



# ENFCO

European Network for Compliance Officers

## WHITEPAPER

# THE NOMENCLATURE OF INTEGRITY

**Why regulatory legislation should standardize  
the 'Compliance Officer' title**

**Report Date: October 9th, 2026**



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## A.ENFCO

ENFCO is a network of not-for-profit associations for in-house compliance professionals across Europe. The organization facilitates the cooperation and communication between the participating associations and their incorporated professionals in the best spirit of a European Community, according to the network's mission goals.

At the time of publication, ENFCO had 26 Member Associations as shown here: <https://www.enfco.eu/associations>

More information about ENFCO can be found on its website <https://www.enfco.eu/>

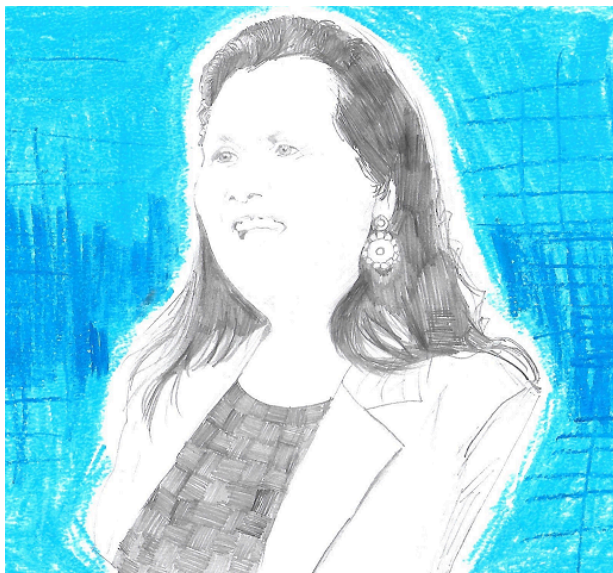
## In Memoriam

### Michelle Fisser (1976 – 2025)

This whitepaper is dedicated to the memory of our esteemed colleague and friend, Michelle Fisser, who tragically passed away in November 2025.

As a devoted advocate for the ethics and compliance community and a driving force within the *Vereniging for Compliance Officers* (VCO Netherlands), Michelle was a passionate proponent of the core proposal set out in this document. She strongly defended the belief that standardising the title of "Compliance Officer" within regulatory legislation is a vital step toward safeguarding professional integrity, accountability, and the standing of compliance professionals across Europe.

Michelle's vision, dedication, and tireless contributions to our field continue to inspire us. Her legacy lives on in this work and in the ongoing effort to elevate the compliance profession.



## B. Executive Summary

Expectations on companies to act ethically and comply with the multitude of laws and regulations has never been higher. The compliance function and the head of the department - the “Compliance Officer” plays a pivotal and crucial role in designing a compliance management system that helps prevent misconduct and promotes ethical behavior.

Numerous professions have recognized titles e.g. lawyer, notary, architect, certified public accountant, actuary and numerous healthcare professions such as physician, dentist, pharmacist, registered nurses. Currently in legislation there is no official recognized title for the “Compliance Officer”.

The lack of such recognized title with core responsibilities, mandatory professional qualifications and experience in legislation, regulations and Directives is suboptimal and results in companies having the “Compliance Officer” positioned differently in the organizational structure and having the “Compliance Officer” function been executed by persons that lack the necessary experience, expertise, independence and reporting lines to the Board.

In the various laws and regulations that companies have to comply with - AI, sustainability, sanctions, money laundering, competition law, human rights, corruption etc.- due to the absence of one European regulator, there is no consistent language and terminology being used for the “Compliance Officer”. As a result of the fragmentation of compliance requirements enacted in different legislative documents, duplicative compliance resources in different departments are set up, making it harder for the Board to have an efficient oversight on Compliance.

Whilst ENFCO welcomes and supports EU regulation and legislation that strengthen compliance and integrity standards and establishing a “Compliance Officer” title with statutory accountability and responsibility, we propose that the terminology of the “Compliance Officer” roles is standardized within European Union legislation. The current fragmentation of “Compliance Officer” nomenclature is a structural risk to the stability and transparency of the European Single Market.

### B.1. The current state of regulatory fragmentation

Because there is not a single European regulator, the European regulatory landscape has evolved into a "puzzle of rules" characterized by overlapping mandates and inconsistent terminology. While individual regulatory instruments like the **GDPR** or **AML** are well-targeted, their interplay creates significant complexity, with over 60% of EU companies citing regulation as an obstacle to investment<sup>1</sup>.

- **A patchwork of aliases:** The pivotal role responsible for legal adherence is currently masked behind a confusing array of titles such as "Monitoring Officer," "Ethics Lead," or "Designated Person".
- **Inefficient oversight:** The fragmentation of compliance requirements enacted in different legislative documents forces firms to manage duplicative compliance

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52024DC0077>

resources, leading to numerous departments creating different “compliance reports” and making it harder for the Board to have an efficient oversight on Compliance, as some of the Compliance related tasks and obligations are tucked away within HR or Legal departments.

- **Enforcement erosion:** Regulators face an "identification lag" during cross-border investigations, as non-standard titles obscure who is ultimately accountable for systemic failures.

## B.2 The argument for semantic unity: why "Compliance Officer" matters

Standardizing the title is the first step toward achieving "**nomenclature of integrity**", a universal legal anchor that ensures accountability is both visible and enforceable. Standardization is not only needed across different EU laws, Directives and regulations but also in translating EU Legislation into local laws. The standardized definition of “Compliance Officer” in EU legislation should not be translated locally in names or titles that lead to wrong representations of what the role and function of the Compliance Officer is.

- **Psychological authority:** The term "Officer" carries an inherent weight that "Manager" or "Lead" lacks, signaling formal authority and providing a "psychological shield" that empowers individuals to challenge high-risk corporate decisions.
- **Market efficiency:** Semantic unity eliminates the "hidden tax" of navigating divergent national requirements, reducing the administrative overhead for multinational firms by providing a clear, portable professional identity.
- **Global competitiveness:** Aligning with international benchmarks - such as those in the UK or US - strengthens the EU's position as a leader in global governance and protects the institutional credibility of the Single Market.

## B.3 Summary of key recommendations for EU legislators

ENFCO calls for a strategic "recalibration" of European law to prioritize clarity and professional standing.

- **Mandate the title:** Codify "Compliance Officer" as the exclusive designation in all new and revised EU legislation to eliminate the "nomenclature puzzle". Ensure that when translating EU law into local law, the codified “Compliance Officer” designation is maintained, and no confusion is created by creating in local law other definitions of the “Compliance Officer” that deviate from the already defined uniform “Compliance Officer” designation.
- **Define the standard:** Link the title to a "Minimum Viable Standard" of core responsibilities (Oversight, Advisory, Reporting) and mandatory professional qualifications.
- **Collaborative roadmap:** Establish a European Working Group between regulators and industry leaders to oversee a three-year transition toward full semantic harmonization. For financial service industry, alignment on “Compliance Officer” designation should happen between Council of EU and European Parliament (establishing sanctions and AML legislation), EBA (defining governance expectations and standards for banks) and OECD (on tax transparency standards) and national competent authorities. For non-financial services one could imagine that standardization of the “Compliance Officer” is discussed in the pan-European Competition Network (for competition law),

by the network of competent local authorities (for anti-corruption) and by local data privacy authorities.

- **Manage conflict of interests:** by designing the core mandatory responsibility and qualifications, conflict of interests are avoided whereby compliance tasks are carried out by those not acting as "Compliance Officer"

**Final conclusion:** Standardizing the "Compliance Officer" is not merely a semantic choice; it is a prerequisite for a resilient, ethical, and competitive European business environment. In the pursuit of integrity, this is a standard that can no longer be ignored.

## C. Introduction: the crisis of regulatory clarity

### C.1 Defining the scope: the regulatory landscape in Europe (AMLD, MiFID II, GDPR, AI Act)

The contemporary European regulatory landscape is characterized by a dense and expanding web of mandates, ranging from the 4th AML Directive and MiFID II to the GDPR. While these frameworks aim to fortify market integrity, they have inadvertently birthed a fragmented nomenclature that threatens the very accountability they seek to enforce. Across different sectors and jurisdictions, the pivotal role responsible for ensuring adherence to these laws is masked behind a confusing array of aliases, such as "Risk Manager," "Ethics Lead," or "Monitoring Officer".

Internally and internationally, organizations use a wide range of titles that either partially overlap with or act as direct substitutes for the "Compliance Officer" role. These vary by seniority, industry (Finance vs. Healthcare), and jurisdiction.

