



Judgment of the Court (Fourth Chamber) of 29 January 2026 (request for a preliminary ruling from the Bundesverwaltungsgericht – Austria) – Steiermärkische Bank und Sparkassen AG, KL, TR v Österreichische Finanzmarktaufsichtsbehörde (FMA)

(Case C-291/24, ⁽¹⁾ Steiermärkische Bank und Sparkasse and Others)

(Reference for a preliminary ruling – Prevention of the use of the financial system for the purposes of money laundering or terrorist financing – Directive (EU) 2015/849 – Penalties – Article 58 – Liability of legal persons – Article 59 – Attribution to a legal person of an infringement of its obligations committed by natural persons – Conditions – Article 60)

(C/2026/1561)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicants: Steiermärkische Bank und Sparkassen AG, KL, TR

Defendant: Österreichische Finanzmarktaufsichtsbehörde (FMA)

Operative part of the judgment

Article 58(1) to (3), Article 59(1) and Article 60(5) and (6) of 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, as amended by Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018, read in the light of the principle of effectiveness,

must be interpreted as:

- precluding national legislation which requires that, in order to penalise a legal person, a natural person has first been given the formal status of an accused person and that the operative part of the decision imposing a penalty on that legal person refers to that natural person by name and states that that person committed an unlawful and culpable act constituting an offence which is attributable to that legal person; and
- not precluding that legislation from laying down a limitation period of three years for bringing proceedings and of five years for imposing a penalty, from the date that the offence in question came to an end.

⁽¹⁾ OJ C, C/2024/5297.