LEGAL EFFECTS OF THE APPLICATION OF REGULATION (EU) 2024/1624 ON THE PRACTICE OF THE LEGAL PROFESSION

Andrada-Georgiana MARIN*

Abstract

Regulation (EU) 2024/1624 establishes a legal framework in the field of the prevention and combating of money laundering and terrorist financing, being directly applicable in all Member States of the European Union. By strengthening the obligations imposed on the entities concerned, including lawyers in certain circumstances, it directly influences the manner in which the legal profession is exercised.

The present article aims to identify the main effects that the new regulation produces on the professional activity of lawyers, taking into account the extension of compliance obligations, the strengthening of supervisory mechanisms, and the emphasis placed on the risk-based approach. At the same time, it analyses the principal aspects in which these changes may affect the relationship between lawyer and client, the organisation of the forms of practice of the profession, and the level of professional responsibility.

The paper examines these effects in light of the fundamental principles governing the legal profession, emphasizing the need to maintain a balance between the requirements relating to the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and the safeguards specific to the practice of the legal profession.

Keywords: *Regulation (EU) 2024/1624, directly applicable, legal effects, lawyer, safeguards specific to the practice of the legal profession*.

1. Introduction

Regulation (EU) 2024/1624[1] represents the legal act adopted by the legislator of the European Union[2] in the field of preventing the use of the financial system for the purposes of money laundering and terrorist financing. While European regulation in this field had previously been constructed primarily around Directive (EU) 2015/849[3], as amended by Directive (EU) 2018/843[4], the new normative framework enshrines the option of establishing directly applicable rules, intended to reduce the differences between national regulations and to ensure a higher level of uniformity in application.

In legal doctrine it has been noted that "in order to maintain freedom, security and prosperity across the entire continent, the European Union must play an active role on the global stage. In the context of globalization, Member States cannot, on their own, cope with challenges such as ensuring energy reserves, climate change, sustainable development, economic competitiveness, and terrorism. These issues can only be addressed by acting as a unified whole, at the level of the European Union."[5]

The preamble of Regulation (EU) 2024/1624[6] states that the experience gained in the application of Directive (EU) 2015/849 has highlighted the need for additional measures, as the diversity of national solutions

---

* PhD Candidate, Faculty of Law, „Nicolae Titulescu" University of Bucharest (e-mail: andrada.marin@univnt.ro).

[1] Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, OJ L, 2024/1624, 19 June 2024.

[2] See Lidia Barac, Strategii de dezvoltare și aprofundare a Uniunii Europene, Universul Juridic Publishing House, Bucharest, 2022, pp. 176–181.

[3] Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5 June 2015, pp. 73–117. The Directive shall be repealed as from 10 July 2027.

[4] Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU, OJ L 156, 19 June 2018, pp. 43–74.

[5] See Ana-Maria Comșa, Dreptul Uniunii Europene, Pro Universitaria Publishing House, Bucharest, 2022, p. 15.

[6] "A regulation has direct effect and gives rise to rights and obligations for the benefit of, respectively, incumbent upon, the subjects of law to whom it is addressed, which national courts are required to take into account." See Augustin Fuerea, Dreptul Uniunii Europene: principii, acțiuni, libertăți, Universul Juridic Publishing House, Bucharest, 2016, p. 45.

has affected the coherence and effectiveness of the Union regime for the prevention and combating of money laundering and terrorist financing.[7]

Within the Romanian legal order, the obligations arising from Directives (EU) 2015/849 and (EU) 2018/843 were transposed[8], primarily, through Law no. 129/2019 on the prevention and combating of money laundering and terrorist financing[9], and not through the direct amendment of Law no. 51/1995 on the organisation and practice of the legal profession[10].

Nevertheless, the effects of these regulations concern the practice of the legal profession, to the extent that lawyers have been included, for certain categories of activities, within the scope of obliged entities.[11] From this perspective, Regulation (EU) 2024/1624 does not introduce, for the first time, lawyers into the field of AML/CFT obligations, but rather modifies the legal regime of these obligations in terms of applicability, uniformity, and regulatory technique, by establishing a directly applicable normative framework in all Member States.

With regard to the legal profession, this normative change does not merely signify the replacement of one legal instrument with another, but produces effects on the manner in which compliance obligations are interpreted and applied, in relation to the specific nature of a profession founded on principles of independence, loyalty to the client, confidentiality, and respect for the right to defence.

The central legal issue is not whether a lawyer may be classified, in certain circumstances, as an obliged entity, since this solution is already known both in European Union law and in domestic law, but rather the limits within which the obligations of due diligence, verification, reporting, and abstention remain compatible with the fundamental safeguards that characterize the exercise of the profession.

In particular, the new regulation imposes a more rigorous distinction between, on the one hand, the activity of the lawyer consisting in the assessment of the client's legal situation, the defence and representation of the client in judicial proceedings or in connection therewith, and, on the other hand, activities of assistance or participation in operations that may be relevant from the perspective of the prevention of money laundering[12] or terrorist financing.

From this perspective, the main purpose of the application of Regulation (EU) 2024/1624[13] does not consist solely in the extension of compliance obligations, but also in the necessity of establishing clear criteria for distinguishing between the obligations specific to the AML/CFT regime[14] and the safeguards inherent to the practice of the legal profession.[15]

---

[7] See paragraph (1), final sentence, and paragraph (2) of Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, OJ L, 2024/1624, 19 June 2024.

[8] "The normative content of a directive consists in this obligation of transposition in the Member States. Unlike regulations, which are binding in their entirety, in the application of directives, Member States have the freedom to choose the form and methods of transposition into national law. This allows for the implementation of European law into national law without undermining the sovereignty of the Member States and while taking into account their different legislative forms. Therefore, a directive is not an instrument of uniformisation, but of harmonisation of content (…)." See Patrick Ernst Sensburg, Manualul de dreptul Uniunii Europene, C.H. Beck Publishing House, Bucharest, 2022, p. 38.

[9] Published in the Official Gazette of Romania, Part I, No. 589 of 18 July 2019.

[10] Republished in the Official Gazette of Romania, Part I, No. 440 of 24 May 2018.

[11] See Despina–Martha Ilucă, Dreptul Uniunii Europene. Spațiul de libertate, securitate și justiție, Hamangiu Publishing House, Bucharest, 2024, pp. 181–188.

[12] "Directive (EU) 2018/1673 lays down minimum rules on the definition of criminal offences and sanctions in the area of money laundering. The objective of the Directive is to criminalise money laundering where it is committed intentionally and with the knowledge that the property has been derived from criminal activity." See Alina Mihaela Conea, Politicile Uniunii Europene, Universul Juridic Publishing House, Bucharest, 2019, p. 107.

