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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2026) 6179 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending the regulatory technical standards laid down in Delegated Regulation (EU) 2018/1108 as regards the criteria for the appointment of central contact points for crypto-asset service providers and rules on their functions

Delegations will find attached document C(2026) 6179 final.

Encl.: C(2026) 6179 final

EUROPEAN
COMMISSION

Brussels, 8.9.2026
C(2026) 6179 final

COMMISSION DELEGATED REGULATION (EU) …/...

of 8.9.2026

amending the regulatory technical standards laid down in Delegated Regulation (EU) 2018/1108 as regards the criteria for the appointment of central contact points for crypto-asset service providers and rules on their functions

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Article 45(11) of Directive (EU) No 2015/849 empowers the Commission to adopt, following the submission of draft regulatory technical standards by the European Banking Authority (EBA) and in accordance with Articles 10 to 14 of Regulation (EU) No 1093/2010, delegated acts specifying the criteria for determining the circumstances in which the appointment of a central contact point is appropriate, and the functions of the central contact points.

In accordance with Article 10(1) of Regulation (EU) No 1093/2010 establishing the EBA, the Commission must decide within three months of receipt of the draft technical standards whether to endorse them. It may also endorse them in part only or with amendments where the EU's interests require this, having regard to the specific procedure laid down in those articles.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The EBA has carried out a public consultation on the draft technical standards submitted to the Commission in accordance with Article 45(10) of Directive (EU) No 2015/849. A consultation paper was published on the EBA's website on 4 December 2024, and the consultation closed on 4 February 2025. Moreover, the EBA requested the Banking Stakeholder Group set up in accordance with Article 37 of Regulation (EU) No 1093/2010 to provide advice on the draft technical standards. Together with the draft technical standards, the EBA has submitted an explanation on how the outcome of these consultations has been taken into account in the development of the final draft technical standards submitted to the Commission.

Together with the draft technical standards and in accordance with the third subparagraph of Article 10(1) of Regulation (EU) No 1093/2010, the EBA has submitted its impact assessment, including its analysis of the costs and benefits, related to the draft technical standards. This analysis is available at Regulatory Technical Standards on CCP to strengthen fight against financial crime | European Banking Authority, pages 12-15 of the Final Report on the draft technical standards.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The final regulatory technical standards set out the criteria for determining the circumstances in which the appointment of a central contact point is appropriate, as well as the functions of those central contact points. Since the same considerations that apply to electronic money issuers (EMIs) and payment service providers (PSPs) also apply to crypto-asset service providers (CASPs), the EBA proposes to retain the structure and approach set out in Commission Delegated Regulation (EU) 2018/1108 and extend existing provisions to CASPs (leaving the provisions that apply to EMIs and PSPs unchanged), while adapting them to fit the distinct nature of crypto-asset services, as recalled in recital 27 of Regulation (EU) 2024/1624 of the European Parliament and of the Council[1], and while also proportionally introducing new provisions for CASPs where this is necessary in light of their business model and operation. Specifically, the EBA decided to: (a) include a definition of CASPs (reflecting the definition in Article 3(19) of Directive (EU) 2015/849); (b) extend the existing definitions of 'competent authority' and 'host Member State' to include references to CASPs; (c) extend specific

[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, 19.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1624/oj).

provisions to CASPs; and (d) include specific criteria for determining the circumstances in which CASPs should be required to appoint a central contact point.

COMMISSION DELEGATED REGULATION (EU) …/...

of 8.9.2026

amending the regulatory technical standards laid down in Delegated Regulation (EU) 2018/1108 as regards the criteria for the appointment of central contact points for crypto-asset service providers and rules on their functions

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[2], and in particular Article 45(11) thereof,

Whereas:

(1) Regulation (EU) 2023/1113 of the European Parliament and of the Council[3] replaced paragraph 9 of Article 45 of Directive (EU) 2015/849 to provide Member States with the possibility to require, in addition to electronic money issuers and payment service providers, crypto-asset service providers established on their territory in forms other than a branch and whose head office is situated in another Member State, to appoint a central contact point in their territory. To ensure a consistent approach to the appointment of a central contact point and to determine the functions of a central contact point across all sectors, Commission Delegated Regulation (EU) 2018/1108[4] should be amended to include references to crypto-asset service providers.

