

## Part 07

# Risk-based Supervision: the new reality for obliged entities

Art. 40 AMLD:  
What you need to know  
*now.*



# What is happening?

## Risk-based Supervision becomes Reality.



**Risk-based supervision becomes mandatory**  
(Art. 40 AMLD)

### What does this mean in practice?



From **qualitative judgement** → **data-driven supervision**:  
Defined data points as the foundation



From **national discretion** → **EU-wide consistency**:  
One harmonized supervisory logic



From **expert judgement** → **model-based classification**:  
Scoring models drive outcomes

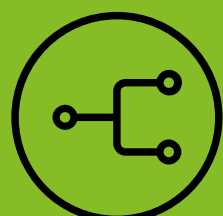


# How do supervisors assess the risks? Using a harmonized supervisory logic.

**Inherent and residual risk of the institution  
are determined through a scoring model.**



Automated scoring system



Combination of inherent risk and quality of controls  
(safeguards) to determine the residual risk



Residual risk must not exceed the inherent risk



Annual update by 30 September (except for very small  
institutions, e.g.  $\leq 5$  employees)



# Which information is assessed?

## Data points as the foundation



The key factor is the **data points** to be provided by the institutions for the analysis, in accordance with **Annex I**.

### Section A – Inherent Risk

There are a total of **4 categories with 24 subcategories**.

**154 data points** are queried for this.

Customers
Products, services & transactions
Distribution channels
Geographical risks

### Section B - Controls

There are a total of **4 categories for controls**.

Controls for which **104 data points** are requested.

AML/CTF governance structures
Risk assessment
AML /CFT policies and procedures
Group oversight



# What is the approach?

## 3 steps to risk assessment

1

Assessment of the inherent ML- & TF-risks and classification of the inherent risk profile into defined categories

=

high risk	4
substantial risk	3
medium risk	2
low risk	1

2

Assessment of the quality of AML/CFT controls and classification of the controls into one defined categories

=

Poor quality of controls	D
Moderate quality of controls	C
Good quality of controls	B
Very good quality of inspections	A

3

Assessment of ML & TF risks, taking into account the quality of AML/CFT controls, and classification of the residual risk profile into defined categories

=

high risk	4
substantial risk	3
medium risk	2
low risk	1



# How are institutions profiled?

## With the AML/CFT Risk Matrix

The Risk Matrix helps supervisors distinguish between different risk profiles:

Institution A

Significant inherent risk (3) but effective controls (A)

Institution B

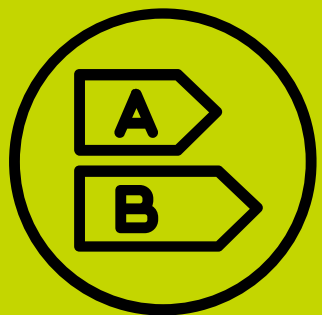
Medium inherent risk (2) but poor quality of controls (D)

			Inherent Risk															
			1				2				3				4			
			1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,40	3,60	3,80	4,00
Controls	D	4,00	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,40	3,60	3,80	4,00
		3,80	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,40	3,60	3,80	3,90
		3,60	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,40	3,60	3,70	3,80
		3,40	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,40	3,50	3,60	3,70
	C	3,20	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,20	3,30	3,40	3,50	3,60
		3,00	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	3,00	3,10	3,20	3,30	3,40	3,50
		2,80	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	2,90	3,00	3,10	3,20	3,30	3,40
		2,60	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,60	2,80	2,80	2,90	3,00	3,10	3,20	3,30
	B	2,40	1,00	1,20	1,40	1,60	1,80	2,00	2,20	2,40	2,50	2,60	2,70	2,80	2,90	3,00	3,10	3,20
		2,20	1,00	1,20	1,40	1,60	1,80	2,10	2,20	2,30	2,40	2,50	2,60	2,70	2,80	2,90	3,00	3,10
		2,00	1,00	1,20	1,40	1,60	1,80	2,00	2,10	2,20	2,30	2,40	2,50	2,60	2,70	2,80	2,90	3,00
		1,80	1,00	1,20	1,40	1,60	1,80	1,90	2,00	2,10	2,20	2,30	2,40	2,50	2,60	2,70	2,80	2,90
	A	1,60	1,00	1,20	1,40	1,60	1,70	1,80	1,90	2,00	2,10	2,20	2,30	2,40	2,50	2,60	2,70	2,80
		1,40	1,00	1,20	1,40	1,50	1,60	1,70	1,80	1,90	2,00	2,10	2,20	2,30	2,40	2,50	2,60	2,70
		1,20	1,00	1,20	1,30	1,40	1,50	1,60	1,70	1,80	1,90	2,00	2,10	2,20	2,30	2,40	2,50	2,60
		1,00	1,00	1,10	1,20	1,30	1,40	1,50	1,60	1,70	1,80	2,00	2,10	2,20	2,30	2,40	2,50	