#### General & corporate variations

These titles are often used interchangeably in general business environments to describe the primary individual responsible for regulatory adherence:

- Compliance Manager
- Compliance Specialist
- Compliance Analyst
- Compliance Coordinator
- Head of Compliance
- Director of Compliance
- Compliance Advisor
- Compliance Consultant (often used for external or project-based roles)
- Chief Compliance Officer (CCO)
- Chief Ethics & Compliance Officer

#### Sector-specific titles

In highly regulated industries, the terminology often shifts to reflect the specific nature of the laws being followed:

- **Financial services:**
  - Anti-Money Laundering (AML) / CFT Compliance Officer
  - Money Laundering Reporting Officer (MLRO)
  - Financial Compliance Analyst
  - Ultimate Designated Person (UDP) (Specifically noted in some international regulatory frameworks)
- **Healthcare & life sciences:**
  - Regulatory Affairs Specialist / Manager/Director
  - Patient Privacy and Protection Specialist
  - Healthcare Compliance Officer
  - Quality Improvement and Compliance Manager

- **Technology & data:**
  - Data Protection Officer (DPO) or Data Privacy Officer
  - Data Compliance Manager
  - IT Compliance Specialist

### **Governance & risk-adjacent titles**

Organizations frequently combine compliance with other internal control functions, leading to hybrid titles that can obscure the specific "compliance" mandate:

- Risk Manager or Risk and Compliance Officer
- Ethics and Compliance Officer
- Internal Auditor (Often carries compliance responsibilities in smaller firms)
- Monitoring Officer
- Ethics Lead
- Corporate Governance Officer

### **Formal Legal / Regulatory terms**

In certain jurisdictions or under specific EU Regulatory Instruments, you will encounter more formal designations:

- Designated Person (Common in Irish and UK funds/UCITS structures)
- Alternate Designated Person (ADP)
- Compliance Supervisor
- Responsible Officer

This proliferation of alternative titles is not merely a matter of semantics; it is a **structural crisis of clarity**. When the title of the individual overseeing legal and ethical boundaries remains fluid, the lines of authority become blurred, and the "Compliance" risks being relegated to a secondary administrative task rather than a primary pillar of governance.

**ENFCO's Position** is clear: the current lack in consistency in terminology used for the "Compliance Officer" with the statutory authority and responsibility for Compliance, allows for unnecessary ambiguity in the scope of professional responsibilities. Rather than "Compliance Officer" tasks and responsibilities be clearly defined and ensured that only persons with the necessary skills, experience and qualifications exercise the role of "Compliance Officer", due to the ambiguous and non-consistent terminology used in European legislation, certain responsibilities normally carried out by the Compliance Officer are done by other departments making accountability and responsibility for "Compliance" towards the Board and regulators more diffusive in companies

To secure trust and accountability within the internal market, there is an urgent need for **semantic precision**. This white-paper argues that the title and function of **"Compliance Officer"** must be formally standardized in legislation to eliminate the risks of misinterpretation and to establish a unified professional identity that regulators and organizations can rely upon.

## C.2 What is the exact function and responsibility of a Compliance Officer

### The universal function

The Compliance Officer serves as the **independent guardian of organizational integrity**. Their fundamental purpose is to ensure that the entity operates within the boundaries of applicable laws, regulations, and internal ethical standards, thereby mitigating legal, financial, and reputation risk.

### Core responsibilities

Regardless of jurisdiction or sector, the "Compliance Officer" is defined by these five pillars of responsibility:

- **Oversight and monitoring:** Designing, implementing, and supervising an internal control framework specifically engineered to detect and prevent non-compliance.
- **Advisory and guidance:** Acting as a trusted business partner advising the business how to reach their strategic or commercial objectives in a compliant way.
- **Standard setting:** Serving as the internal subject matter expert who interprets complex regulatory requirements and translates them into actionable business policies.
- **Reporting and accountability:** Acting as the formal bridge between the organization and regulatory bodies, ensuring transparent communication and timely reporting of potential breaches or systemic risks.
- **Investigation:** designing, implementing and providing oversight on investigations, making sure that compliance incidents (violations of law or Code of Conduct) are professionally and timely investigated and where allegations are confirmed, sanctions are given to those involved.

## C.3 The problem statement: the proliferation of alternative titles and their impact on market oversight

The current legislative framework in Europe suffers from a profound lack of terminological discipline. While the necessity of a compliance function is recognized across various directives, the absence of a mandated, singular title has led to a chaotic proliferation of nomenclature, including "Risk Manager," "Ethics Lead," "Monitoring Officer," and "Designated Person". This linguistic fragmentation is not a harmless byproduct of corporate autonomy; it is a structural flaw that actively undermines market oversight in three critical ways:

### I. The dilution of authority and accountability

When organizations are permitted to substitute the "Compliance Officer" title with vague alternatives like "Monitoring Officer" or "Ethics Lead," the perceived and legal authority of the role is often diminished. These "alias" titles frequently lack the non-negotiable responsibilities and the direct reporting lines that are inherent to a standardized "Compliance Officer" function. As a result, compliance and the responsibilities entrusted to the "Compliance Officer" risk being perceived as routine administrative tasks instead of an independent governance function essential to organizational integrity and accountability. This dilution makes it easier for firms to relegate Compliance function and "Compliance Officer" tasks to a secondary administrative task rather than a primary pillar of governance.

## II. The facilitation of regulatory arbitrage

The diversity of titles creates a "nomenclature loophole" that firms can exploit to obscure or dilute the compliance Officer function. By utilizing non-standard titles, an organization may attempt to "hide" the compliance mandate within departments such as HR or Legal, thereby causing conflicts of interest, avoiding the rigorous independence and transparency requirements expected of a formal Compliance Officer. This inconsistency makes it difficult for regulators to ensure that every firm is adhering to the same standard of internal oversight.

Where compliance related tasks are not conducted by the Compliance Officer, but by "compliance champions" such as Legal, HR, CFO, these functions possibly do not have the operational experience, regulatory knowledge or technical skillset, the company might be exposed to regulatory risks or conflict of interest as in some situations they are not fully independent when making a business decision.

## III. Erosion of enforcement and oversight

For regulators and law enforcement, the proliferation of alternative titles and the lack of a standardized title makes it challenging to pinpoint the specific individual held legally accountable for systemic failures. This ambiguity might hamper the effectiveness of enforcement actions.

### C.3.1 Practical consequences of non-standardized compliance titles

The fragmentation of compliance-related nomenclature is not merely theoretical. Across the European regulatory landscape, inconsistent role designations create measurable operational inefficiencies, governance ambiguities, and supervisory complications.

#### Example 1: Cross-border banking group

A multinational banking group operating in five EU Member States may maintain the following structure:

- "MLRO" in one jurisdiction,
- "Compliance Lead" in another,
- "Risk & Governance Manager" elsewhere,
- "Ethics Officer" at subsidiary level.

Although these individuals may perform substantially similar second-line compliance functions, the absence of standardized terminology complicates:

- supervisory mapping,
- accountability allocation,
- group reporting,
- internal escalation procedures,
- regulatory inspections.

During cross-border investigations, regulators may need to determine:

- who possesses formal authority,
- who reports to the Board,
- who owns regulatory breach escalation responsibilities,

- whether independence requirements are satisfied.

### Example 2: Overlapping governance functions

In many organizations, compliance-related responsibilities are distributed across:

- legal departments,
- internal audit,
- risk management,
- ESG governance teams,
- privacy offices,
- cybersecurity units.

Without a harmonized governance anchor, organizations frequently experience:

- duplicated controls,
- inconsistent reporting lines,
- fragmented ownership of regulatory obligations,
- unclear accountability during incidents.

This becomes particularly problematic in emerging regulatory fields such as:

- AI governance,
- digital operational resilience,
- ESG reporting,
- sanctions compliance.

### Example 3: Regulatory inspections and enforcement

During supervisory reviews, regulators often encounter inconsistencies between:

- formal organizational charts,
- actual operational authority,
- documented governance structures.

Titles such as:

- “Coordinator,”
- “Specialist,”
- “Monitoring Lead,”
- “Governance Advisor”

may obscure whether the individual possesses:

- independent authority,
- escalation rights,
- direct board access,
- regulatory accountability.

The result is reduced transparency within the supervisory process and slower identification of accountable persons.

**Key Takeaway:** The use of alternative titles is a barrier to semantic precision that creates internal misalignment over reporting lines and authority.

## C.4 ENFCO's mission: driving semantic precision in global governance

ENFCO maintains that the "Compliance Officer" is not merely a job title, but a fundamental regulatory standard that is currently not existing in a consistent way in EU legislation. The organization asserts that the lack of a unified definition is a primary driver of the "Crisis of Regulatory Clarity" that plagues the European landscape.

