

In case of discrepancies between the French and the English texts, the French text shall prevail.

**Grand-ducal Regulation of 11 June 2025 relating to the composition and functioning of the Committee on the prevention of money laundering and terrorist financing.**

**(Mém. A 2025, No 267)**

We Henri, Grand Duke of Luxembourg, Duke of Nassau,

Having regard to Article 9-1c of the Law of 12 November 2004 on the fight against money laundering and terrorist financing, as amended;

Having heard the State Council;

Upon the report of the Minister for Justice and after deliberation of the Government in Council;

*Decide:*

**Article 1.**

(1) The Committee on the prevention of money laundering and terrorist financing, hereinafter the "ML/TF Prevention Committee", shall be composed of representatives of public and private sector stakeholders involved in the fight against money laundering and terrorist financing. Its members shall be the following:

- 1° the Minister responsible for the fight against money laundering and terrorist financing, hereinafter the "Minister";
- 2° a representative of the Ministry responsible for the fight against money laundering and terrorist financing, who shall exercise the function of national coordinator of the fight against money laundering and terrorist financing, hereinafter the "National Coordinator" and act as representative of the Minister;
- 3° a representative of the Ministry of Justice;
- 4° a representative of the Ministry of Finance;
- 5° a representative of the Ministry responsible for Internal Security;
- 6° a representative of the Ministry responsible for Foreign and European Affairs;
- 7° a representative of the Ministry responsible for Cooperation;
- 8° a representative of the Ministry responsible for Business permits;
- 9° a representative of the Commission de surveillance du secteur financier;
- 10° a representative of the Commissariat aux Assurances;
- 11° a representative of the Registration Duties, Estates and VAT Authority for its mission regarding supervision and control with respect to the fight against money laundering and terrorist financing;
- 12° a representative of the Registration Duties, Estates and VAT Authority for its mission regarding tax matters;
- 13° a representative of the Ordre des avocats du Barreau de Luxembourg;
- 14° a representative of the Ordre des avocats du Barreau de Diekirch;
- 15° a representative of the Chamber of Notaries;
- 16° a representative of the Chambre des huissiers de justice;

- 17° a representative of the Institut des réviseurs d'entreprises;
- 18° a representative of the Ordre des experts-comptables;
- 19° a representative of the General State Prosecutor;
- 20° a representative of the Luxembourg State Prosecutor;
- 21° a representative of the Diekirch State Prosecutor;
- 22° a representative of the chief investigating judge of the *Tribunal d'Arrondissement* (District Court) of Luxembourg;
- 23° a representative of the chief investigating judge of the *Tribunal d'Arrondissement* (District Court) of Diekirch;
- 24° a representative of the Financial Intelligence Unit;
- 25° a representative of the Grand-ducal Police;
- 26° a representative of the Customs and Excise Agency;
- 27° a representative of the Luxembourg Inland Revenue;
- 28° a representative of the management of the Trade and Company Register and the Register of Beneficial Owners;
- 29° a representative of the management of the Register of Fiducies and Trusts;
- 30° a representative of the Chamber of Commerce;
- 31° a representative of the Chamber of Skilled Trades and Crafts;
- 32° a representative of the Luxembourg Bankers' Association;
- 33° a representative of the Association of the Luxembourg Fund Industry;
- 34° a representative of the Association des compagnies d'assurances;
- 35° a representative of the Association of Luxembourg Compliance Officers;
- 36° a representative of the free zone operators;
- 37° a representative of the casinos;

(2) An alternate member shall be appointed for every member, in accordance with point (3) and who shall replace the member in case of absence.

(3) The members and alternate members shall be appointed for a renewable five-year term. The Minister shall appoint the members and alternate members, on a proposal from the Ministers, commanding officers and managers of the entities concerned.

Where the functions of a member cease before the term of the mandate, the newly appointed member shall complete the mandate of the member s/he replaces.

A member may be appointed in several capacities.

(4) The ML/TF Prevention Committee shall be chaired by the Minister, or, in his/her absence, by the National Coordinator.

