

# Guidelines compliance table

EBA/GL/2017/10

27 July 2017; Date of application – 14 February 2018 (Updated 26 November 2018)

## Guidelines on major incident reporting under Directive (EU) 2015/2366 (PSD2)

The following competent authorities\* comply or intend to comply with the EBA's Guidelines on major incident reporting under PSD2:

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
Member State				
BE	Belgium	National Bank of Belgium	<b>Intends to comply**</b>	Once Belgian law transposing PSD2 has been published.
BG	Bulgaria	Bulgarian National Bank	<b>Intends to comply**</b>	It is envisaged by the end of the first half of 2018 the Bulgarian National Bank to adopt the relevant regulations, internal rules and procedures implementing the requirements of the Guidelines.
CZ	Czech Republic	Czech National Bank	<b>Intends to comply**</b>	By 13.01.2018.
DK	Denmark	Danish Financial Supervisory Authority	<b>Yes</b>	As at 10.01.2018, notification date.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	<b>Yes</b>	As at 25.06.2018, notification date.
EE	Estonia	Finantsinspektsioon	<b>Yes</b>	As at 01.02.2018, notification date.
IE	Ireland	Central Bank of Ireland	<b>Yes</b>	As at 16.02.2018, notification date.

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
EL	Greece	Bank of Greece	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	<b>Yes</b>	As of 28.07.2018. National measures necessary for compliance with the Guidelines are: Zakon o platnom prometu (engl. Payment System Act), published in "Narodne novine", no. 66/2018 on 20 July 2018, entered into force on 28 July 2018. Link: <a href="https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html">https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html</a>
ES	Spain	Banco de España	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings implementing Directive (UE) 2015/2366 have been completed, without prejudice to Spanish national provisions implementing this regulation and within the limit of the competencies conferred to Banco de España by these national provisions.
FR	France	ACPR	<b>Yes</b>	As at 21.02.2018, notification date.
IT	Italy	Bank of Italy	<b>Intends to comply**</b>	By 30.06.2018.
CY	Cyprus	Central Bank of Cyprus	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed, that is when the PSD2 is transposed into national law.
LV	Latvia	Financial and Capital Market Commission	<b>Intends to comply**</b>	By 01.06.2018.
LT	Lithuania	Bank of Lithuania	<b>Intends to comply**</b>	By 01.09.2018.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed. The bill transposing the PSD2 in Luxembourg law is currently under discussion and the Luxembourg Parliament.

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
HU	Hungary	The Central Bank of Hungary	<b>Intends to comply**</b>	By 13.01.2018.
MT	Malta	Malta Financial Services Authority	<b>Yes</b>	As at 14.02.2018, notification date.
NL	Netherlands	De Nederlandsche Bank	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed.
AT	Austria	Austrian Financial Market Authority	<b>Yes</b>	Following the entry into force of the Austrian Payment Services Act 2018 (ZaDiG 2018; Zahlungsdiensteegesetz 2018) on 1 June 2018 our legal basis under national law is now adequate to allow the FMA to declare its full compliance with these Guidelines.
PL	Poland	Komisja Nadzoru Finansowego	<b>Yes</b>	As at 19.02.2018, notification date.
PT	Portugal	Banco de Portugal	<b>Intends to comply**</b>	By the date of transposition of the PSD2 into national law. Banco de Portugal intends to comply with the Guidelines by the date of transposition of the PSD2 into national law assuming that it will be designated as the national competent authority (similarly to what happened in the transposition of the first PSD).
RO	Romania	National Bank of Romania	<b>Intends to comply**</b>	As of date of entering into force of the law transposing the PSD2.
SI	Slovenia	Bank of Slovenia	<b>Intends to comply**</b>	By 02.03.2018. Decision regarding the application of guidelines is published in the Official Gazette of the Republic of Slovenia.
SK	Slovakia	Národná Banka Slovenska	<b>Yes</b>	As at 25.01.2018, notification date.
FI	Finland	Finanssivalvonta (FIN-FSA)	<b>Yes</b>	As at 15.02.2018, notification date.
SE	Sweden	Financial Supervisory Authority	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed, which is currently estimated to be 01.05.2018.
UK	United Kingdom	PRA	<b>Not applicable</b>	

		Competent authority	Complies or intends to comply	Comments
		Financial Conduct Authority	Yes	As at 20.12.2017, notification date. National transposition legislation, The Payment Services Regulations (link below) transposes the Payment Services Directive EU 2015/2366 in UK law. <a href="http://www.legislation.gov.uk/ukxi/2017/752/pdfs/ukxi_20170752_en.pdf">http://www.legislation.gov.uk/ukxi/2017/752/pdfs/ukxi_20170752_en.pdf</a> In September 2017 we indicated our intention to comply in our Policy Statement; <a href="https://www.handbook.fca.org.uk/handbook/SUP/15/14.html?date=2018-01-13">https://www.handbook.fca.org.uk/handbook/SUP/15/14.html?date=2018-01-13</a>

**EU Institutions – Agencies**

ECB	ECB	ECB	Not applicable	
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**EEA – EFTA State**

IS	Iceland	Financial Supervisory Authority, Iceland	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed, which is currently estimated to be completed in autumn 2018.
NO	Norway	Financial Supervisory Authority of Norway	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed, which is currently estimated to be completed in Q3 of 2018. The FSA of Norway will comply with Guidelines on major incidents reporting under PSD2 (GL), however not with the first part of GL 2.8, which says that PSPs should send the initial report to the competent authority within 4 hours from the moment the major operational or security incident was first detected. The FSA of Norway will keep existing regulation and practice on this matter. i.e. the PSPs should from the moment the PSP classifies the incident as major, send the initial report without undue delay,

		Competent authority	Complies or intends to comply	Comments
				which with some incidents could be less than 4 hours.
<b>European Territories under Article 355(3) TFEU</b>				
UK	United Kingdom	Gibraltar Financial Services Commission		

\*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the EBA’s Guidelines. This table is based on information provided from those EEA States on a voluntary basis.

\*\* Please note that, in the interest of transparency, if a competent authority continues to intend to comply after the application date, it will be considered “non-compliant” unless (A) the Guidelines relate to a type of institution or instruments which do not currently exist in the jurisdiction concerned; or (B) legislative or regulatory proceedings have been initiated to bring any national measures necessary to comply with the Guidelines in force in the jurisdiction concerned.

**Notes**

Article 16(3) of the EBA’s Regulations requires national competent authorities to inform us whether they comply or intend to comply with each Guideline or recommendation we issue. If a competent authority does not comply or does not intend to comply it must inform us of the reasons. We decide on a case by case basis whether to publish reasons.

The EBA endeavour to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the EBA cannot accept responsibility for its contents or any reliance placed on it.

For further information on the current position of any competent authority, please contact that competent authority. Contact details can be obtained from the EBA’s website [www.eba.europa.eu](http://www.eba.europa.eu).