To address the risks of ambiguity and the erosion of enforcement, ENFCO's position is built upon three pillars of semantic precision:

### I. The necessity of a legal anchor

ENFCO advocates for the mandatory use of the term "Compliance Officer" in all new and revised EU and national legislation. By establishing a single, non-negotiable terminology for the "Compliance Officer", legislators can close the loopholes currently exploited through "Regulatory Arbitrage," where firms use vague titles like "Ethics Lead" or "Monitoring Officer" to dilute the compliance function.

### II. Defining the "minimum viable standard"

A standardized title is meaningless without standardized expectations. ENFCO proposes that the "Compliance Officer" designation must be legally tethered to:

- **Non-negotiable responsibilities:** A core set of duties - such as independent oversight and direct reporting lines to the Board - that apply regardless of the industry and single point of contact for regulators.
- **Mandatory qualifications:** Minimum expertise, experience, training and certification standards that reflect the complexity and importance of the role.

### III. Collaborative harmonization

ENFCO's position is that semantic precision cannot be achieved in a vacuum. It requires the establishment of a formal working group between regulators, industry leaders, and ENFCO to develop implementation guidelines that ensure the title carries the same weight and legal protection across all EU member states.

**ENFCO's core thesis:** Only by standardizing the nomenclature of integrity can we ensure that the individual responsible for a firm's ethical and legal boundaries is visible, accountable, and empowered to act.

## D.The case for “Compliance Officer”: clarity and standardization

The shift toward a standardized nomenclature is the first step in maturing the European regulatory ecosystem from a collection of fragmented regulatory instruments into a cohesive shield of integrity. By enshrining the title of **"Compliance Officer"** as the universal legal standard, we move beyond the current "nomenclature of convenience" that allows for inconsistent application of law.

Standardization serves as the bedrock for three critical regulatory pillars: **predictability**, **accountability**, and **professionalism**. For a regulator, seeing the title "Compliance Officer" on an organizational chart should immediately signal a specific set of powers, protections, and duties. For the professional, it provides a clear identity rooted in established competence and ethical duty.

This section explores further the unified definition and ensures that regardless of whether a firm is a fintech startup in Berlin or a manufacturing giant in Lyon, the individual at the helm of its integrity function operates under the same mandate and carries the same weight of responsibility.

### D.1 The universal function: defining core, non-negotiable responsibilities

To move beyond the current landscape of fragmented titles, we must establish a "Universal Function" for the Compliance Officer that transcends industry-specific tasks. Regardless of whether they operate in finance, healthcare, or technology, a standardized Compliance Officer is defined by a core set of non-negotiable responsibilities that form the bedrock of organizational integrity.

ENFCO proposes that any individual designated as a "Compliance Officer" must hold the following three pillars of responsibility:

- **Pillar 1: Independent oversight and monitoring.** The primary duty is to design, implement, and supervise an internal control framework specifically engineered to detect, prevent, and remediate non-compliance. This requires a degree of independence from business operations to ensure that the "Compliance" function is not compromised by commercial pressures.
- **Pillar 2: Standard setting and interpretive advisory and guidance.** The Compliance Officer acts as the essential translator between complex regulatory requirements (such as AMLD, MiFID, or GDPR) and daily business activities. They are responsible for providing proactive guidance to the Board and employees, ensuring that "integrity" is integrated into the organization's strategic decision-making process.
- **Pillar 3: Formal reporting and regulatory liaison.** A core responsibility is serving as the official, accountable bridge between the organization and regulatory bodies. This involves ensuring transparent communication, managing mandatory reporting obligations, and acting as the point of contact during investigations or audits.

By defining these responsibilities as "non-negotiable," legislation can ensure that the title "Compliance Officer" is never used as a hollow label, but always represents a role with real

authority and clear accountability and conducted by someone with the necessary experience and expertise.

## D.2 Establishing accountability: how a standardized title directs regulatory focus

In the current regulatory climate, accountability is often diffused through a "fog of titles". By standardizing the "Compliance Officer" nomenclature, we provide both the organization and the regulator with a clear, unmistakable point of accountability.

### I. Creating a direct line of sight

For regulators, the ability to quickly identify the individual responsible for an organization's integrity is paramount during investigations. When a standardized title is mandated across all EU legislation, it acts as a "Regulatory Beacon":

- **Eliminating identification latency:** Regulators no longer have to parse through internal corporate hierarchies to find who "Designated Person" or "Ethics Lead" actually reports to.
- **Assigning legal weight:** A standardized title ensures that the person holding it is legally recognized as the primary custodian of the firm's regulatory obligations.

### II. The "Buck Stops Here" Principle

Standardization prevents the "diffusion of responsibility" that occurs when compliance duties are scattered across various departments.

- **Personal accountability:** By linking the "Compliance Officer" title to specific legislative requirements, it becomes harder for senior management to deflect responsibility for systemic failures.
- **Clarity in reporting:** It establishes a clear, non-negotiable reporting line to the Board of Directors, ensuring that the Compliance Officer has the requisite "clout" to challenge business decisions that risk non-compliance.

### III. Enhancing cross-border cooperation

Within the European Single Market, accountability must be portable. If a "Compliance Officer" in Spain carries the same legal weight and definition as one in Poland, cross-border regulatory actions become significantly more efficient than if the legal weight and definition in each of the EU countries is totally different. If national competent authorities interpret European legislation differently and give different roles and responsibilities to "Compliance Officer" then at a company level this might create confusion as to who is accountable and responsible towards regulators. This semantic unity ensures that accountability does not evaporate at national borders.

**The ENFCO objective:** to ensure that "Compliance Officer" is synonymous with "Accountable Person" in every corner of European law.

## D.3 Professional identity and competence: linking the title to training and certification

A standardized title and role is only as effective as the expertise behind it. ENFCO asserts that for "Compliance Officer" to function as a "Nomenclature of Integrity," it must serve as a hallmark of professional competence, distinguishing qualified practitioners from those holding

purely administrative or adjacent roles. Only people with the necessary experience, expertise, and being part of the Compliance function, should be “Compliance Officer”.

## I. Defining the professional benchmark

Standardizing the title allows for the creation of a unified European competency framework. This ensures that a Compliance Officer in any jurisdiction possesses a baseline level of expertise required to navigate complex EU legislation:

- **Standardized skill sets:** Moving beyond the title allows for a mandated focus on core competencies, including regulatory interpretation, risk assessment methodology, and ethical leadership.
- **Uniformity in expectations:** It prevents firms from appointing individuals without relevant experience to “compliance-adjacent” titles that lack rigorous professional standards.

## II. Linking the title to certification

ENFCO proposes that the use of the “Compliance Officer” title in legal documents should be contingent upon meeting specific qualification criteria:

- **Accredited training:** Recognition of specialized certifications that prove an individual’s ability to manage the “non-negotiable responsibilities” defined in Section D.1.
- **Continuing professional development (CPD):** Establishing a requirement for ongoing education to keep pace with the evolving nature of EU regulatory instruments like the AI Act or ESG reporting.

## III. The shield of professional identity

Standardization provides the Compliance Officer with a distinct professional identity that carries legal and ethical weight:

- **Ethical independence:** A recognized professional status empowers the officer to resist internal corporate pressure, as their duty is tied to a standardized professional code of conduct.
- **Portability of talent:** A standardized title backed by recognized certifications facilitates the mobility of compliance experts across the European Single Market, ensuring a high level of integrity is maintained regardless of geography.

**The ENFCO vision:** to transform “Compliance” from a varied corporate task into a protected and standardized profession, where the title itself serves as a guarantee of competence and integrity.

### D.4 The psychological impact: how uniform nomenclature enhances internal corporate authority

While the legal arguments for standardization focus on oversight and enforcement, the psychological impact of a uniform title is a powerful catalyst for cultural change within an organization. A standardized title does more than define a job; it establishes a **psychological mandate** that shifts the internal perception of the compliance function from a “cost center” to a “pillar of integrity.”

## I. The power of "officer" status

The term "Officer" carries a status (and therefore influences perceived authority) that "Manager" or "Lead" lacks. In corporate hierarchies, "Officer" status signals:

- **Formal authority:** It communicates that the individual possesses the mandate by the Board to act on behalf of the company and/or to intervene in business processes. The title "Officer" is generally associated with an executive authority, whereas "Manager" refers to operational management.
- **Protective standing:** The title acts as a psychological shield, signaling to other employees and executives that the individual has a higher-level duty to the law and the board, rather than just to their immediate supervisor.