[13] "A regulation, being binding in its entirety, is distinguished, on the one hand, from a directive, which is binding only as to the result to be achieved and, on the other hand, from acts lacking legal force." See Augustin Fuerea, Manualul Uniunii Europene, 6th revised and supplemented edition, Universul Juridic Publishing House, Bucharest, 2016, p. 235.

[14] See Regulation (EU) 2024/1620 of the European Parliament and of the Council of 31 May 2024 establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism, and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010, OJ L, 2024/1620, 19.6.2024.

[15] "The general obligation of Member States to ensure compliance with EU law by their nationals. Member States are under an obligation to ensure, within their territory, the application and observance of European Union law. The case-law of the Court of Justice requires them to monitor and sanction failures to comply with Union law within their jurisdiction. Accordingly, Member States are required to introduce sanctions that are effective, dissuasive, and proportionate, comparable to those applicable to infringements of national law (the principle of effectiveness)." See Răzvan Horațiu Radu, Manual de drept al Uniunii Europene, Hamangiu Publishing House, Bucharest, 2022, p. 153.

At the same time, the effects of the regulation are not limited to the establishment of the obligation to report suspicions, but also concern the internal organisation of the forms of practice of the profession, through the imposition of requirements relating to internal policies, risk assessments, procedures, control mechanisms, and the designation of responsible persons, which results in the establishment of additional requirements of compliance and professional organisation.

Consequently, the legal effects of the regulation must be analysed not only from the perspective of the relationship between the lawyer and the competent authorities, but also from the perspective of the internal organisation of the profession, the standard of professional diligence, and the relationship between the lawyer and the client.

In this context, the present study aims to analyse the main legal effects that the application of Regulation (EU) 2024/1624[16] produces on the practice of the legal profession, with particular emphasis on the classification of the lawyer as an obliged entity, on customer due diligence obligations, on the obligation to report suspicious transactions, on the prohibition of disclosure, and, in particular, on the limits within which these obligations may coexist with the lawyer's professional secrecy.

Accordingly, Regulation (EU) 2024/1624 does not establish, as a matter of principle, the removal of professional secrecy, but leads to a restriction thereof in situations where the lawyer's activity exceeds the sphere of protected legal advice and defence and falls within the category of activities capable of triggering the application of AML/CFT obligations.

2. Content

Regulation (EU) 2024/1624 is structured into nine chapters, which systematically regulate the scope, the obligations of obliged entities, and the institutional mechanisms necessary for the prevention and combating of money laundering and terrorist financing.

Thus, Chapter I includes the general provisions concerning the subject matter, definitions, scope, and cross-border operations; Chapter II regulates the policies, procedures, and internal controls of obliged entities; Chapter III concerns customer due diligence measures; Chapter IV establishes requirements regarding the transparency of beneficial owners; Chapter V regulates reporting obligations; Chapter VI concerns the exchange of information; Chapter VII regulates data protection and record-keeping; Chapter VIII establishes measures for mitigating the risks associated with anonymous instruments; and Chapter IX contains the final provisions.

Regarding the entry into force and application of the Regulation, it entered into force on the twentieth day following its publication in the Official Journal of the European Union and shall, as a rule, apply from 10 July 2027. By exception, for obliged entities provided for under Article 3 point 3 (n) and (o), application is postponed until 10 July 2029. The establishment of a differentiated application timeline reflects the need for the progressive adaptation of certain categories of entities to the new compliance requirements.

The purpose of Regulation (EU) 2024/1624 is to establish a uniform framework of measures applicable to obliged entities for the prevention of the use of the financial system for the purposes of money laundering and terrorist financing, to set transparency requirements regarding the beneficial owners of legal entities, express trusts, and similar legal arrangements, as well as to limit the abusive use of anonymous instruments.[17]

In the preamble of the Regulation, paragraph (174) emphasizes that the objective pursued cannot be sufficiently achieved by the Member States and can be more effectively achieved at Union level, in accordance with the principle of subsidiarity, and that the measures adopted do not exceed what is necessary to achieve that objective, in accordance with the principle of proportionality.[18]

---

[16] "Regulations are acts of general application, binding in their entirety and directly applicable in each Member State of the European Union. In this regard, the Court of Justice of the European Union (formerly the Court of Justice of the European Communities) has also ruled, formulating a definition of the notion of a regulation—equated, within the ECSC Treaty, with the notion of a general decision—as an act laying down normative principles of general application, binding in their entirety and directly applicable to the Member States. The conditions of application are general, abstract, and impersonal in nature, producing legal effects." See Gabriel Micu, Dreptul Uniunii Europene, Pro Universitaria Publishing House, Bucharest, 2025, p. 46.

[17] Article 1 of Regulation (EU) 2024/1624.

[18] Aurel Octavian Pasat, Dreptul Uniunii Europene – Evoluția sistemului de Drept, Pro Universitaria Publishing House, Bucharest, 2024, pp. 77–146.

Article 2 of the Regulation[19] provides definitions of essential concepts for the application of the regulatory framework, such as “money laundering”[20], “terrorist financing”[21], “beneficial owner”[22], “linked transactions”[23], or “legal arrangement”[24], the definition of these terms serving to ensure a uniform interpretation of the rules at the level of the European Union.

The scope of the Regulation covers specific professional activities carried out by natural or legal persons, insofar as they are relevant from the perspective of money laundering or terrorist financing risks.

2.1. Qualification of the Lawyer as an “Obliged Entity”

Within the meaning of Regulation (EU) 2024/1624, the notion of “obliged entity” includes, in addition to financial institutions and other categories of professionals, persons exercising independent legal professions, including lawyers, but only insofar as they carry out certain activities expressly determined by the Regulation.

Thus, the relevant situations are those in which lawyers, acting in a professional capacity, provide assistance or advice, including in tax matters, or participate, directly or indirectly, in the execution of transactions that are relevant from the perspective of the prevention of money laundering and terrorist financing.

Furthermore, the Regulation includes within the scope of obliged entities notaries, lawyers, and other independent legal professionals when they participate, on behalf of and for the account of a client, in financial or real estate transactions, or when they provide assistance in the planning or execution of operations such as the purchase and sale of real estate or business entities, the management of client assets, the opening or administration of accounts, etc.

Under Romanian law, Law No. 129/2019 establishes a similar approach, including lawyers among the categories of obliged entities where they provide assistance in the execution of operations of an economic or financial nature, such as the transfer of ownership rights over assets, the management of client assets, etc.

In our view, not every activity carried out by a lawyer triggers the applicability of the obligations specific to the AML/CFT regime, but only those which involve effective participation in operations capable of being used for the purposes of money laundering or terrorist financing.