(2) To extend the scope of Delegated Regulation (EU) 2018/1108 to crypto-asset service providers and their competent authorities, the definitions of ‘competent authority’ and 'host Member State' should be amended to include references to crypto-asset service providers.

(3) It is also necessary to introduce in Delegated Regulation (EU) 2018/1108 criteria for determining the circumstances in which host Member States may require crypto-asset service providers to appoint a central contact point. Those criteria should follow the same approach as the approach applied to electronic money issuers and payment service

2 OJ L 141, 5.6.2015, p. 73, ELI: http://data.europa.eu/eli/dir/2015/849/oj.

3 Regulation (EU) 2023/1113 of the European Parliament and of the Council of 31 May 2023 on information accompanying transfers of funds and certain crypto-assets and amending Directive (EU) 2015/849 (OJ L 150, 9.6.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/1113/oj).

4 Commission Delegated Regulation (EU) 2018/1108 of 7 May 2018 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regulatory technical standards on the criteria for the appointment of central contact points for electronic money issuers and payment service providers and with rules on their functions (OJ L 203, 10.8.2018, p. 2, ELI: http://data.europa.eu/eli/reg_del/2018/1108/oj).

providers, by focusing on the size and scale of the activities carried out by the entity in the host Member State. However, those criteria should be adapted to fit the distinct nature of crypto-asset services.

(4) As is the case for electronic money issuers and payment service providers, host Member States should be able to require crypto-asset service providers to appoint a central contact point in all cases where it is commensurate with the level of money laundering or terrorist financing risk associated with the operation of those crypto-asset service providers.

(5) Commission Delegated Regulation (EU) 2018/1108 should therefore be amended accordingly.

(6) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Banking Authority.

(7) The European Banking Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council[5],

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2018/1108

Delegated Regulation (EU) 2018/1108 is amended as follows:

(1) Article 2 is amended as follows:

(a) points (1) and (2) are replaced by the following:

‘(1) ‘competent authority’ means the authority of a Member State competent for ensuring compliance of electronic money issuers, payment service providers and crypto-asset service providers that are established in their territory in forms other than a branch and whose head office is situated in another Member State with the requirements of Directive (EU) 2015/849 as transposed by national legislation;

(2) ‘host Member State’ means the Member State in whose territory electronic money issuers, payment service providers and crypto-asset service providers whose head office is situated in another Member State are established in forms other than a branch;’;

(b) the following point (4) is added:

‘(4) ‘crypto-asset service provider’ means a crypto-asset service provider as defined in Article 3(1), point (15), of Regulation (EU) 2023/1114 of the European Parliament and of the Council[*], where performing one or more crypto-asset services as defined in point (16) of that Article, with the exception of providing advice on crypto-assets as referred to in point (16)(h) of that Article.

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[*] Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and

[5] 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 (OJ L 331, 15.12.2010, p. 12, ELI: http://data.europa.eu/eli/reg/2010/1093/oj).

Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150, 9.6.2023, p. 40, ELI: http://data.europa.eu/eli/reg/2023/1114/oj).';

(2) Article 3 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the introductory wording is replaced by the following:

'Host Member States may require electronic money issuers, payment service providers, and crypto-asset service providers that have establishments in their territory in forms other than a branch, and whose head office is situated in another Member State, to appoint a central contact point where any of the following criteria is met:';

(ii) point (b) is replaced by the following:

'(b) the cumulative amount of the electronic money distributed and redeemed, the cumulative value of the payment transactions executed, or the cumulative value of the services and activities carried out by the CASP's establishments is expected to exceed EUR 3 million per financial year or has exceeded EUR 3 million in the previous financial year;';

(b) paragraph 2 is replaced by the following:

'2. Without prejudice to the criteria set out in paragraph 1, host Member States may require categories of electronic money issuers, payment service providers, and crypto-asset service providers that have establishments in their territory in forms other than a branch, and whose head office is situated in another Member State, to appoint a central contact point where that requirement is commensurate to the level of money laundering or terrorist financing risk associated with the operation of those establishments.';