## II. Eliminating the "Shadow compliance" perception

When a firm uses fragmented titles like "Ethics Lead" or "Monitoring Officer," it risks creating a perception of "Compliance-lite", a role that is seen as advisory or optional.

- **Semantic consistency:** Using the universal title "Compliance Officer" eliminates ambiguity regarding the individual's "teeth".
- **Cultural alignment:** A uniform title ensures that everyone in the organization, from the intern to the CEO, understands exactly who is responsible for the "non-negotiable" guardrails of the firm.

## III. Strengthening the "voice of conscience"

Psychologically, an individual who holds a title recognized by EU-wide legislation feels a greater sense of professional duty and identity.

- **Confidence in challenge:** A standardized title empowers the individual to challenge high-risk commercial decisions with the weight of a recognized profession behind them.
- **Internal gravity:** A "Compliance Officer" is more likely to be invited to the "strategic table" than a "Specialist" or "Coordinator," ensuring that integrity is baked into the decision-making process from the start.

## E. The risks of ambiguity: when alternative titles fail

The lack of a standardized nomenclature is far more than a linguistic oversight; it is a structural vulnerability in the European regulatory framework. When legislation permits the use of fragmented titles such as "Ethics Lead," "Monitoring Officer," or "Risk Manager," it creates a "gray zone" that undermines the effectiveness of internal controls and external oversight.

Ambiguity in title serves as a catalyst for systemic failure. Without a precise, legally mandated designation, the boundaries of responsibility become porous, allowing for the dilution of the compliance mandate and the blurring of accountability lines. This section examines the tangible risks that emerge when alternative titles fail to provide the clarity required for robust governance. We will explore how this lack of precision facilitates regulatory arbitrage, creates internal organizational misalignment, and ultimately erodes the ability of regulators to enforce the law within the Single Market.

In an era of increasing complexity - from AI ethics to ESG mandates - the cost of ambiguity is no longer sustainable. For the compliance function to succeed, it must be shielded from the confusion that alternative titles inevitably invite.

### E.1 Regulatory arbitrage: how vague titles dilute the compliance function

The absence of a standardized legal definition for the "Compliance Officer" creates a fertile ground for **regulatory arbitrage**. By exploiting the current "nomenclature of convenience," organizations can strategically use alternative titles to bypass the rigorous oversight intended by EU legislators.

#### I. Engineering the "compliance-lite" model

When legislation does not mandate a specific title, firms may opt for labels such as **"Ethics Lead"** or **"Monitoring Officer"** to avoid the legal connotations associated with a formal "Officer".

- **Scope limitation:** By using a vague title, a firm can argue that the individual's mandate is limited to advisory tasks rather than proactive enforcement.
- **Bypassing protections:** Standardized "Compliance Officer" roles often come with legal protections against retaliation; using alternative titles allows firms to omit these safeguards, leaving the individual vulnerable to internal pressure.

#### II. Functional burial

Regulatory arbitrage often manifests as "functional burial," where the compliance mandate is tucked away under a non-standard department title.

- **Obscuring reporting lines:** Titles like **"Risk Associate"** or **"Legal Coordinator"** allow firms to place the compliance function deep within the HR or Legal departments thereby increasing the risk that Compliance advice is given to the business functions by people acting in a Compliance capacity who do not have the necessary skills.
- **Dilution of independence:** This placement often removes the direct line of reporting to the Board of Directors, which is a core, non-negotiable responsibility of a true Compliance Officer.

### III. The inconsistency loophole

Multinational firms can exploit the lack of a "European Standard" by assigning different titles with varying levels of authority across different Member States.

- **Semantic fragmentation:** A firm might have a powerful "Compliance Officer" in one jurisdiction but a powerless "Compliance Assistant" in another, despite both being responsible for the same EU directive.
- **Oversight evasion:** This creates a "shell game" for regulators, making it difficult to assess whether the compliance function is being applied uniformly across the organization's entire European footprint.
- **The risk:** Without a mandated title, the "Compliance" function becomes a variable that firms can tune to their advantage, rather than a fixed standard that regulators can trust.

#### E.2 Internal misalignment: reporting lines and the "shadow compliance" conflict

When a standardized title is absent, the internal structural integrity of an organization begins to erode. The use of alternative titles like "Ethics Lead" or "Monitoring Officer" creates a vacuum of clarity that leads to "Internal Misalignment," where employees, management, and the compliance function itself are at odds regarding the boundaries of authority.

#### I. The reporting line paradox

A core responsibility of a Compliance Officer is maintaining a direct, independent reporting line to the Board of Directors. However, alternative titles often obscure this path:

- **Subordination to operations:** Titles such as "Compliance Coordinator" or "Risk Analyst" often imply a middle-management status, leading these individuals to report to the CFO or General Counsel rather than the Board.
- **Conflict of interest:** When the compliance function is buried within a department it is supposed to oversee, the individual loses the independence necessary to challenge high-risk business decisions.

#### II. Authority gaps and "shadow compliance"

Internal misalignment manifests as a lack of "teeth" during critical decision-making processes:

- **Ambiguous Mandate:** Without the standardized "Officer" title, other department heads (Sales, Trading, IT) may view compliance requests as optional "advice" rather than mandatory directives.
- **The Scope Creep:** In the absence of a defined standard, the role is often stretched to cover unrelated administrative tasks, diluting the individual's ability to focus on high-priority regulatory risks.

#### III. Employee and stakeholder confusion

The psychological impact of varied nomenclature extends to the entire workforce:

- **Whistleblowing Barriers:** If employees are unsure who the "accountable person" is - due to a sea of titles like "Designated Person" or "Ethics Lead" - they are less likely to report internal breaches.
- **Fragmented Culture:** Misalignment prevents the development of a unified "culture of compliance," as different teams may operate under different interpretations of who holds the final say on ethical boundaries.

**The Internal Risk:** When a title fails to convey authority, the organization's "immune system" is weakened, leaving it vulnerable to both internal misconduct and external regulatory failure.

### E.3 Erosion of enforcement: obstacles to identifying accountable persons during investigations

The most severe consequence of nomenclature ambiguity is the direct impact on the effectiveness of European regulatory oversight. When alternative titles obscure the compliance function, the ability of state and Union-level authorities to enforce the law is significantly compromised. This section explores the "friction" introduced into the enforcement process by non-standardized titles.

#### I. The identification lag and "legal hide-and-seek"

During an audit or an investigation into financial misconduct, time is of the essence. However, the current "Crisis of Regulatory Clarity" creates an unnecessary identification lag:

- **Tracing the mandate:** Regulators frequently encounter a "fog of titles" where they must spend valuable resources determining whether a "Designated Person" or "Monitoring Officer" actually holds the legal authority for the breach in question.
- **Administrative burden:** The lack of a standardized title requires enforcement teams to conduct deep-dive reviews of internal corporate charters just to find the person with the "non-negotiable responsibilities" defined by ENFCO.

#### II. Obstacles to cross-border cooperation

Within the European Single Market, enforcement often requires cooperation between different national competent authorities (NCAs). Semantic inconsistency acts as a barrier to this cooperation:

- **Jurisdictional incompatibility:** A regulator in one Member State may not recognize the legal standing of a title used in another, leading to delays in information sharing or joint enforcement actions.
- **Evaporating accountability:** In multinational structures, firms can exploit these linguistic differences to ensure that no single individual is clearly accountable for systemic failures that span multiple borders.

#### III. Weakening the deterrent effect

Enforcement is only an effective deterrent if the consequences are clear and the accountable parties are visible:

- **The "nobody in charge" defense:** Ambiguous titles provide a convenient defense for senior management, who can argue that responsibility for a failure was diffused

among various "Leads" and "Coordinators" rather than a singular "Compliance Officer".

- **Dilution of sanctions:** If the regulator cannot pinpoint the individual responsible for a firm's integrity, the personal accountability that should drive ethical behavior is lost.

#### **E.4 The cost of confusion: economic impacts of navigating non-standardized roles for multinational firms**

The absence of a standardized "Compliance Officer" title is not merely a legal or administrative inconvenience; it represents a significant economic burden for firms operating across the European Single Market. For multinational corporations, the "Crisis of Regulatory Clarity" translates into tangible financial costs that hinder competitiveness and market efficiency.

##### **I. Excessive administrative and legal overhead**

Multinational firms must dedicate substantial resources to mapping non-standardized roles across different jurisdictions.

- **Nomenclature mapping:** Companies are forced to hire legal counsel and consultants to ensure that a "Designated Person" in one Member State satisfies the requirements for a "Compliance Lead" in another.
- **Drafting custom charters:** Because the law does not provide a standard title, firms must draft bespoke internal policies and employment contracts for every region to define authority, significantly increasing legal drafting costs.