We consider that the current regulatory framework raises issues from the perspective of distinguishing between protected legal activities and those which trigger the qualification as an obliged entity.

Thus, the notions of “participation in transactions” or “assistance in the planning of operations” are not defined with sufficient precision, which may rise to practical difficulties, particularly in the case of complex legal services.

In the absence of clear delimitation criteria, there is, in our opinion, a risk of an extensive interpretation of the provisions of the Regulation, leading to the inclusion, within the scope of AML/CFT obligations, of activities which traditionally fall within the sphere of protected legal advice. Such an interpretation could result in an unjustified extension of compliance obligations incumbent upon lawyers.

---

[19] “Unlike directives, regulations do not require transposition; they are directly applicable within the legal order of each Member State from the moment of their entry into force. Consequently, they must be taken as such by the competent national authorities in the fields they regulate. Member States are prohibited from undertaking any legislative action by which regulations would be incorporated (in the sense of transposition) into domestic law. Likewise, any parallelism, in the sense of duplication, between national rules and the provisions of a regulation is prohibited. For the proper and full application of regulations, it is permitted, and sometimes even recommended, to adopt normative acts establishing the structures necessary for their implementation (for example, acts establishing an authority provided for by a regulation, or acts designating the authority responsible for carrying out communications required by a regulation, etc.). This process is referred to as implementation and is distinct from transposition.” See Mihaela Augustina Dumitrașcu, Dreptul Uniunii Europene I, Universul Juridic Publishing House, Bucharest, 2021, pp. 316–317.

[20] Article 2 (1), point 1 “money laundering” means the conduct referred to in Article 3(1) and (5) of Directive (EU) 2018/1673, including aiding and abetting, incitement and attempt to commit such conduct, irrespective of whether the activities which generated the property to be laundered were carried out within the territory of a Member State or of a third country; the knowledge, intent or purpose required as an element of that conduct may be inferred from objective factual circumstances.

[21] Article 2 (1), point 2 “terrorist financing” means the conduct referred to in Article 11 of Directive (EU) 2017/541, including aiding and abetting, incitement and attempt to commit such conduct, irrespective of whether it took place within the territory of a Member State or of a third country; the knowledge, intent or purpose required as an element of that conduct may be inferred from objective factual circumstances.

[22] Article 2 (1), point 28 “beneficial owner” means any natural person who ultimately owns or controls a legal entity or an express trust or a similar legal arrangement.

[23] Article 2 (1), point 20 “linked transactions” means two or more transactions having identical or similar origin, destination and purpose, or other relevant characteristics, within a given period.

[24] Article 2 (1), point 32 “legal arrangement” means an express trust or an arrangement having a structure or functions similar to those of an express trust, and certain types of Treuhand and fideicomiso.

Accordingly, the qualification of the lawyer as an obliged entity must be interpreted restrictively, in correlation with the specific nature of the profession and its fundamental principles, namely independence and professional secrecy. In the absence of such an interpretation, there is a risk of undermining the role of the lawyer within the legal system, by transforming the lawyer from a defender of the client's interests into a participant in control mechanisms.

At the same time, we consider that the regime established by Regulation (EU) 2024/1624 entails a modification of the standard of professional diligence applicable to lawyers, through the introduction of risk assessment obligations which are not traditionally inherent to the profession. This development must be approached with caution, as it may lead to an implicit redefinition of the lawyer's role, in the absence of an express intervention concerning the status of the profession.

2.2. Policies, Procedures and Internal Controls of Obliged Entities

Pursuant to Regulation (EU) 2024/1624, obliged entities are required to establish appropriate policies, procedures and internal controls in order to ensure compliance with the provisions of the Regulation, in particular for the identification, assessment and management of risks related to money laundering and terrorist financing, both at the level of the European Union and the Member State, as well as at the level of their own activities.

With regard to entity-level risk assessment, Article 10(1) of the Regulation establishes the obligation to adopt measures that are appropriate and proportionate to the nature of the activity, as well as to its risks and complexity, for the purpose of identifying and assessing money laundering and terrorist financing risks, including the risks of non-implementation or circumvention of targeted financial sanctions. Risk assessments must be documented, kept up to date and subject to periodic review, including any relevant changes occurring at internal or external level.

In our view, the obligation of continuous risk assessment confers upon obliged entities an active role, going beyond a mere formal compliance obligation, and is liable to directly influence the organisation and functioning of regulated professions.

According to Article 11 of the Regulation, the risk assessment is carried out by the compliance function officer and is subject to the approval of the management body acting in its management function and, where appropriate, communicated to the supervisory body[25]. In this context, obliged entities designate a member of the management body responsible for ensuring compliance with the Regulation and with the administrative acts issued by the competent authorities.

Furthermore, the Regulation requires the designation of a compliance function officer[26] holding an appropriate hierarchical position, responsible for the day-to-day implementation of policies, procedures and internal controls, as well as for liaising with the competent authorities. This officer is also entrusted with the duty to report suspicious transactions to the Financial Intelligence Unit (FIU)[27], in accordance with Article 69(6) of the Regulation.

In our opinion, the establishment of a compliance function with extensive responsibilities leads to the imposition of an organisational model for obliged entities that is similar to that of financial institutions.[28] This development raises issues of compatibility in the case of legal professions, particularly in the context of sole practitioners, where the implementation of such structures may be difficult in light of available resources and the specific nature of the activity.

---

[25] Except for credit institutions, financial institutions, crowdfunding service providers and crowdfunding intermediaries, supervisors may decide that documented individual risk assessments at the level of the undertaking are not required where the specific risks inherent in a sector are clear and understood.

[26] The compliance function officer may be removed only following prior notification of the management body acting in its management function. The obliged entity shall notify the supervisor of the removal of the compliance function officer, specifying whether the decision relates to the performance of the tasks assigned under this Regulation. The compliance function officer may, on his or her own initiative or upon request, provide the supervisor with information regarding the removal.

[27] The National Office for the Prevention and Control of Money Laundering is Romania's Financial Intelligence Unit (FIU) of an administrative type, acting as the lead authority in the development, coordination and implementation of the system for combating money laundering and terrorist financing.

[28] See Laura Poțincu and Tiberiu Foris, Piața unică europeană. Instituțiile juridice ce drept al Uniunii Europene, metode și tehnici utilizate în management, C.H. Beck Publishing House, Bucharest, 2024.

The Regulation also provides for the obligation to ensure the protection of the compliance function officer against retaliation, discrimination[29] or undue influence stemming from the commercial interests of the obliged entity. We consider that this provision establishes that the compliance function must be exercised independently, while at the same time raising the issue of how such independence is to be reconciled with the internal hierarchical structure of the entity, particularly in the case of independent professions.

