Guidelines compliance table

JC/GL/2019/81

14 February 2022
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Joint Guidelines on cooperation and information exchange for the purpose of Directive (EU) 2015/849 between competent authorities supervising credit and financial institutions (The AML/CFT Colleges Guidelines)

The following competent authorities* comply or intend to comply with the EBA's Guidelines on Joint Guidelines on cooperation and information exchange for the purpose of Directive (EU) 2015/849 between competent authorities supervising credit and financial institutions (The AML/CFT Colleges Guidelines):

		Competent authority	Complies or intends to comply	Comments
Member State				
BE	Belgium	National Bank of Belgium	**Complies**	As of notification date, i.e. 25 May 2020. The National Bank of Belgium (NBB) would like to note that a first exercise of the mapping of the financial institutions supervised by the NBB in its capacity as AML supervisor has already been achieved. It will be necessary to update this mapping on a regular basis, to take future changes in the structure, the organization or the activities of these institutions, possibly affecting also their AML risk score, into account.

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				On the basis of this first mapping exercise, the NBB will organize the AML colleges for which NBB will be the lead supervisor within the transitional period of 2 years put forward in the Guidelines, beginning with the institutions having the highest AML risk score. The necessary first steps for setting up these AML Colleges will be taken in the coming weeks and months, in accordance with the risk based approach to be followed.
BG	Bulgaria	Bulgarian National Bank	**Complies**	As of date of notification, i.e. 25 May 2020. Compliance with the GIs by the Bulgarian National Bank (BNB) relates to the obliged entities, in the meaning of EU Directive 2015/849, over which the BNB exercises AML/CFT control, namely credit institutions payment service providers and electronic money institutions.
		Financial Supervision Commission	**Complies**	As of notification date, 12 April 2022.
CZ	Czech Republic	Czech National Bank	**Intends to comply****	As of 16 December 2021. In order to comply with these Guidelines, the Czech National Bank (CNB) would perform mapping of all relevant firms, cross-border and EU establishments specified in their point 1.1. The mapping will be reviewed and updated on the regular as well as ad hoc basis. The CNB in its position as lead supervisor will further establish and maintain AML/CFT colleges in all cases, when the conditions of Guideline 2 are met. In compliance with Guideline 16 (Transitional period), the CNB will make every effort to establish all AML/CFT colleges within 2 years of the date of application of these Guidelines (the establishment of colleges for those firms assessed as high risk for ML/TF purposes in line with the Risk-Based Supervision Guidelines will have a high priority).

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				If invited as a permanent member, observer or invited participant, the CNB would also actively participate in all AML/CFT colleges established and maintained by another lead supervisor. Where an AML/CFT college has not been established, the CNB will make every effort to enter into a bilateral relationship according to Guideline 14.
DK	Denmark	Danish Financial Supervisory Authority	**Complies**	As of notification date, 01.03.2021. In accordance with the Guidelines 2019/81, which require that during the two-years transition period: - competent authorities identify all firms operating on a cross-border basis that have been authorized in their Member State and all branches or subsidiaries set up by these firms in other jurisdictions - AML/CTF Colleges be established when: o competent authorities from three or more member states are involved in the AML/CFT supervision of the same firm, where that firm is operating on a cross-border basis o a third-country undertaking has set up EU establishments in at least three Member States; branches of an EU subsidiary of a third-country undertaking set up in a Member State different from the Member State where the EU subsidiary has been established count as separate establishments - AML/CTF colleges for firms assessed as high risk for ML/TF