##### **II. Inefficiencies in talent acquisition and mobility**

The lack of a "European Standard" creates friction in the labor market for compliance professionals.

- **Recruitment complexity:** HR departments face increased costs in identifying qualified candidates when job titles do not clearly reflect a standardized set of competencies or "non-negotiable responsibilities".
- **Onboarding delays:** Moving a compliance professional from a subsidiary in Poland to a headquarters in France requires extensive retraining or "re-titling" to align with local linguistic nuances, slowing down organizational agility.

##### **III. Increased compliance risk premiums**

Ambiguity in the compliance function is often priced into the "risk premium" of an organization.

- **Audit and insurance costs:** Insurers and auditors may charge higher premiums for Directors and Officers (D&O) insurance when the lines of accountability are blurred by vague titles like "Monitoring Officer".
- **Penalty risk:** The risk of inadvertent non-compliance - and the resulting heavy fines - increases when the organization cannot clearly communicate its oversight structure to regulators during an inquiry.

#### IV. Misallocation of human capital

When the compliance function is not standardized, highly skilled professionals are often diverted into low-value administrative tasks.

- **Administrative burden vs. strategic oversight:** Compliance professionals spend excessive time justifying their "scope" and "authority" to internal stakeholders rather than performing the core monitoring and advisory functions necessary for market integrity.
- **The economic reality:** The fragmentation of nomenclature acts as a "hidden tax" on European business, siphoning resources away from innovation and growth and toward the navigation of unnecessary semantic complexity.

## F. International and sectoral benchmarking

To demonstrate that the standardization of the "Compliance Officer" title is both achievable and effective, we must look to established precedents where nomenclature has already been successfully unified. While various EU directives currently exhibit high levels of inconsistency, specific sectors and international jurisdictions offer a blueprint for how semantic precision facilitates market stability.

This section provides a comparative analysis of the regulatory landscape, contrasting the success of standardized roles in traditional finance with the confusion currently found in emerging regulatory frameworks. By benchmarking these examples, we can identify a clear path forward for the **ENFCO Standard**: a unified European definition that ensures the Compliance Officer is recognized as a consistent and protected role throughout the Single Market.

### Key areas of analysis:

- **Success stories:** Examining jurisdictions where "Compliance Officer" is a protected and mandatory title.
- **The gap analysis:** Mapping the inconsistency of titles across key EU Directives such as AMLD, MiFID, and the AI Act.
- **The ENFCO blueprint:** Proposing a unified definition that bridges these sectoral gaps.

### F.1 Case studies: financial services vs. emerging sectors (Tech, ESG, AI)

The most compelling evidence for standardization comes from jurisdictions that have transitioned away from "generic" oversight to specific, high-accountability roles. In these regions, the use of a mandated title has directly correlated with improved regulatory outcomes and clearer internal governance.

#### I. The United Kingdom: the Senior Managers Regime

The UK's **Senior Managers and Certification Regime (SM&CR)** represents one of the most rigorous examples of title standardization globally.

- **Mandated role (SMF16):** The regime specifically mandates a "Compliance Oversight" function (SMF16). This person is explicitly responsible for reporting to the governing body on the firm's compliance.
- **Duty of responsibility:** Because the title is standardized, the regulator can apply a "Duty of Responsibility," holding the specific individual accountable if they fail to take reasonable steps to prevent a breach.
- **Clarity of function:** This standardized designation ensures that the head of compliance is seen as an independent "second line of defense," separate from governance-oriented roles like the CEO.

#### II. The United States: SEC and FINRA Standards

In the US financial markets, the title **Chief Compliance Officer (CCO)** is not an option, but a requirement for regulated entities.

- **FINRA Rule 3130:** This rule requires each member firm to designate a CCO specifically to oversee compliance policies and procedures.
- **SEC Directives:** For investment advisers and swap facilities, the SEC mandates the designation of a CCO who must be "empowered with full responsibility and authority".
- **Annual Certification:** The standardized title is linked to a mandatory annual certification process where the CCO and CEO must personally attest to the adequacy of compliance processes.

### III. Singapore and Hong Kong: the "Fit and Proper" standard

Both Singapore and Hong Kong have established world-renowned regulatory environments by ensuring compliance roles are clearly defined and filled by "fit and proper" individuals.

- **Singapore (MAS Guidelines):** The Monetary Authority of Singapore provides clear governance structures requiring unambiguous reporting lines for compliance officers. This has made Singapore a top-tier jurisdiction for regulatory stability.
- **Hong Kong (Universal Standards):** Hong Kong embeds professional oversight into company structures, creating universal standards that enhance market trust and streamline operations for investors.

**The lesson for Europe:** In every jurisdiction where "Compliance Officer" (or its direct equivalent) is a legally mandated and standardized title, regulatory enforcement is swifter, and market trust is significantly higher.

## F.2 Comparative analysis of titles across existing EU Directives

The European Union's regulatory framework currently functions as a patchwork of mandates rather than a unified system, particularly regarding the nomenclature of the individual responsible for oversight. While the **GDPR** was a pioneer in standardizing a specific role, subsequent and preceding legislation has failed to maintain this semantic discipline.

This inconsistency creates a "compliance gap" where organizations must manage multiple, often overlapping roles—such as the **Data Protection Officer (DPO)** and the emerging **AI Officer**—each with different legal standing, independence requirements, and reporting duties.

**Table: Comparison of Regulatory Roles Across Major EU Frameworks**

| Directive / Regulation                     | Designated Title(s)                                                    | Role Status                      | Core Focus                                                    | Level of Independence                                |
|--------------------------------------------|------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|------------------------------------------------------|
| <b>GDPR</b><br>(2016/679)                  | <b>Data Protection Officer (DPO)</b>                                   | Mandatory for most               | Protection of personal data and privacy rights                | High; legally protected from management interference |
| <b>AML</b><br>(Anti-Money Laundering)      | <b>Money Laundering Reporting Officer (MLRO) or Compliance Officer</b> | Mandatory for financial entities | Detecting/preventing money laundering and terrorism financing | High; direct access to board-level reporting         |
| <b>MiFID II</b><br>(Financial Instruments) | <b>Compliance Function</b><br>(often "Compliance Officer")             | Mandatory                        | Market integrity, investor protection, and transparency       | Substantial; requires independent monitoring         |

|                                                                                                                      |                                         |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>AI Act</b><br>(2024/1689)                                                                                         | <b>AI Officer</b> (or Chief AI Officer) | Recommended / Non-mandatory                                                                                                                                                    | Safety, fundamental rights, and AI risk management                                                                                                                                                                                                                                                                  | Recommended; should have direct access to management                                                                                                                                                                                   |
| <b>Cyber Resilience Act</b>                                                                                          | (Varies)                                | Role-based                                                                                                                                                                     | Cybersecurity and digital product safety                                                                                                                                                                                                                                                                            | Dependent on the organization's supply chain role                                                                                                                                                                                      |
| <b>The German Supply Chain Act</b><br>(Lieferkettensorgfaltspflichtengesetz or LkSG), in force since January 1, 2023 | <b>Human Rights Officer</b>             | Mandatory (The law initially applied to companies with at least 3,000 employees starting in January 2023, and from 2024 to companies with at least 1,000 employees in Germany) | The law strengthens human rights and environmental protection. That includes: protection against child labour, forced labour, and discrimination, protection against land grabbing, occupational health and safety, the right to fair wages, the right to form unions, protection against environmental violations. | While the law mandates direct reporting to management, the officer's functional independence remains a frequent topic of debate regarding how effectively they can police corporate practices without facing operational interference. |

### The impact of inconsistency

- **Redundant assessments:** The lack of a single "Compliance Officer" standard means firms often conduct separate, overlapping evaluations, such as **Data Protection Impact Assessments (DPIAs)** under GDPR and **Fundamental Rights Impact Assessments (FRIAs)** under the AI Act.
- **Fragmented oversight:** Organizations are forced to maintain separate governance structures for data, financial crime, and AI, even though these functions frequently intersect - for example, when AI is used for AML monitoring.
- **Administrative duplication:** Transparency and logging obligations are often redundant across different regimes, leading to unnecessary complexity and increased costs for multinational firms.

**The ENFCO Position:** The "AI Officer" and "MLRO" are functions of a broader integrity mandate. Standardizing the **Compliance Officer** as the primary legal designation would allow for a more holistic, efficient, and accountable approach to European regulatory adherence.

### F.3 The ENFCO standard: a unified European definition of the "Compliance Officer"

To resolve the fragmentation identified in the previous sections, ENFCO proposes a singular, harmonized definition to be adopted across all European regulatory frameworks. This "ENFCO Standard" is designed to move beyond sector-specific jargon and establish a high-level benchmark for the profession that is recognizable in every Member State.