Where justified by the nature and size of the activity, the functions of the person responsible for compliance and those of the compliance function officer may be performed by the same individual. In the case of entities consisting of a single natural person, that person is directly responsible for fulfilling the obligations laid down in the Regulation.

We consider that this solution, although justified from the perspective of the principle of proportionality[30], leads in practice to the concentration of complex responsibilities in the hands of a single individual, which may affect the effectiveness of compliance mechanisms and may create difficulties in ensuring a genuine separation of functions.

The Regulation also establishes the obligation to adopt procedures for the prevention and management of conflicts of interest, except where the obliged entity is a natural person or a single-member structure.

According to Article 15 of the Regulation, where the professional activity is carried out within a legal person, the obligations laid down in the Regulation are incumbent upon that legal person, and not upon the individual employed.

Regarding the outsourcing of activities related to customer due diligence measures, the Regulation allows recourse to service providers, provided that they are sufficiently qualified to perform the respective tasks. However, the obliged entity remains fully liable for any actions or omissions related to the outsourced tasks.[31]

In our view, maintaining the full liability of the obliged entity notwithstanding outsourcing is justified from the perspective of the effectiveness of control mechanisms, but it limits the practical advantages of outsourcing, transforming it into a technical support instrument rather than a mechanism for transferring responsibility.

Overall, we consider that the provisions concerning policies, procedures and internal controls reflect a clear orientation towards the institutionalisation of compliance and the strengthening of the role of obliged entities in preventing AML/CFT risks. However, the application of these requirements in the context of the legal profession raises specific issues of proportionality and compatibility, which require an interpretation adapted to the particularities of this profession.

2.3. Customer Due Diligence Obligations (CDD – Customer Due Diligence)

Regulation (EU) 2024/1624 imposes on obliged entities the obligation to apply customer due diligence measures in the situations expressly provided for in Article 19, namely upon establishing a business relationship, when carrying out occasional transactions that meet the thresholds laid down in the Regulation, or where they participate in the creation or transfer of legal entities or legal arrangements.

Furthermore, such measures become mandatory whenever there are suspicions of money laundering or terrorist financing, or where there are doubts as to the identity of the client or of the person acting on behalf of the client.

In the case of independent legal professionals, the Regulation establishes a specific rule whereby, where a lawyer or notary intermediates a transaction and is the only professional involved, that professional is deemed to act as such in relation to both parties to the transaction.

In our view, this legislative solution constitutes one of the most problematic interventions of the Regulation in relation to the status of the legal profession. Treating both parties to a transaction as “clients” of the lawyer is difficult to reconcile with the fundamental principles of the profession, in particular the duty of loyalty and the obligation to avoid conflicts of interest. The legal relationship between a lawyer and a client presupposes exclusive representation, and extending such a relationship to both parties to a transaction creates a legal fiction that is difficult to implement in practice.

---

[29] See Mihaela Tofan and Crina Mihaela Varga, Drept instituțional al Uniunii Europene, C.H. Beck Publishing House, Bucharest, 2023, p. 139.

[30] See Norbert Reich, Principii generale ale dreptului civil al Uniunii Europene, Universitară Publishing House, Bucharest, 2014, pp. 253–309.

[31] The obliged entity shall carry out periodic controls to verify the effective implementation of those policies and procedures by the service provider. The frequency of such controls shall be determined on the basis of the critical nature of the outsourced tasks.

Customer due diligence measures essentially involve identifying and verifying the identity of the client and the beneficial owner, assessing the purpose and nature of the business relationship, and conducting ongoing monitoring thereof. Obliged entities must also verify whether the persons involved are subject to financial sanctions and analyse the ownership and control structure of the client[32], including with regard to significant shareholdings.

In our view, the content of these obligations exceeds the traditional scope of professional diligence specific to lawyers, bringing it closer to the model applicable to regulated entities in the financial sector. The introduction of obligations relating to risk profiling, ongoing transaction monitoring and the analysis of the source of funds results in a transformation of the lawyer's role, placing the lawyer in a position combining legal assistance functions with control functions.

The Regulation provides that where the obliged entity is unable to apply customer due diligence measures, it must refrain from establishing the business relationship or from carrying out the transaction and must consider filing a suspicious transaction report. However, this rule does not apply to lawyers insofar as they act in the context of assessing the legal position of the client or representing the client in judicial proceedings.

Nevertheless, this exception does not apply where the lawyer participates in money laundering activities, provides advice for that purpose, or has knowledge of the client's intention to use legal services for such purposes, including where such intention may be inferred from objective circumstances.

As regards the specific content of identification obligations, the Regulation requires the collection of detailed information concerning the client, persons acting on behalf of the client and beneficial owners, as well as the verification thereof through official documents, independent sources or electronic identification means compliant with Regulation (EU) No 910/2014. Obliged entities are also required to consult central registers to verify beneficial ownership information and to report any discrepancies identified.

In our view, the obligation to report discrepancies between the information held and that recorded in central registers transforms obliged entities into active participants in the verification of official data, thereby exceeding their traditional role. In the case of lawyers, this obligation is limited by the exception relating to defence and legal advisory activities but remains applicable where there are links to illicit activities.

As a rule, the verification of the identity of the client and the beneficial owner[33] must take place prior to the establishment of the business relationship or the execution of the transaction, with the possibility of completing such verification subsequently, under limited conditions, where the risk is low and it is necessary to avoid disruption of the activity.

Regarding the monitoring of the business relationship, obliged entities are required to analyse transactions on an ongoing basis, in order to verify their consistency with the client's risk profile and, where appropriate, with information concerning the source of funds. In our view, this obligation of continuous monitoring is not compatible with the specific nature of the legal profession.

The Regulation also provides for simplified and enhanced due diligence measures, depending on the level of risk associated with the business relationship or transaction. In cases of low risk, obliged entities may apply simplified measures, including deferring identity verification or reducing the amount of information collected. In cases of high risk, they are required to apply enhanced measures, including analysing the origin and destination of funds and the purpose of transactions, particularly in situations characterised by complexity, unusually large values or the absence of an apparent economic purpose.

We consider that the establishment of a differentiated system of measures based on the level of risk is justified from the perspective of the effectiveness of prevention mechanisms. However, the application of this

---

[32] The concept of ownership or control structure is intended to describe the manner in which a legal entity is indirectly owned or controlled, or the manner in which a legal arrangement is indirectly controlled, as a result of the relationships existing between entities or legal arrangements across multiple layers.