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				purposes to be established as a priority - Colleges for other eligible firms be established within 2 years from the date of publication of the guidelines. We can inform the EBA that the DFSA has made a mapping to identify all firms operating on a cross-border basis, as well as their branches or subsidiaries set up by these firms in other jurisdictions. As result of the mapping, the DFSA has identified two firms corresponding to the above criteria set out in the Guidelines. Since the beginning of the drafting process of the Guidelines, the two AML/CTF College have been established in accordance with the requirement to first establish colleges for the firms assessed as high risk for ML/TF purposes. These colleges are now operational. Meetings with participants to the colleges have already taken place. Written cooperation and information-sharing agreements have been drafted and are pending final signature.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	**Complies**	As of notification date, i.e. 21 April 2020.
EE	Estonia	Finantsinspektsioon	**Complies**	As of notification date, i.e. 5 May 2020. Electronic link: https://www.fi.ee/et/juhendid/pangandus-ja-krediit/krediidi-ja-finantseerimisasutuste-ule-jarelevalvet-tegevate-padevate-asutuste-vaheline-koostoo-ja
IE	Ireland	Central Bank of Ireland	**Complies**	As of notification date, i.e. 14 February 2020.

		Competent authority	Complies or intends to comply	Comments
EL	Greece	Bank of Greece	**Intends to comply****	When the necessary legislative or regulatory proceedings have been completed. The necessary legislative proceedings refer to the transposition of EU Directive 2018/843 – in particular, the transposition of Articles 50a, 57a & 57b of EU Directive 2015/849 into Greek law, which is pending.
		Hellenic Capital Markets Commission	**Intends to comply****	When the necessary legislative or regulatory proceedings have been completed. Incorporation of the 5th AML Directive to the Hellenic Legislation (procedures at the Hellenic Parliament).
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	**Complies**	As of notification date, i.e. 25 May 2020. There is no need to pass the new regulation or amend an existing one. CNB complies by changing its supervisory practices.
		Croatian National Supervisory Authority (HANFA)	**Complies**	As of the date of notification, 29.10.2021.
		Ministry of Finance, Financial Inspectorate	**Complies**	As of notification date, i.e. 25 May 2020. Complying with the AML/CFT Colleges Guidelines does not require amending of legal framework and information required for mapping are provided as part of existing supervisory processes.
ES	Spain	Banco de España	**Intends to comply****	Intends to comply with the Joint Guidelines by 01/02/2022 (after the 2 year transitional period in accordance with Guideline 16). When necessary legislative or regulatory proceedings have been completed. In accordance to Guideline 16 of the AML/CFT Cooperation Guidelines, competent authorities have 2 years after the date of application to set up the AML colleges. Sepblac has started the mapping of all financial institutions under Guideline 1 and has implemented an AML/CFT College Plan according to the Guidelines from January 2020. According to this Plan and the

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				mapping included therein, Sepblac intends to organize the first AML college of one of the higher ML/FT risk bank in the second half of 2020.
FR	France	Banque de France	**Complies**	As of notification date, i.e. 27 May 2020.
		Autorité des marchés financiers	**Complies**	As of notification date, i.e. 23/04/2025. The Board of the Autorité des marchés financiers (AMF) decided on 26 may 2020 to declare to the EBA that the AMF complies with the Guidelines on AML/CFT Colleges. This decision was not made public through a dedicated policy document.
IT	Italy	Bank of Italy	**Intends to comply****	As of 10 January 2022.
CY	Cyprus	Central Bank of Cyprus	**Intends to comply****	When necessary legislative or regulatory proceedings have been completed. Once the transposition of EU 2018/843 into domestic legislation is completed.
		Cyprus Securities and Exchange Commission	**Complies**	The Cyprus Securities and Exchange Commission (CySEC) has already initiated the implementation of the "AML/CFT Colleges Guidelines" and published on its website the relevant Circular C384 (https://www.cysec.gov.cy/CMSPages/GetFile.aspx?guid=9133e0b6-9f8d-48fc-8b89-72cef841170b) CySEC is currently in the process of the mapping exercise as described in Guideline 1. Taking into consideration that the establishment of an AML/CFT college for all financial institutions supervised by CySEC that operate on a cross-border basis and EU establishments that meet the conditions set out in Guideline 2, take time and is resource intensive, CySEC will first establish AML/CFT colleges for those firms assessed as high risk for ML/TF purposes in line with the Risk-Based Supervision Guidelines and ensure that AML/CFT colleges for all other

