

Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC

CHAPTER II

TASKS AND POWERS OF THE AUTHORITY

[^{F1}Article 9b

Request for investigation related to the prevention and countering of money laundering and of terrorist financing

1 In matters concerning the prevention of and countering the use of the financial system for the purposes of money laundering and terrorist financing, in accordance with Directive (EU) 2015/849, the Authority may, where it has indications of material breaches, request a competent authority as referred to in point (2)(iii) of Article 4: (a) to investigate possible breaches of Union law, and where such Union law is composed of Directives or explicitly grants options for Member States, breaches of national law to the extent that it transposes Directives or exercises options granted to Member States by Union law, by a financial sector operator; and (b) to consider imposing sanctions on that operator in respect of such breaches. Where necessary, it may also request a competent authority as referred to in point (2)(iii) of Article 4 to consider adopting an individual decision addressed to that financial sector operator requiring it to undertake all necessary action to comply with its obligations under directly applicable Union law, or under national law to the extent that it transposes Directives or exercises options granted to Member States by Union law, including the cessation of any practice. The requests referred to in this paragraph shall not impede ongoing supervisory measures by the competent authority to which the request is addressed.

2 The competent authority shall comply with any request addressed to it in accordance with paragraph 1 and shall inform the Authority, as soon as possible and within 10 working days at the latest, of the steps it has taken or intends to take to comply with that request.

3 Without prejudice to the powers of the Commission under Article 258 TFEU, where a competent authority does not inform the Authority within 10 working days of the steps it has taken or intends to take to comply with paragraph 2 of this Article, Article 17 of this Regulation shall apply.]

Textual Amendments

- F1** Inserted by [Regulation \(EU\) 2019/2175 of the European Parliament and of the Council of 18 December 2019 amending Regulation \(EU\) No 1093/2010 establishing a European Supervisory Authority \(European Banking Authority\), Regulation \(EU\) No 1094/2010 establishing a European Supervisory Authority \(European Insurance and Occupational Pensions Authority\), Regulation \(EU\) No 1095/2010 establishing a European Supervisory Authority \(European Securities and Markets Authority\), Regulation \(EU\) No 600/2014 on markets in financial instruments, Regulation \(EU\) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or](#)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1093/2010 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

to measure the performance of investment funds, and Regulation (EU) 2015/847 on information accompanying transfers of funds (Text with EEA relevance).

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Changes and effects yet to be applied to :

- Regulation revoked by [S.I. 2019/541](#) reg. 8(b)