[33] Where, after exhausting all possible means of identification, no natural person is identified as the beneficial owner, or where there are doubts that the persons identified are the beneficial owners, obliged entities shall record that no beneficial owner has been identified and shall identify all natural persons holding senior management positions within the legal entity and verify their identity. Where carrying out the verification of identity (…) may indicate to the client that the obliged entity has doubts as to the beneficial owner of the legal entity, the obliged entity shall refrain from verifying the identity of members of senior management and shall instead record the measures taken to establish the identity of the beneficial owners and of the members of senior management. Obliged entities shall keep records of the actions taken, as well as of the difficulties encountered in the course of the identification process which led to the identification of a member of senior management.

model in the context of the legal profession requires careful adaptation, in order to avoid transforming due diligence obligations into instruments that interfere with the independent exercise of the profession.

Overall, we take the view that the customer due diligence obligations, as regulated by Regulation (EU) 2024/1624, lead to a significant extension of the professional obligations of lawyers and bring them closer to the model applicable to regulated entities in the financial sector. This development requires a balanced interpretation, ensuring compatibility between compliance requirements and the fundamental guarantees of the profession, in particular professional secrecy and the independence of the lawyer.

2.4. Suspicious Transaction Reporting Obligation (STR – Suspicious Transaction Reporting)

Regulation (EU) 2024/1624 establishes, under Article 69, the obligation for obliged entities to report, on their own initiative, to the competent Financial Intelligence Unit (FIU), situations in which they know, suspect, or have reasonable grounds to suspect that the funds or activities concerned, regardless of their amount, constitute proceeds of criminal activity, are related to terrorist financing, or are associated with other criminal activity.

At the same time, obliged entities are required to respond to requests for additional information made by the FIU and to provide, within the prescribed time limit, all relevant data and records concerning the transactions under examination.[34]

It follows, therefore, that the obligation to report suspicious transactions is not of an ancillary nature, but constitutes one of the core obligations of the AML/CFT framework. It necessarily entails an independent assessment carried out by the obliged entity, based on the facts and information available to it, as well as on the characteristics of the client, the transaction, the funds, and the context in which the operation is carried out.

In our view, this regulatory framework grants obliged entities a considerable margin of discretion, which raises significant difficulties from the perspective of the foreseeability of the reporting obligation. The notions of "suspicion" and "reasonable grounds to suspect" are, by their nature, susceptible to multiple interpretations, and the absence of sufficiently precise criteria may lead to divergent practices and, in the case of legal professions, to a reporting practice driven more by the avoidance of sanctions than by the existence of a well-founded suspicion.

The Regulation allows Member States to provide, for certain categories of obliged entities, the possibility of transmitting information regarding suspicions to a self-regulatory body designated by the State, including together with records of relevant transactions. Such a solution is of particular importance in the case of legal professions, as it introduces an institutional filter between the lawyer and the reporting authority.

We consider that this possibility can provide additional protection for professional secrecy, as it allows for a preliminary assessment of the compatibility between the reporting obligation and the specific professional obligations of lawyers.

The Regulation expressly establishes an exception from the reporting obligation in favour of lawyers, insofar as the relevant information is received from, or obtained in relation to, a client in the course of assessing the legal position of the client or in the performance of the duty of defence or representation in judicial proceedings or in connection therewith, including in the context of advice on instituting or avoiding such proceedings. The exception applies regardless of whether the information is received before, during or after such proceedings.

From our perspective, this solution confirms that the Union legislator did not intend to abolish professional secrecy of lawyers, but rather to preserve it in relation to the prerogatives of the right of defence and legal representation of litigants. From this standpoint, the reporting obligation cannot be interpreted extensively so as to affect legal advice or the exercise of the right of defence.

However, the exception does not apply where the lawyer participates in money laundering, in predicate offences related to money laundering, or in terrorist financing, nor where the lawyer provides legal advice for the purpose of committing such acts. The exception is also excluded where the lawyer knows that the client's intention is to obtain legal advice for the purpose of money laundering, committing predicate offences, or

[34] Obliged entities shall respond to a request for information submitted by the Financial Intelligence Unit (FIU) within five working days. In duly justified and urgent cases, FIUs may shorten that time limit, including by setting a deadline of less than 24 hours. The FIU may extend the response deadline beyond five working days where it considers this to be justified, provided that such extension does not undermine the FIU's analysis.

terrorist financing, such knowledge or purpose being capable of being inferred from objective factual circumstances.

In our view, it is precisely this latter scenario that raises the most serious difficulties of application. The possibility of inferring "knowledge" or "purpose" from objective factual circumstances introduces a standard of assessment that may be interpreted broadly. In the case of lawyers, such an interpretation is particularly sensitive, as it risks transforming the reporting obligation into an instrument of intrusion into the lawyer–client relationship. We consider that such a provision must be interpreted strictly[35], in order to avoid confusion between the existence of a reasonable suspicion and the implicit establishment of a presumption of culpability on the part of the client.

Article 70 (3) of the Regulation further provides that Member States may decide that exceptions to the reporting obligation are not to be applied where this is justified by higher risks of money laundering, predicate offences or terrorist financing and may also impose additional reporting obligations on obliged entities.[36]

If Member States may restrict the exceptions and introduce additional obligations, the practical result may be the persistence of significant differences between national regimes applicable to the legal profession. Consequently, although the Regulation seeks to reduce regulatory fragmentation, it preserves, in this area, a margin of national discretion capable of affecting the protection of professional secrecy at Union level.

The Regulation also establishes the obligation for obliged entities to refrain from carrying out transactions which they know or suspect to be related to the proceeds of criminal activity or to terrorist financing, until the report has been submitted and any instructions received from the FIU or another competent authority have been executed. However, the transaction may be carried out in the absence of contrary instructions from the FIU within three working days from the submission of the report, where the obliged entity has assessed the risks associated with its execution. Furthermore, where refraining is not possible or would be likely to frustrate efforts to pursue the beneficiaries of the transaction, reporting shall be carried out immediately after the transaction has been executed.

We consider that these provisions confirm that the reporting obligation is not merely informational in nature but is accompanied by operational obligations which may directly affect the execution of the mandate entrusted. In the case of lawyers, the obligation to refrain may conflict with obligations assumed vis-à-vis the client and with the requirements of expediency specific to certain legal operations.

Finally, the Regulation provides that the disclosure in good faith of information to the FIU does not constitute a breach of any restriction on the disclosure of information imposed by contract or by legislative or administrative provisions and does not give rise to liability on the part of the obliged entity.