## **Article 2.**

The ML/TF Prevention Committee shall meet as often as required by its mission and, at least, twice a year. It shall meet when convened by the National Coordinator acting in his/her capacity as representative of the Minister. The convening notice shall state the agenda.

- (1) The ML/TF Prevention Committee may meet in restricted composition depending on the agenda.
- (2) The decisions taken in plenary session shall be taken by consensus of the members in attendance.
- (3) The meetings may be held by video-conference or any other means of communication.
- (4) Where needed, the decisions may be taken by way of a circular in the absence of any objection within at least two weeks.
- (5) Upon prior approval by the Minister, the ML/TF Prevention Committee may bring in, on a case-by-case basis, other public or private entity representatives or experts for specific subjects. These other representatives or experts shall attend as observers and on a consultative basis.
- (6) The ML/TF Prevention Committee shall be assisted by an executive secretariat whose members shall be appointed by the Minister among the civil servants and employees of his/her Ministry.

## **Article 3.**

The ML/TF Prevention Committee may set up working groups and entrust them with a particular issue or task. These working groups shall report to the ML/TF Prevention Committee on a regular basis for the purpose of coordinating their work.

## **Article 4.**

Without prejudice to professional secrecy or any instruction to which they may be subject, the members of the ML/TF prevention Committee and of the working groups shall communicate to the executive secretariat, on request or on their own initiative, all information necessary for the accomplishment of the ML/TF Prevention Committee's tasks.

## **Article 5.**

Without prejudice to Article 23(2) of the Code of Criminal Procedure, the members of the ML/TF Prevention Committee, their alternates, the observers, the members of the working groups and the members of the executive secretariat shall be bound to keep the deliberations secret and must not disclose to any third party either the internal discussions and debates, or the information and documents exchanged. By way of exception, the members of the ML/TF Prevention Committee shall be authorised to share information and documents with the persons within the authorities, administrations, organisations and other stakeholders they represent on a need-to-know basis, for the sole purposes of the fight against money laundering and terrorist financing. These persons shall be bound by the same secrecy obligation as the members, and their names shall be kept available for the Minister and the National Coordinator and communicated to them upon request.

## **Article 6.**

- (1) The members of the ML/TF Prevention Committee, their alternates, the observers and the members of the working groups shall take care to prevent or cease any conflict of interest.
- (2) Within the meaning of this Grand-ducal regulation, a conflict of interest shall mean any situation of interference between the general interest of the fight against money laundering and terrorist financing, the associated predicate offences and financing of terrorism on the one hand, and private or professional particular interests on the other hand, which might influence or seem to influence the independent,

impartial and objective fulfilment of the tasks of the ML/TF Prevention Committee or of the working groups.

(3) Any member of the ML/TF Prevention Committee, alternate, observer or member of a working group who notes that s/he exposes him/herself or that another member exposes him/herself to a real or potential conflict of interest, shall inform the Minister or the National Coordinator thereof without delay.

#### **Article 7.**

(1) Where the Minister or the National Coordinator notes a breach of the confidentiality obligation or of any other obligation imposed by way of this Grand-ducal regulation, s/he shall instruct the member concerned to resign as a member of the ML/TF Prevention Committee. The authority, the administration, organisation or stakeholder concerned must propose another representative.

(2) In the event of a conflict of interest, the Minister or the National Coordinator may, alternatively:

- (a) require the member concerned to refrain from participating in the agenda items concerned;
- (b) require the representative concerned to be replaced by his/her alternate, to whom s/he shall refrain from giving instructions.

The existence of the conflict of interest shall be recorded in the minutes of the meeting to document its existence and the solution adopted.

(3) Where the breach or conflict of interest concerns the National Coordinator, the decision under points (a) or (b) of the second paragraph shall be taken by the Minister.

#### **Article 8.**

The Minister of Justice shall execute this Grand-ducal regulation, which shall be published in the Journal Officiel du Grand-Duché de Luxembourg.

*Minister of Justice,*  
**Elisabeth Margue**

Done on 11 June 2025.  
*For the Grand Duke*  
*His Lieutenant-Représentant,*  
**Guillaume,**  
*Hereditary Grand Duke*