# What should obligated entities do *now*?

## Start assessing the data points



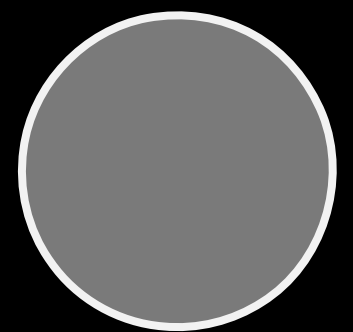
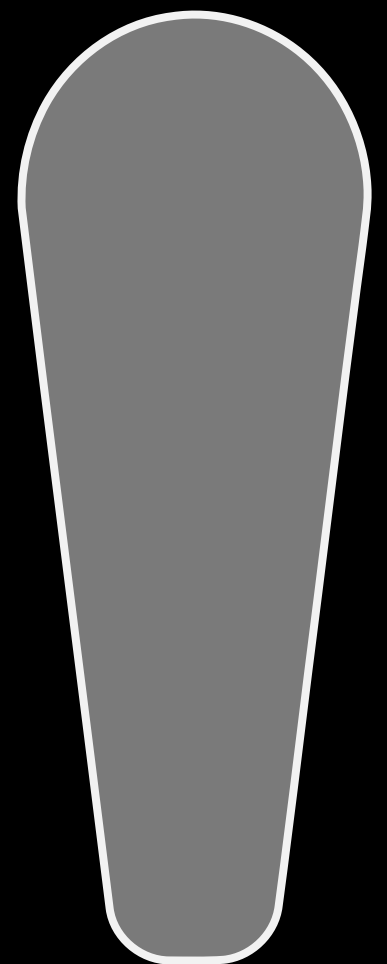
Check the **availability of data points** in accordance with Annex I, Section A, and the **status of controls** in accordance with Section B.



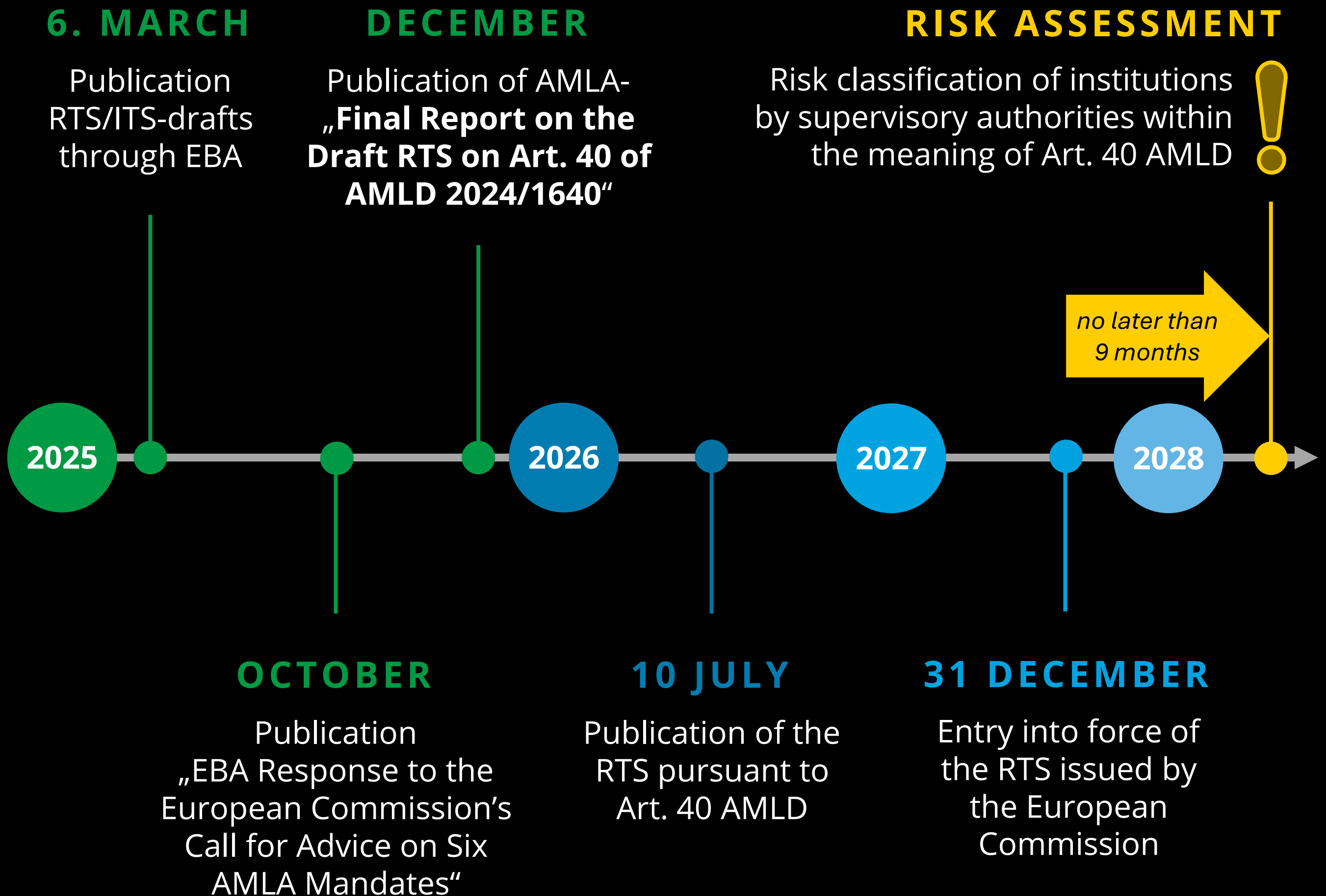
If necessary, **simulation of the risk analysis** by the institution, so that the risk situation can be assessed from the supervisory perspective.



Check whether **further measures** need to be taken.



# Key dates for risk-based Supervision



# Deloitte.

Contacts:

We remain at your disposal.

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**Now is the time to position yourself strategically –  
well ahead of 2027.**



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**MAXIME HECKEL**