In our view, this exemption from liability is necessary for the effective functioning of the rertng mechanism, but it does not resolve the fundamental issue of compatibility between the reporting obligation and the professional secrecy of lawyers. On the contrary, it confirms that the legislator had to intervene expressly in order to remove the legal consequences of a disclosure which, under other circumstances, could conflict with the confidentiality obligations inherent in the lawyer–client relationship.

Therefore, while customer due diligence measures may, within certain limits, be integrated into the lawyer's professional duties of diligence, the reporting obligation places the lawyer in a direct relationship of cooperation with public authorities, a relationship which cannot be extended beyond strictly necessary limits without substantially affecting professional secrecy, independence, and the trust that must characterise the lawyer–client relationship.

2.5. Prohibition of Disclosure (Tipping-Off) and Its Impact on the Lawyer–Client Relationship

Pursuant to Regulation (EU) 2024/1624, obliged entities, including lawyers, are required not to disclose to the client concerned or to third parties that their transactions or activities are being or have been subject to assessments under Article 69, nor that information is being, has been, or will be transmitted to the Financial Intelligence Unit, or that an analysis concerning money laundering or terrorist financing is being or may be carried out.

---

[35] See Nicolae Popa, Teoria generală a dreptului, 6th revised and supplemented edition, C.H. Beck Publishing House, Bucharest, 2020, pp. 223–234.

[36] Member States shall notify the Commission of any decision taken in this regard. The Commission shall communicate such decisions to the other Member States.

This prohibition, commonly referred to in doctrine as "tipping-off", constitutes an essential element of the reporting mechanism, aimed at preventing the compromise of investigations and ensuring the effectiveness of the activities of competent authorities.

However, where lawyers seek to dissuade a client from engaging in illegal activities, such conduct does not constitute disclosure within the meaning of Article 73 (1) of Regulation (EU) 2024/1624.

In our view, this distinction is particularly relevant for defining the limits of the non-disclosure obligation in the context of the legal profession. The Union legislator implicitly recognises that the lawyer cannot be reduced to a passive role in relation to the client's conduct, but retains the prerogative to intervene, within the limits of the profession, to prevent the commission of unlawful acts. Such intervention cannot be qualified as a breach of compliance obligations but rather constitutes an expression of the preventive role of the lawyer.[37]

In the Romanian legal order, the provisions of Article 33 of Law No. 129/2019 establish the prerogative of the National Office for the Prevention and Control of Money Laundering to request from reporting entities, including professionals, all data and information necessary for the fulfilment of its legal duties. At the same time, pursuant to paragraph (4) of the same Article, professional secrecy and banking secrecy[38] are not enforceable against the Office, either in the context of analytical activities or in the context of international information exchange, except in cases expressly provided by law.

At the same time, paragraph (5) of Article 33 establishes a specific safeguard in favour of lawyers, providing that they shall fulfil their obligations under the relevant legislation in compliance with the provisions of Law No. 51/1995 regarding professional secrecy.

The proposals to amend Article 33(4), aimed at extending the non-opposability of professional secrecy, together with the repeal of paragraph (5), have been justifiably criticised by the National Union of Bar Associations of Romania, being characterised as "a serious infringement of professional secrecy of lawyers, which represents a fundamental principle of the legal profession (Article 11, Article 45(7), Article 34(1) of Law No. 51/1995 on the organisation and exercise of the legal profession and Article 1(2)(e) of the Statute of the legal profession)."[39]

Such a legislative intervention would have been incompatible not only with the domestic legal framework governing the legal profession but also with European Union law.

Thus, recital (12) of Regulation (EU) 2024/1624 expressly enshrines the need to preserve lawyers' professional secrecy regarding information obtained in the course of assessing the legal position of the client or in judicial proceedings, establishing that such information should not be subject to reporting obligations, subject to limited exceptions.

In our view, this provision has the value of a principle and imposes on Member States the obligation not to undermine the essence of lawyers' professional secrecy, even in the context of implementing AML/CFT mechanisms. Any national regulation leading to the deprivation of this principle of its substance would be contrary to Union law.[40]

Moreover, recital (89) of Directive (EU) 2024/1640[41] underlines the importance of reporting to the FIU within supervisory mechanisms but expressly states that information subject to lawyers' professional secrecy should not be collected, used or reported in supervisory activities, except where the exceptions provided for in the Regulation apply.

Accordingly, the obligation of non-disclosure (tipping-off) and the reporting obligation must be interpreted and applied in a differentiated manner in the case of lawyers, depending on the nature of the activity carried out.

---

[37] In Romania, Article 45(8) of Law No. 51/1995 provides that the failure of a lawyer to report offences of which he or she becomes aware in the course of exercising the profession does not constitute a criminal offence, except in the case of the following offences: (1) murder, negligent homicide, or any other offence resulting in the death of a person; (2) genocide, crimes against humanity, or war crimes against persons; (3) the offences provided for in Articles 32–38 of Law No. 535/2004 on the prevention and combating of terrorism, as subsequently amended and supplemented.

[38] See Oana-Mihaela Salomia, Piața internă a UE și libertățile fundamentale de circulație, C.H. Beck Publishing House, Bucharest, 2025.

[39] See https://www.unbr.ro/punctul-de-vedere-al-unbr-trimis-senatului-romaniei-cu-privire-la-proiectul-de-modificare-a-legii-nr-129-2019/ , last accessed on 28 March 2026.

[40] See Mihaela Pătrăuș, Drept instituțional european, Pro Universitaria Publishing House, Bucharest, 2018.

[41] Directive (EU) 2024/1640 of the European Parliament and of the Council of 31 May 2024 on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Directive (EU) 2019/1937 and amending and repealing Directive (EU) 2015/849, OJ L, 2024/1640, 19.6.2024.

Finally, we consider that the prohibition of disclosure, although necessary for the effectiveness of mechanisms for preventing and combating money laundering, must be applied in a balanced manner in the context of the legal profession, so as not to lead to an unjustified restriction of professional secrecy and of the lawyer's role in safeguarding the right of defence.

2.6. Legal Professional Secrecy of Lawyers in the Context of AML/CFT Obligations – Comparative Law Perspectives

Under Spanish law, Law No. 10/2010 on the prevention of money laundering and terrorist financing[42] establishes, in Article 22, an express exception to reporting and cooperation obligations regarding information obtained by a lawyer in the course of determining the legal position of a client or in the exercise of defence or representation in judicial proceedings. At the same time, the law explicitly maintains the obligation to respect professional secrecy in accordance with the legislation governing the legal profession.

In our view, the Spanish legislative solution reflects a clear distinction between activities subject to AML/CFT obligations and the core of the lawyer's activity, protected by professional secrecy. This distinction contributes to ensuring a high degree of foreseeability and reduces the risk of an unjustified extension of compliance obligations to activities inherent to legal advice.