#### I. The unified definition

ENFCO proposes that the 'Compliance Officer' be legally defined as:

*"The individual formally appointed by an organization's governing body, vested with the independent authority and necessary resources to ensure the entity's adherence to all applicable laws, regulations, and internal ethical standards, and who serves as the primary accountable liaison to regulatory authorities."*

## II. Core criteria of the ENFCO standard

For a role to meet the ENFCO standard, it must satisfy three structural requirements, regardless of the industry:

- **Statutory independence:** The role must be structurally insulated from commercial and operational pressures, with legal protection against dismissal for the good-faith performance of duties.
- **Mandatory Board access:** The Compliance Officer must have an unrestricted, direct reporting line to the Board of Directors or equivalent governing body, bypassing the CEO or CFO or General Counsel where necessary.
- **Professional certification:** The title must be restricted to individuals who meet a minimum European benchmark of expertise, experience, training and continuous professional development and integrity standards.

## III. Bridging the sectoral divide

The ENFCO Standard acts as an "umbrella" designation. While a firm may still require a "Data Protection Officer" for GDPR or an "MLRO" for AML, these roles would be recognized as specialized applications of the broader, standardized **Compliance Officer** function. This hierarchy ensures that even as new regulations (like the AI Act) emerge, they plug into a pre-existing, robust, and understood professional framework.

## IV. The impact of the standard

By adopting this unified definition, the EU can achieve:

- **Market-wide consistency:** Investors and regulators will have immediate clarity on who holds the "nomenclature of integrity" within any firm.
- **Professional dignity:** The role transitions from an administrative "task" to a respected, protected, and standardized profession across the Single Market.

## G. Recommendations and call to action

The evidence presented in this white-paper underscores a critical reality: the current fragmentation of regulatory nomenclature is a structural vulnerability that Europe can no longer afford. To secure the integrity of the Single Market and ensure that accountability is both visible and enforceable, a decisive shift toward standardization is required.

This section transitions from analysis to advocacy. It outlines a strategic roadmap for EU legislators and regulators to move beyond the "status quo of ambiguity" and toward a harmonized European framework centered on the **Compliance Officer**. These recommendations are designed to be targeted, proportionate, and actionable, providing a clear path for integrating semantic precision into the future of European governance.

### The strategy for harmonization:

- **Mandate and modernize:** Codifying the "Compliance Officer" title in all upcoming legislative instruments.
- **Benchmark and certify:** Linking the title to rigorous, standardized professional requirements.
- **Collaborate and implement:** Establishing the institutional structures necessary to bridge the gap between regulation and reality.

### G.1 Mandating the title in new and revised EU/National legislation

The first and most critical step toward regulatory clarity is the formal codification of the "Compliance Officer" title within the European legal canon. ENFCO calls upon EU legislators to move away from permissive language and toward a mandatory nomenclature that ensures consistency across the Single Market.

#### I. Legislative integration

- **Standardized clause:** Every new Directive or Regulation that requires a formal compliance or oversight function should explicitly mandate the designation of a "Compliance Officer".
- **Revision of existing Directives:** As frameworks like the AMLD or MiFID undergo periodic review, their terminology should be harmonized to align with the standardized "Compliance Officer" title.
- **Elimination of synonyms:** Legislative drafting guides should be updated to discourage the use of ambiguous terms such as "Designated Person," "Monitoring Officer," or "Ethics Lead" when referring to the core compliance function.

#### II. Uniform transposition

- **National consistency:** Member States must be required to use the direct linguistic equivalent of "Compliance Officer" during the transposition of EU Directives into national law.
- **Anti-fragmented guidance:** The European Commission should issue specific guidelines to National Competent Authorities (NCAs) to ensure that local variations do not re-introduce the "Crisis of Regulatory Clarity" at the member-state level.

### III. The "Lead" designation for emerging sectors

- **Future-proofing:** In emerging areas such as the AI Act or ESG reporting, the "Compliance Officer" should be the primary title, with the specific domain (e.g., "Compliance Officer for AI") serving as a secondary descriptor.
- **Structural primacy:** This ensures that regardless of the specific regulation, the individual remains anchored in the professional standards and protections of the universal compliance function.

**The goal:** To ensure that the "Nomenclature of Integrity" is not an elective choice for firms, but a statutory requirement that provides an immediate, recognizable point of accountability for regulators.

## G.2 Developing minimum requirements: linking qualifications to the title

To ensure the "Compliance Officer" title carries substantive weight across the European Union, it must be legally anchored to a standardized set of professional expectations. A title without defined competencies invites the very "Crisis of Clarity" this white-paper seeks to resolve. ENFCO recommends that EU legislation define a "Minimum Viable Standard" for the role, encompassing both functional duties and educational benchmarks.

### I. Mandating core responsibilities

Legislative instruments should move beyond high-level requirements and codify the specific daily tasks and strategic duties that define a Compliance Officer:

- **Regulatory monitoring & implementation:** Proactively tracking the evolution of laws and establishing internal policies to ensure legal and regulatory adherence.
- **Independent risk assessment:** Conducting regular, unfiltered audits to evaluate compliance systems and identify potential weaknesses before they materialize.
- **Internal education & ethics:** Organizing mandatory training to foster an ethical culture and ensure staff remain informed of legal updates.
- **Direct reporting:** Providing detailed, regular reports directly to the board of directors and regulatory authorities to ensure transparency.

### II. Establishing educational and professional benchmarks

The title "Compliance Officer" should be reserved for individuals who possess a recognized level of expertise. ENFCO proposes the following requirements for those holding the designation:

- **Foundational education:** A degree in Law, Business Administration, or Finance is the ideal starting point for building the necessary legal and regulatory expertise.
- **Specialized certification:** Encouraging or mandating accredited professional certifications - such as the **European Certified Compliance Professional (ECCP)** or **Certified Compliance & Ethics Professional (CCEP)** - to demonstrate practical proficiency.
- **Continuous Professional Development (CPD):** Requiring ongoing testing and training to ensure officers stay ahead of rapid technological and legislative changes.

### III. Minimum competency framework

ENFCO recommends a "Level-Based" approach to competency, ensuring that even entry-level roles have a clear path to the standardized "Officer" designation:

| Requirement level   | Core competencies                                                      | Recommended qualification(s)                               |
|---------------------|------------------------------------------------------------------------|------------------------------------------------------------|
| <b>Foundational</b> | Analytical thinking, ethics, and basic legal knowledge                 | Bachelor's/Master's in Law or Finance                      |
| <b>Professional</b> | Risk management, audit techniques, and regulatory monitoring           | Professional Diploma in Compliance (e.g., LCI, ECCP, SCCE) |
| <b>Senior/Head</b>  | Strategic decision-making, stakeholder management, and board reporting | Certified Head of Compliance or ICA Diploma                |

**The ENFCO benchmark:** By linking the title to specific, non-negotiable standards, we ensure that every Compliance Officer in the EU possesses the "Nomenclature of Integrity" backed by proven ability.

#### G.3 Collaborative implementation: the ENFCO-Regulator-Industry working group

The transition to a standardized "Compliance Officer" title cannot be achieved through legislative fiat alone; it requires a practical, collaborative effort to bridge the gap between high-level policy and operational reality. ENFCO recommends the immediate formation of a dedicated **European Compliance Standardization Working Group (ECSWG)** to oversee this transformation.

#### I. Composition of the working group

To ensure the guidelines are robust and balanced, the group must include diverse representation from the following stakeholders:

- **European Supervisory Authorities (ESAs):** Including representatives from ESMA, EBA, and EIOPA to ensure alignment with financial sector standards.
- **ENFCO and National Compliance Associations:** Providing the frontline perspective on professional standards and certification benchmarks.
- **Industry Representatives:** Experts from various sectors (Fintech, Manufacturing, Healthcare) to ensure the guidelines are scalable for different organizational sizes.
- **Academic and Legal Experts:** Ensuring the definitions remain compatible with existing EU administrative law.

#### II. Core mandate and objectives

The working group will be tasked with producing a "Technical Handbook for Compliance Standardization," focusing on:

- **The equivalency map:** Developing a definitive guide that identifies which legacy titles (e.g., "Designated Person") must be transitioned to the "Compliance Officer" standard.

- **Universal reporting templates:** Creating standardized reporting lines and communication protocols that a Compliance Officer must use when interacting with National Competent Authorities (NCAs).
- **Grandfathering and transition rules:** Designing a fair timeline for existing professionals to meet the new "Minimum Viable Standard" of qualifications without disrupting market operations.

