

Joint Guidelines Compliance Table

JC/GL/2014/43 Appendix 1

18 February 2015

Joint Guidelines on complaints-handling for the securities (ESMA) and banking (EBA) sectors

The following competent authorities* comply or intend to comply with ESAs' Joint Guidelines on complaints-handling for the securities (ESMA) and banking (EBA) sectors:

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
Member States					
BE	Belgium	Financial Services and Markets Authority	ESMA/EBA	Yes	After coordination between the National Bank of Belgium and the Financial Services and Markets Authority, it was agreed that the FSMA will implement these guidelines for all regulated undertakings of the banking, securities and insurance sector, except for payment institutions and e-money institutions.
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	EBA	Yes	
		Комисията за финансов надзор (Financial Supervision Commission)	ESMA	Yes	
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	ESMA/EBA	Yes	
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	ESMA/EBA	Yes	



	Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments	
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)	ESMA/EBA	Yes	
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	ESMA/EBA	Yes	
IE	Ireland	Central Bank of Ireland	ESMA/EBA	Yes	
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	EBA	Yes	
		Ελληνική Επιτροπή Κεφαλαιαγοράς (Hellenic Capital Market Commission)	ESMA	Yes	
HR	Croatia	National Bank of Croatia	ESMA/EBA	Yes	
ES	Spain	Banco de España (Bank of Spain)	EBA	Yes	
		Comisión Nacional del Mercado de Valores	ESMA	Yes	
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	EBA	Yes	
		Autorité des Marchés Financiers	ESMA	Yes	
IT	Italy	Banca d'Italia (Bank of Italy)	EBA	Yes	
		Commissione Nazionale per le Società e la Borsa	ESMA	Yes	
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	EBA	Yes	
		Επιτροπή Κεφαλαιαγοράς Κύπρου (Cyprus Securities and Exchange Commission)	ESMA	Yes	

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	ESMA/EBA	Yes	
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	ESMA/EBA	Yes	
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	ESMA/EBA	Yes	
HU	Hungary	Magyar Nemzeti Bank (National Bank of Hungary)	ESMA/EBA	Yes	
MT	Malta	Malta Financial Services Authority	ESMA/EBA	Yes	
NL	Netherlands	Autoriteit Financiële Markten (Authority for the Financial Markets)	ESMA/EBA	No	Partial – noted on form. “At this moment we do not comply with Guideline 4. We do look at complaints for signalling risks. However we do not do this on a structural basis. We will look into this and check whether there’s a need to incorporate this on a structural basis.”
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	ESMA/EBA	Yes	
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	ESMA/EBA	Yes	
PT	Portugal	Banco de Portugal (Bank of Portugal)	EBA	Yes	
		Comissão do Mercado de Valores Mobiliários	ESMA	Yes	

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
RO	Romania	Banca Națională a României (National Bank of Romania)	EBA	Yes	
		Autoritatea de Supraveghere Financiară (Romanian Financial Supervisory Authority)	ESMA	Yes	
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	EBA	Yes	
		Agencija za trg vrednostnih papirjev (Securities Market Agency)	ESMA	Yes	
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	ESMA/EBA	Yes	
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	ESMA/EBA	Yes	
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	ESMA/EBA	Yes	
UK	United Kingdom	Financial Conduct Authority (FCA)	ESMA/EBA	Yes	
EEA – EFTA States					
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	ESMA/EBA	Yes	
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	ESMA/EBA	Yes	
European Territories under Article 355(3) TFEU					
UK	United Kingdom	Financial Services Commission (Gibraltar)	ESMA/EBA	No response	No notification of compliance was received by the ESAs within the two-month time limit



*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the ESAs' Joint 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 Joint 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 Joint Guidelines in force in the jurisdiction concerned.

Notes

Article 16(3) of the ESAs' 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 ESAs endeavour to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the ESAs 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 ESAs' website (www.eba.europa.eu; www.esma.europa.eu)