Under Austrian law, the Lawyers' Code[43] provides, in § 8c(1), that a lawyer is not required to report information obtained in the context of legal advice or representation before courts or other authorities, except where it is evident that legal services are being used for the purposes of money laundering or terrorist financing, and this is known to the lawyer.

From our perspective, the Austrian regulation introduces a more stringent assessment criterion, making the reporting obligation conditional upon the evident use of legal services for illicit purposes. This solution effectively limits the risk of excessive interpretations and preserves an appropriate balance between compliance obligations and the protection of professional secrecy.

Under German law, the Anti-Money Laundering Act[44] establishes a general reporting obligation where there are indications of the illicit origin of funds or their connection to terrorist financing, while expressly providing an exception for information obtained within a professional relationship protected by legal professional privilege. However, the reporting obligation remains applicable where the obliged entity has knowledge that the legal relationship is being used for illicit purposes.

We consider that this legislative solution establishes an apparent balance between the requirements of preventing and combating money laundering and the preservation of professional secrecy, while the use of the notion of "knowledge" introduces an assessment standard that may give rise to practical difficulties, particularly where the client's intention is not explicitly manifested.

Under French law, the Monetary and Financial Code[45] imposes prevention and reporting obligations on lawyers only insofar as they participate in financial or real estate transactions or assist clients in relevant economic operations. At the same time, the French legislator provides exceptions for situations where lawyers' activities fall within judicial proceedings, where information is obtained in the context of legal advice, or where it concerns the strategy for initiating or avoiding litigation.

In our assessment, French regulation expressly delineates the scope of protected activities while maintaining the necessary exceptions for situations in which the lawyer is involved in AML/CFT-relevant activities. This framework confirms that professional secrecy is not absolute, but neither may it be deprived of its substance through the extension of reporting obligations.

---

[42] See Law 10/2010 of 28 April on the prevention of money laundering and terrorist financing, available at https://www.boe.es/buscar/act.php?id=BOE-A-2010-6737, last accessed on 28 March 2026.

[43] See the Austrian Lawyers' Act (Rechtsanwaltsordnung – RAO), Original Version (StF): Reichsgesetzblatt (RGBl.) No. 96/1868, available athttps://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10001673, last accessed on 28 March 2026.

[44] See the German Money Laundering Act (Geldwäschegesetz – GwG), available at https://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Aufsichtsrecht/Gesetz/GwG_en.html?nn=19586032#doc19618182bodyText48, last accessed on 28 March 2026.

[45] See the Monetary and Financial Code (Code monétaire et financier), available at https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006072026/LEGISCTA000020178975/?anchor=LEGIARTI000050361174#LEGIARTI000050361174, last accessed on 28 March 2026.

Under Belgian law, the Law of 18 September 2017[46] establishes a particular model characterised by the integration of reporting obligations into an institutional mechanism specific to the legal profession. Lawyers are required to report suspicions of money laundering or terrorist financing, but such reporting is carried out through the Dean of the Bar Association (bâtonnier), who conducts a prior assessment of its compatibility with professional secrecy.

At the same time, Belgian legislation enshrines the prohibition of disclosure (tipping-off) and provides exceptions in favour of legal advisory activities and those related to judicial proceedings, thereby maintaining a balance between AML obligations and the protection of confidentiality.

In our view, the Belgian model represents the most advanced form of reconciliation between reporting obligations and lawyers' professional secrecy. The introduction of an institutional filter, through the bâtonnier, allows for an independent and specialised assessment of situations in which the reporting obligation conflicts with professional duties.

The essential difference between this model and the other systems analysed does not lie in the existence of reporting obligations or exceptions based on professional secrecy, but in the concrete mechanism for their application. Thus, in most Member States, the lawyer directly assesses and reports to the Financial Intelligence Unit, whereas under Belgian law such assessment is subject to prior institutional review.

2.7. Brief Considerations on Legal Professional Secrecy in the Case-Law of the CJEU – Case C-623/22

The analysis of the case-law of the Court of Justice of the European Union[47] confirms, in a relevant manner, the limits within which reporting obligations may be imposed on the legal profession, in relation to the requirements of preserving professional secrecy.

In Case C-623/22[48], the Court was seized by the Constitutional Court of Belgium regarding the validity of certain national provisions adopted in the transposition of Directive (EU) 2018/822, particularly concerning reporting obligations imposed on intermediaries, including lawyers, and their impact on fundamental rights.

In essence, the referring court highlighted the broad scope of reporting obligations and the lack of clarity of certain key notions, raising issues in terms of the principles of legal certainty and legality. It also challenged the obligation imposed on lawyers to inform other intermediaries of reporting obligations, invoking a potential interference with the right to private life.

In its case-law, the Court has consistently held that legal professional privilege benefits from specific protection derived from Article 7 of the Charter of Fundamental Rights of the European Union and Article 8 of the European Convention on Human Rights. Thus, the confidentiality of the lawyer–client relationship covers not only defence activities but also legal advice, both as regards its content and the existence of the professional relationship.

In our view, the Court's reasoning is of fundamental importance for delineating AML/CFT obligations applicable to lawyers. The Court emphasises that enhanced protection of confidentiality is justified by the essential role of the lawyer in a democratic society, namely, to ensure the effective defence of individuals and to provide independent legal advice.

The Court further notes that such protection implies that individuals must be able to have a legitimate expectation that their lawyer will not disclose the fact of consultation, except in exceptional circumstances. Consequently, any obligation imposed on a lawyer that would lead to the disclosure of such information must be subject to a particularly strict review.

In our view, the Court's conclusion that the notification obligation imposed on lawyers is incompatible with Article 7 of the Charter confirms that reporting obligations cannot be extended without limitation to the legal profession. This case-law explicitly enshrines the existence of a core of legal professional privilege that cannot be undermined in the context of combating money laundering.

The Court also reiterates that the role of the lawyer, as a participant in the administration of justice, entails not only independence but also loyalty towards the client.

---

[46]See the Law of 18 September 2017 on the prevention of money laundering and terrorist financing and on the restriction of the use of cash, available at https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2017091806#LNK0025, last accessed on 28 March 2026.

[47] See Marieta Safta, Justiția constituțională în Uniunea Europeană. Legislație, jurisprudență și doctrină, Hamangiu Publishing House, Bucharest, 2022, pp. 209–259.

[48] See Judgment of the Court (Second Chamber) of 29 July 2024, ECLI:EU:C:2024:639.

We consider that any interference with professional secrecy must not only pursue a legitimate aim but must also be strictly necessary and proportionate, without affecting the essence of the right to cnfidentiality.