(c) paragraph 4 is replaced by the following:

'4. Without prejudice to the criteria set out in paragraphs 1 and 2, a host Member State may, in exceptional cases, empower the host Member State's competent authority to require an electronic money issuer, payment service provider, or crypto-asset service provider that has establishments in its territory in forms other than a branch, and whose head office is situated in another Member State, to appoint a central contact point providing that the host Member State has reasonable grounds to believe that the operation of establishments of that electronic money issuer, payment service provider or crypto-asset service provider presents a high risk of money laundering and terrorist financing.';

(3) Article 4 is replaced by the following:

'*Article 4*

Ensuring compliance with AML/CFT rules

The central contact point shall ensure that electronic money issuers, payment service providers and crypto-asset service providers that operate establishments specified in Article 45(9) of Directive (EU) 2015/849 comply with the AML/CFT rules of the host Member State. For that purpose, the central contact point shall:

(a) facilitate the development and implementation of AML/CFT policies and procedures pursuant to Article 8(3) and (4) of Directive (EU) 2015/849 by informing the appointing electronic money issuer, payment service provider, or crypto-asset service provider of AML/CFT requirements applicable in the host Member State;

(b) oversee, on behalf of the appointing electronic money issuer, payment service provider, or crypto-asset service provider, the effective compliance by those establishments with

AML/CFT requirements applicable in the host Member State and the appointing electronic money issuer's, payment service provider's, or crypto-asset service provider's policies, controls and procedures adopted pursuant to Article 8(3) and (4) of Directive (EU) 2015/849;

(c) inform the head office of the appointing electronic money issuer, payment service provider, or crypto-asset service provider of any breaches or compliance issues encountered in those establishments, including any information that may affect the establishment's ability to comply effectively with the appointing electronic money issuer's, payment service provider's, or crypto-asset service provider's AML/CFT policies and procedures or that may otherwise affect the appointing electronic money issuer, payment service provider, or crypto-asset service provider's risk assessment;

(d) ensure, on behalf of the appointing electronic money issuer, payment service provider, or crypto-asset service provider, that corrective action is taken in cases where those establishments do not comply, or are at risk of not complying, with applicable AML/CFT rules;

(e) ensure, on behalf of the appointing electronic money issuer, payment service provider, or crypto-asset service provider, that those establishments and their staff participate in training programmes referred to in Article 46(1) of Directive (EU) 2015/849;

(f) represent the appointing electronic money issuer, payment service provider, or crypto-asset service provider in its communications with the competent authorities and the FIU of the host Member State.';

(4) Article 5 is amended as follows:

(a) the introductory wording is replaced by the following:

'The central contact point shall facilitate the supervision by competent authorities of the host Member State of establishments specified in Article 45(9) of Directive (EU) 2015/849 as regards compliance with AML/CFT rules of the host Member State. To this end, the central contact point shall, on behalf of the appointing electronic money issuer, payment service provider, or crypto-asset service provider:';

(b) point (a) is replaced by the following:

'(a) represent the appointing electronic money issuer, payment service provider, or crypto-asset service provider in its communications with competent authorities;';

(c) point (c) is replaced by the following:

'(c) respond to any request made by competent authorities related to the activity of those establishments, provide relevant information held by the appointing electronic money issuer, payment service provider, or crypto-asset service provider and those establishments to competent authorities and report on a regular basis where appropriate;';

(5) Article 6 is amended as follows:

(a) in paragraph 1, the introductory wording is replaced by the following:

'In addition to the functions specified in Articles 4 and 5, host Member States may require central contact points to perform, on behalf of the appointing electronic money issuer, payment service provider, or crypto-asset service provider, one or more of the following functions:';

(b) paragraph 2 is replaced by the following:

'2. Host Member States may require central contact points to perform one or more of the additional functions specified in paragraph 1 where those additional functions are commensurate to the overall level of money laundering and terrorist financing risk associated with the operation of those electronic money issuers, payment service providers, and crypto-asset service providers that have establishments in their territory in forms other than a branch.'.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8.9.2026

For the Commission
The President
Ursula VON DER LEYEN