

13 July 2022

# Summary of amendments to the Lithuanian AML Law regarding VASPs

adopted by the Parliament on 30 June 2022

# Summary of Material Amendments (I)

The following amendments shall enter into force at the dates indicated below.

- Enters into force as of 1 November 2022:
  - setting up a **minimum share capital of a VASP** (which is a private/public limited liability company – UAB/AB) - **EUR 125,000** (instead of the current requirement of EUR 2,500). Other types of legal entities (incl. branches of EU companies) must have an **insurance or guarantee/surety** covering EUR 100,000/customer claim for damages and EUR 500,000/all customers' claims per 1 year);
  - establishing a prohibition **for managing employees of a VASP to be employed by more than 1 VASP**, unless such entities belong to the same group of companies;
  - establishing that **activities of a VASP need to be carried out in Lithuania** - VASP must not carry out activities and provide services in another state to such an extent that only functions or services that are insignificant to the nature of its activities would remain in Lithuania and would be performed or provided exclusively to customers of another state or would no longer perform activities in Lithuania;
  - establishing that at least **1 senior manager** should **permanently reside in Lithuania**;
  - establishing that the **management** (CEO, members of Management Board and Supervisory Council) and **UBOs** of a VASP are subject to a requirement of having an **impeccable reputation** (non-conviction requirements are applicable).

# Summary of Material Amendments (II)

- Enters into force as of 1 February 2023:
  - indicating that a **public list of the VASPs** will be publicly available on the website of the Lithuanian Companies Register;
  - reducing the threshold for **one-off transactions** with virtual currency (incl. depositing to or withdrawing from virtual currency wallet) which require identification of the customer from **EUR 1,000 to EUR 700** (EUR 0 threshold has also been considered, but not approved).
- Enters into force as of 1 January 2025:
  - establishing **requirements for collection, storing and transmission of information regarding virtual currency operations** - VASP of the initiator of the operation needs to collect information regarding the payer (operation initiator) and payee (operation recipient) and provide it to a financial institution or a VASP of the recipient (e.g. in case of initiator (natural person), the following information needs to be collected: name(s), surname(s), unique transaction code, payment account or depositary virtual currency wallet identification codes, type of identity document, its number, personal identification number (foreigner's date of birth, if any, personal identification number or another unique sequence of characters assigned to that person) and citizenship (if the person is stateless, the state that issued the document confirming the personal identity), residential address).