3. Conclusions

The principal legal consequence of Regulation (EU) 2024/1624 does not lie in the inclusion, as such, of lawyers within the category of obliged entities—since this solution was already known in European and domestic law—but rather in the consolidation of a regulatory framework characterised by direct applicability, harmonisation, and the strengthening of obligations relating to internal organisation, risk assessment, customer due diligence and reporting.

In our view, the essential legal issue remains the delineation between activities falling within the scope of compliance obligations and those that remain protected by professional secrecy. However, this distinction is not always formulated with sufficient clarity in the text of the Regulation. Concepts such as "participation in transactions", "knowledge", "reasonable grounds to suspect", or the inference of illicit purpose from objective circumstances leave a significant margin of discretion, capable of generating divergent practices and extensive interpretations.

From our perspective, in the absence of a restrictive interpretation, there is a risk that compliance obligations may exceed what is necessary for the prevention of money laundering and may infringe principles that fundamentally characterise the legal profession.

In conclusion, we consider that Regulation (EU) 2024/1624 does not establish a general derogation from lawyers' professional secrecy but imposes a functional limitation thereof in all situations where professional activity goes beyond the sphere of protected legal advice and defence and falls within the category of activities relevant to AML/CFT. For this reason, the application of the Regulation in relation to the legal profession must be carried out through a strict interpretation of compliance obligations and an effective protection of professional secrecy. Only under these conditions can the balance be maintained between the general interest in preventing the misuse of the financial system for illicit purposes and the guarantees that define the exercise of the legal profession.

References

- Courses, Treatises and Monographs
- BARAC, Lidia, Strategii de dezvoltare și aprofundare a Uniunii Europene, Universul Juridic Publishing House, Bucharest, 2022;
- CONEA, Alina Mihaela, Politicile Uniunii Europene, Universul Juridic Publishing House, Bucharest, 2019;
- COMȘA, Ana-Maria, Dreptul Uniunii Europene, Pro Universitaria Publishing House, Bucharest, 2022;
- DUMITRAȘCU, Mihaela Augustina, Dreptul Uniunii Europene I, Universul Juridic Publishing House, Bucharest, 2021;
- FÁBIÁN, Gyula, Drept instituțional al Uniunii Europene, 3rd edition, Hamangiu Publishing House, Bucharest, 2023;
- FUEREA, Augustin, Dreptul Uniunii Europene: principii, acțiuni, libertăți, Universul Juridic Publishing House, Bucharest, 2016;
- FUEREA, Augustin, Manualul Uniunii Europene, 6th revised and enlarged edition, Universul Juridic Publishing House, Bucharest, 2016;
- ILUCĂ, Despina-Martha, Dreptul Uniunii Europene. Spațiul de libertate, securitate și justiție, Hamangiu Publishing House, Bucharest, 2024;
- MICU, Gabriel, Dreptul Uniunii Europene, Pro Universitaria Publishing House, Bucharest, 2025;
- PĂTRĂUȘ, Mihaela, Drept instituțional european, Pro Universitaria Publishing House, Bucharest, 2018;
- PASAT, Aurel Octavian, Dreptul Uniunii Europene – Evoluția sistemului de Drept, Pro Universitaria Publishing House, Bucharest, 2024;
- POPA, Nicolae, Teoria generală a dreptului, 6th revised and enlarged edition, C.H. Beck Publishing House, Bucharest, 2020;
- POȚINCU, Laura; FORIS, Tiberiu, Piața unică europeană. Instituțiile juridice ce drept al Uniunii Europene, metode și tehnici utilizate în management, C.H. Beck Publishing House, Bucharest, 2024;
- RADU, Răzvan Horațiu, Manual de drept al Uniunii Europene, Hamangiu Publishing House, Bucharest, 2022;
- REICH, Norbert, Principii generale ale dreptului civil al Uniunii Europene, Universitară Publishing House, Bucharest, 2014;
- SAFTA, Marieta, Justiția constituțională în Uniunea Europeană. Legislație, jurisprudență și doctrină, Hamangiu Publishing House, Bucharest, 2022;
- SALOMIA, Oana-Mihaela, Piața internă a UE și libertățile fundamentale de circulație, C.H. Beck Publishing House, Bucharest, 2025;

- SENSBURG, Patrick Ernst, Manualul de dreptul Uniunii Europene, C.H. Beck Publishing House, Bucharest, 2022;
- TOFAN, Mihaela; VARGA, Crina Mihaela Drept instituțional al Uniunii Europene, C.H. Beck Publishing House, Bucharest, 2023.
- National Legislation
- Law No. 51/1995 on the organisation and practice of the legal profession, republished in the Official Gazette of Romania, Part I, No. 440 of 24 May 2018;
- Law No. 129/2019 on the prevention and combating of money laundering and terrorist financing, as well as for the amendment and supplementation of certain normative acts, published in the Official Gazette of Romania, Part I, No. 589 of 18 July 2019;
- Decision No. 64/2011 on the adoption of the Statute of the legal profession, published in the Official Gazette, Part I, No. 898 of 19 December 2011.
- European Union Legislation
- Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, OJ L, 2024/1624, 19 June 2024;
- Regulation (EU) 2024/1620 of the European Parliament and of the Council of 31 May 2024 establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010, OJ L, 2024/1620, 19 June 2024;
- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 and repealing Directive 2005/60/EC and Commission Directive 2006/70/EC, OJ L 141, 5 June 2015;
- Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849, as well as Directives 2009/138/EC and 2013/36/EU, OJ L 156, 19 June 2018;
- Directive (EU) 2024/1640 of the European Parliament and of the Council of 31 May 2024 on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Directive (EU) 2019/1937 and amending and repealing Directive (EU) 2015/849, OJ L, 2024/1640, 19 June 2024.
- Case Law of the Court of Justice of the European Union
- Judgment of the Court (Second Chamber) of 29 July 2024, Case C-623/22, Belgian Association of Tax Lawyers and Others v Premier ministre / Eerste Minister, ECLI:EU:C:2024:639.
- Online Sources
- https://www.unbr.ro/punctul-de-vedere-al-unbr-trimis-senatului-romaniei-cu-privire-la-proiectul-de-modificare-a-legii-nr-129-2019/
- https://www.boe.es/buscar/act.php?id=BOE-A-2010-6737
- https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10001673
- https://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Aufsichtsrecht/Gesetz/GwG_en.html?nn=19586032#doc19618182bodyText48
- https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006072026/LEGISCTA000020178975/?anchor=LEGIARTI000050361174#LEGIARTI000050361174
- https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2017091806#LNK0025 .