### III. Promoting semantic unity across borders

The working group will serve as the primary forum for resolving jurisdictional disputes regarding nomenclature.

- **Harmonized lexicon:** Publishing a multi-lingual glossary of compliance terms to ensure "Compliance Officer" is translated and applied with total consistency across all 27 Member States.
- **Continuous review:** Establishing a mechanism to periodically update the "Compliance Officer" mandate as new technologies, such as generative AI, shift the regulatory landscape.

**The call to action:** Semantic precision is a collective responsibility. By establishing this working group, the EU can ensure that the "Nomenclature of Integrity" is not just a legal requirement, but a living, breathing professional standard.

#### G.4 Timeline for adoption: a strategic roadmap for harmonization

The transition to a standardized "Compliance Officer" nomenclature must be handled with a balance of urgency and pragmatism. ENFCO proposes a phased, three-year roadmap to ensure that organizations, professionals, and national regulators have the necessary time to adapt without disrupting market stability.

##### Phase I: The legislative foundation (Year 1)

The primary focus of the first year is the establishment of the legal mandate and the creation of the infrastructure for standardization.

- **European Commission Directive:** Publication of a delegated act or directive mandating the "Compliance Officer" title in all internal market legislation.
- **Working Group Activation:** Formation of the ECSWG (as outlined in G.3) to begin drafting the technical handbook and equivalency maps.
- **Nomenclature Audit:** National Competent Authorities (NCAs) conduct a review of local legislation to identify conflicting titles that require amendment.

##### Phase II: transition and qualification (Year 2)

The second year focuses on the human element - ensuring that the individuals holding the title meet the required "Nomenclature of Integrity" standards.

- **Equivalency period:** Firms begin the formal process of re-titling roles (e.g., transitioning "Designated Persons" to "Compliance Officers") in accordance with the ECSWG handbook.

- **Certification enrollment:** Professionals not yet meeting the "Minimum Viable Standard" enroll in accredited training programs to achieve the necessary benchmarks by the end of Year 3.
- **Corporate charter updates:** Organizations update internal reporting lines and board charters to reflect the standardized authority and protections of the Compliance Officer.

### Phase III: Full implementation and enforcement (Year 3)

By the final year, the standardized title becomes a mandatory legal requirement, and oversight moves from transition to enforcement.

- **Mandatory adoption:** All new regulatory filings and corporate structures must utilize the "Compliance Officer" title to be recognized by EU authorities.
- **Enforcement activation:** Regulators begin utilizing the standardized title to streamline cross-border investigations and assign clear accountability.
- **Baseline review:** ENFCO and the European Commission conduct a progress review to ensure that "semantic precision" has led to a measurable reduction in regulatory arbitrage.

## H. Conclusion: integrity through consistency

The standardization of the "Compliance Officer" title is far more than a linguistic refinement; it is a fundamental requirement for the maturation of the European regulatory landscape. As this whitepaper has demonstrated, the current "Crisis of Regulatory Clarity" serves only to obscure accountability, facilitate arbitrage, and impose unnecessary economic costs on the Single Market. By adopting a "Nomenclature of Integrity," the European Union can transition from a fragmented collection of directives to a unified ecosystem of trust.

This concluding section synthesizes the arguments for semantic precision and reinforces the vision of a future where the compliance function is recognized as a consistent, protected, and empowered profession across all Member States. It is time for legislators to recognize that in the pursuit of integrity, the standard of the "Compliance Officer" is one that can no longer be ignored.

### H.1 Moving toward a mature compliance ecosystem

The journey toward a standardized European definition marks the evolution of compliance from a reactive administrative task to a proactive pillar of governance.

- **From fragmentation to unity:** Standardizing the title ensures that the "Rules of the Road" are the same for every firm, regardless of size or sector.
- **Elevating the profession:** By linking the title to rigorous qualifications and ethical independence, we ensure that those tasked with protecting market integrity are equipped with the authority to do so.

### H.2 Final statement on the duty of legislators

The responsibility now lies with EU and national legislators to codify these standards into the very fabric of European law.

- **A call for decisive action:** Legislators must move beyond "pick-your-own-adventure" nomenclature and mandate the use of the "Compliance Officer" title to eliminate the "Nomenclature Loophole".
- **Securing the future:** As we face new challenges in AI, ESG, and digital resilience, a standardized compliance framework will serve as the essential foundation for a resilient and ethical European economy.

## Appendices

### Appendix A: Glossary of alternative titles encountered (Risk Manager, Ethics Lead, etc.)

This glossary serves as a mapping tool for legislators and organizations to identify non-standardized titles currently in use across various jurisdictions and sectors. By identifying these "aliases," we can clearly see where the "Crisis of Regulatory Clarity" originates and how these roles should be harmonized under the **ENFCO Standard Compliance Officer** designation.

| Current alternative title                         | Common Sector/Jurisdiction                                                          | Structural deficiency compared to the ENFCO Standard                                                                                                                                                                                                                                                             |
|---------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Designated Person (DP)</b>                     | Investment Funds (Ireland/Luxembourg)                                               | Often implies a fragmented or outsourced responsibility rather than a central, protected "Officer" role with full organizational oversight.                                                                                                                                                                      |
| <b>Ethics Lead / Ethics &amp; Culture Manager</b> | Tech & ESG Sectors                                                                  | Focuses primarily on "soft law" and internal culture, often lacking the formal legal mandate and reporting authority required for hard-law enforcement.                                                                                                                                                          |
| <b>Monitoring Officer</b>                         | Public Sector / Local Government                                                    | Suggests a passive, observational function rather than the proactive, independent advisory and oversight pillars of a Compliance Officer.                                                                                                                                                                        |
| <b>Risk Manager / Risk Lead</b>                   | Insurance & Banking                                                                 | Primarily focused on financial or operational risk; compliance is often treated as a sub-set, leading to a dilution of the legal/ethical mandate.                                                                                                                                                                |
| <b>Regulatory Affairs Manager</b>                 | Healthcare & Life Sciences                                                          | Typically focused on product-specific licensing and technical filings rather than systemic organizational integrity and board-level accountability.                                                                                                                                                              |
| <b>Healthcare Code Compliance Officer</b>         | Healthcare/Life Sciences                                                            | Typically focus on overseeing compliance with Pharma Code i.e. interactions between pharma companies and healthcare professionals and healthcare organizations.                                                                                                                                                  |
| <b>Money Laundering Reporting Officer (MLRO)</b>  | Financial Services                                                                  | A highly specialized role that, while essential, represents only one vertical of the broader Compliance Officer function.                                                                                                                                                                                        |
| <b>Data Protection Officer (DPO)</b>              | All Sectors (GDPR)                                                                  | While legally protected, the DPO is often siloed into privacy, whereas a Compliance Officer provides a holistic "Umbrella" of integrity.                                                                                                                                                                         |
| <b>Sanctions Compliance Officer</b>               | Financial Institutions, Trade and Logistics, Energy and commodities, Technology and | A Sanctions Compliance Officer operates within a distinct domain of the broader risk and compliance structure. The role covers: <b>Targeted Restrictions:</b> Economic trade restrictions, asset-freezing orders, sectoral sanctions, and travel bans issued by bodies like the UN, UK Government (OFSI), EU, or |

|  |                                         |                                                                                                                             |
|--|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
|  | Manufacturing,<br>Professional Services | US (OFAC). <b>Geopolitical Risk:</b> Sanctions linked directly to foreign policy, national security, and international law. |
|--|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|

## The transition objective

The goal of the **ENFCO Standard** is not to eliminate specialized expertise (such as that of a DPO or MLRO), but to ensure that the individual responsible for the firm's regulatory health is clearly identifiable through a **single, universal, and authoritative title**.

By standardizing this nomenclature, we move from a "pick-your-own-adventure" approach to a "Nomenclature of Integrity" that is recognized, respected, and enforceable across the entire European Union.

## Appendix B: Proposed legislative language for standardized title adoption

To facilitate the transition from theory to practice, this appendix provides a draft "Standardization Clause". This language is designed to be integrated into new EU Regulations and Directives, as well as national transposing legislation, to ensure the **Compliance Officer** is established with the necessary authority and independence.

### Article [X]: Designation of the Compliance Officer

**1. Mandatory appointment** Each entity falling within the scope of this [Regulation/Directive] shall formally designate at least one **Compliance Officer** responsible for overseeing the entity's adherence to its legal and ethical obligations. The identity and contact details of the Compliance Officer shall be communicated to the relevant National Competent Authority.

