place of birth

According to Article 4 at least the country name has to be obtained for the place of birth. In order to create a more proportionate administrative burden either the city name or the country name should suffice,





unless the specific city name should not be unique. Only in the latter case requiring the country name in addition would be proportionately.

Article 5 – Specification on nationalities

“Where a person holds multiple nationalities and declares them in good faith, verifying one nationality will be sufficient”, thus recital (3) to the RTS. To make this very clear the NOB suggests to add the cited passage (also) to Article 5.

Article 6 – Documents for the verification of identity

Paragraph (5) of Article 6 reads “For the purposes of verifying the identity of the persons referred to in (...), obliged entities shall obtain from that person the identity document, passport or equivalent, or a certified copy thereof (...).” [underlining by the NOB]. This paragraph is somewhat confusing as the obliged entity will of course have to return the original document to the person concerned as soon as possible. The NOB suggests changing the wording of said paragraph to make this clear.

As an alternative the obliged entity may obtain a *certified copy* of the identity document. A mark of authenticity merely regards the copy, but the original document should of course also be valid. How the text is phrased now it could mean that a copy of a false identity document may be certified as long as the copy is identical to the (false) original document. In that case it is impossible for the obliged entity to meet paragraph (3) of Article 6 – “Obliged entities shall take reasonable steps to ensure that alle documents obtained for the verification (...) are authentic and have not been forged or tampered with.” – in so far as it concerns the original document.

Article 7 – Verification measures conducted on a non-face-to-face basis

According to paragraph (3)(c) and (3)(e) of Article 7 any images, video, sound and/or data processed through the solution should be captured (and retained) in a readable format and with sufficient quality so that the natural person is unambiguously recognisable. In order to minimize the retention of data (GDPR) the NOB is of the opinion that not all data processed through the solution has to be kept on file, provided that the verification process is auditable.

Article 12 – Understanding the ownership and control structure of the customer in the case of complex corporate structures

The NOB suggests removing the word ‘complex’ and to merely speak of corporate structures with three or more layers between the customer and the beneficial owner, in order to neutralize the wording of this paragraph (including the heading).





Article 30 – Screening requirements

Paragraph (a) reads “[obliged entities shall] screen (...) (iii) in the case of a natural person, legal person, body or entity: - any other names, aliases or trade names where they differ from the registered name: (...)” The NOB is of the opinion that it is not feasible nor proportionate to screen all other names, aliases and trade names as this would force the obliged entities to record these names, provided that they become aware of all of these names anyhow. If the obliged entities record and screen at least the registered name this would sufficiently facilitate an adequate screening in the opinion of the NOB.

In conclusion

The NOB is available to further elaborate on this response to the evaluation. A copy of this response will be published on our website.

The Dutch Association of Tax Advisers

The Dutch Association of Tax Advisers, established in 1954, is the professional association of the university educated tax advisers in the Netherlands. It has over 6,000 members (including 800 corporate tax advisers), who must meet high standards in terms of expertise, professional skills and ethics. These standards form a guarantee for the quality of service and are important because the occupation of tax adviser is not legally protected in the Netherlands. As years of practice have shown, we are in a most excellent position to monitor the quality, integrity and recognizability of the profession of tax adviser for the general public, without legal regulation. We do this through our entry requirements, our professional education and our independent disciplinary boards.

The NOB has a long tradition in the area of legal commentaries. Since 1981, we have had a special Legislative Proposal Committee, which, over the years, has submitted extensive commentaries on proposed Dutch and EU tax legislations and made them available to parliament.