**2. Scope of responsibilities** The Compliance Officer shall be vested with the following non-negotiable responsibilities:

- **Independent monitoring:** Developing and supervising a robust internal control framework to detect and prevent regulatory breaches.
- **Advisory function:** Providing direct guidance to the management body on the interpretation and implementation of applicable legal standards.
- **Reporting:** Acting as the primary and accountable liaison between the entity and regulatory authorities.

**3. Structural independence and protections** To ensure the integrity of the function, Member States shall ensure that:

- The Compliance Officer reports directly to the highest management body or Board of Directors of the entity.
- The Compliance Officer shall not be dismissed or penalized by the entity for performing their tasks in accordance with this [Regulation/Directive].
- The entity provides the Compliance Officer with the necessary resources, authority, and access to data required to fulfill their mandate.

**4. Professional qualifications** The title of "Compliance Officer" shall be reserved for individuals who meet the minimum professional benchmarks regarding training, certification, and continuous professional development as defined by the European Commission.

**5. Prohibition of alternative nomenclature** In all formal regulatory filings and public disclosures required under this [Regulation/Directive], the entity shall utilize the title **"Compliance Officer."** Use of alternative or ambiguous titles that dilute the perceived authority or accountability of the function is prohibited.

#### Implementation note for legislators

"The goal of this language is to create a 'Regulatory Anchor.' By standardizing the title and its associated protections across all Member States, we eliminate the 'nomenclature loopholes' that currently allow for regulatory arbitrage and the erosion of enforcement".

#### Appendix C: Mapping of the Compliance function across key EU Directives

This appendix provides a technical mapping of how the compliance function is currently embedded - often under fragmented terminology - across the core pillars of EU legislation. It highlights the "Nomenclature Gap" that the ENFCO Standard seeks to bridge by replacing varied roles with a unified **Compliance Officer** designation.

#### The fragmentation map

| EU Directive / Regulation               | Current Legal Reference for the Function                    | Statutory Title(s) Used                   | Reporting Requirement                      | ENFCO Alignment                                                                      |
|-----------------------------------------|-------------------------------------------------------------|-------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------|
| <b>AMLD (Anti-Money Laundering)</b>     | Article 8(4) of Directive (EU) 2015/849                     | "Compliance Officer" or "MLRO"            | Direct access to the board                 | <b>High:</b> Already approximates the ENFCO standard but requires title exclusivity. |
| <b>MiFID II (Financial Markets)</b>     | Article 22 of Commission Delegated Regulation (EU) 2017/565 | "Compliance Function"                     | Reports to senior management/board         | <b>Moderate:</b> Focuses on "function" rather than a standardized "Officer" title.   |
| <b>GDPR (Data Privacy)</b>              | Articles 37–39 of Regulation (EU) 2016/679                  | "Data Protection Officer" (DPO)           | Independent; reports to highest management | <b>High (Structural):</b> Provides the model for independence but is siloed to data. |
| <b>AI Act (Artificial Intelligence)</b> | Articles 26 & 27 (Governance/Compliance)                    | "AI Officer" (Emerging/Suggested)         | Recommended access to management           | <b>Low:</b> High risk of "Nomenclature Arbitrage" without a mandated title.          |
| <b>CSRD (Sustainability Reporting)</b>  | Articles regarding Internal Control                         | "Ethics Lead" or "Sustainability Officer" | Varies significantly by Member State       | <b>Low:</b> High risk of functional burial within HR or Marketing.                   |

#### Identifying the cross-Directive overlap

The mapping reveals that a single organization may be required to maintain multiple "designated persons" who perform nearly identical internal control tasks:

- **The monitoring overlap:** Both the MLRO (AMLD) and the DPO (GDPR) must monitor internal processes and report breaches, yet they often operate in silos due to different titles.
- **The reporting redundancy:** An organization may have three different individuals (DPO, MLRO, and AI Officer) all requiring independent access to the Board, creating "Reporting Fatigue" for senior leadership.
- **The enforcement gap:** Regulators from different fields (Data Privacy vs. Financial Oversight) may be communicating with different "Compliance Leads" within the same firm, obscuring the holistic view of the firm's integrity.

### The ENFCO integration strategy

By mapping these functions, ENFCO proposes that the **Standardized Compliance Officer** serves as the primary legislative anchor. Specialized roles (DPO, MLRO, AI Officer) would remain as domain-specific experts but would legally sit under the "Compliance Officer" umbrella to ensure a unified line of accountability to the Board and the European Regulators.

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## Acknowledgment

We gratefully acknowledge the invaluable contributions of the following individuals, whose expertise, insights, and collaboration significantly enriched this white paper:

- **Andrijana Bergant**, President, EICE- European Institute for Compliance and Ethics, Slovenia
- **Barbara Dircksens**, General Manager, ASCOM - Asociación Española de Compliance
- **Carlos Martins**, Chairperson, Gibraltar Association of Compliance Officers
- **Diego Recacha Pló**, Board member ASCOM - Asociación Española de Compliance
- **Jerica Jančar**, Board Member, EICE- European Institute for Compliance and Ethics, Slovenia
- **Melissa Van Den Broeck**, Vereniging van Compliance Officers, The Netherlands
- **Radomir Dukov**, Chairperson, Bulgarian Association of Anti-Financial Crime Experts
- **Patrick Wellens**, Chairman, Ethics & Compliance Switzerland and Chief Compliance Officer Association of Corporate Investigators

Their diverse perspectives and dedication to advancing “The ENFCO Whitepaper- The nomenclature Integrity- Why regulatory legislation should standardize the Compliance Officer title” were critical to the quality and depth of this publication.

We also extend our thanks to the broader community of professionals and stakeholders who supported this initiative through feedback, dialogue, and peer review.

## Bibliography

Below is a list of the legal and regulatory references consulted and mentioned throughout the white paper, identifying the relevant sources used. The below list doesn't pretend to be full inclusive and only mentions the main sources of legal texts and articles consulted:

### 1. Anti-Money Laundering Framework (AMLD / AMLA)

- **Found on pages:** 6, 9, 12, 15, 24, 25, 26, 27, 36
- **Context:** References to anti-money laundering requirements, customer due diligence, risk management, and the appointment/governance of the compliance function or MLRO.
- **Legal Texts & Articles:**
  - **Directive (EU) 2015/849 (AMLD4):**
    - *Article 8(4):* Mandates that obliged entities appoint a member of the management board responsible for AML compliance or a dedicated compliance officer where proportionate to scale and risk.
    - *Article 46:* Requires competent authorities to ensure entities maintain effective internal controls.
  - **Regulation (EU) 2024/1620 (establishing AMLA):**
    - *Articles 5 & 6:* Administrative and supervisory scope for European-level AML oversight.

### 2. Markets in Financial Instruments Framework (MiFID II)

- **Found on pages:** 6, 9, 15, 24, 25, 26, 36
- **Context:** Requirements establishing the independent compliance function, internal controls, and investor protection within investment firms.
- **Legal Texts & Articles:**
  - **Directive 2014/65/EU (MiFID II):** *Article 16(2)* (Organisational requirements).
  - **Commission Delegated Regulation (EU) 2017/565:** *Article 22* (Compliance function operational requirements, independence, and reporting to senior management).

### 3. General Data Protection Regulation (GDPR)

- **Found on pages:** 6, 9, 15, 25, 26, 36
- **Context:** Statutory requirements for designating a Data Protection Officer (DPO), their independence, tasks, and board access.
- **Legal Texts & Articles:**
  - **Regulation (EU) 2016/679 (GDPR):**
    - *Article 37:* Designation of the Data Protection Officer.
    - *Article 38:* Position and structural independence of the DPO.
    - *Article 39:* Statutory tasks of the DPO.

### 4. Artificial Intelligence Act (AI Act)

- **Found on pages:** 6, 9, 17, 19, 24, 25, 26, 28, 36
- **Context:** Risk management, technical compliance, and governance oversight for high-risk AI models and systems.
- **Legal Texts & Articles:**
  - **Regulation (EU) 2024/1689 (AI Act):**
    - *Article 17:* Quality management system obligations for high-risk AI deployers/providers.
    - *Article 26:* Obligations of deployers of high-risk AI systems regarding technical compliance and human oversight.

## 5. Corporate Sustainability Reporting & Due Diligence (CSRD & CSDDD)

- **Found on pages:** 6, 13, 17, 19, 24, 28, 36
- **Context:** Sustainability oversight, human rights due diligence, and internal ESG compliance frameworks.
- **Legal Texts & Articles:**
  - **Directive (EU) 2022/2464 (CSRD):** *Article 1* (amending Directive 2013/34/EU regarding corporate sustainability reporting and internal management oversight).
  - **Directive (EU) 2024/1760 (CSDDD):** *Article 15* (Duty to establish due diligence policies and assign responsibility to senior management).