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				eligible firms are established within 2 years of the date of application of these Guidelines
LV	Latvia	Financial and Capital Market Commission	**Complies**	As of notification date, i.e. 25 May 2020. Since these Guidelines are not addressed to market participants but only to supervisory authorities, we have not published them explicitly. Implementation of Guidelines is ensured by direct application of rules on cooperation and information exchange in the supervisory practices. Moreover, national Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing (available in English following the link: https://likumi.lv/ta/en/en/id/178987-law-on-the-prevention-of-money-laundering-and-terrorism-and-proliferation-financing) foresees that the FCMC closely cooperates with the AML/CFT supervisors of other Member States and ensures the rights to exchange with the information as described in the Guidelines. In addition please be informed that the FCMC has initiated mapping of cross border establishments and identification of cooperation agreements.
LT	Lithuania	Bank of Lithuania	**Complies**	As of notification date, i.e. 26 May 2020.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	**Complies**	As of notification date, i.e. 05.03.2021.
		Commissariat aux Assurances	**Intends to comply****	By 10 January 2022.
HU	Hungary	Central Bank of Hungary	**Intends to comply****	By 31 December 2020.

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MT	Malta	Central Bank of Malta	**Intends to comply****	By 19 January 2022. Please note that in terms of Art 27(1) of the Prevention of Money Laundering Act ("PMLA"), the Financial Intelligence Analysis Unit ("FIAU") is empowered to cooperate and exchange information with its counterpart AML/CFT supervisory authorities as well as with other supervisory or regulatory authorities that are responsible to oversee that obliged entities comply with other obligations that are not AML/CFT related. Any information exchanged, which can be provided either spontaneously or upon demand, would be subject to a number of conditions as set out in the proviso to Art 27(1). In addition, Art 13(3) empowers the FIAU to cooperate and coordinate with its relative counterparts the imposition of administrative measures on obliged entities that operate on a cross-border basis. The generality of these provisions allow the FIAU to choose which channels to use to cooperate and exchange information with other authorities. This would include any AML/CFT colleges established in terms of the present Guidelines and allows the FIAU to take any action in terms of Guideline 12 and 13. Moreover, the lack of any qualification as to whether the authorities with which the FIAU may exchange information are to be Member State or third country authorities allows the FIAU to exchange information with any of the authorities that may be Permanent Members, Observers or Invited Participants in terms of Guideline 5. The provisions of the PMLA quoted hereabove also mean that the FIAU faces no obstacle to sharing information for the

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				purposes and under the conditions set out in Guideline 9 and Guideline 11. The possibility to establish bilateral relationships as provided for in Guideline 14 is equally possible under Art 27(1). The FIAU has therefore the necessary legal basis to implement the AML/CFT College Guidelines and it intends to complete preparations for and establish any necessary colleges within the transitory period provided for under Guideline 16. Copy of the PMLA can be accessed through the following link - http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8842&l=1
NL	Netherlands	De Nederlandsche Bank N.V. (DNB)	**Complies**	As of notification date. i.e. 10.02.2022. The AFM will share the mapping of the supervisory colleges (xls file) via encrypted data transfer with the EBA. The mapping includes the risk categorization.
AT	Austria	Austrian Financial Market Authority	**Complies**	As of notification date, i.e. 18.05.2020. Art. 25 para 3 of the Financial Markets Anti-Money Laundering Act (Finanzmarkt-Geldwäschegesetz - FM-6wG, BGBl I Nr. 118/2016) stipulate as follows: "(3) The FMA shall, in the enforcement of the provisions of this federal act, including the issuing of Regulations on the basis of this federal act and their enforcement, as well as on the basis of Regulation (EU) 2015/847 take into account European convergence in respect of supervisory tools and supervisory procedures. To this end, the FMA shall participate in the activities of the European Supervisory Authorities, and shall apply Guidelines, Recommendations and other measures decided upon by

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				the European Supervisory Authorities. The FMA may deviate from the guidelines and recommendations of the European Supervisory Authorities when justified grounds exist to do so, in particular in the event of a conflict with provisions set out under national law."
PL	Poland	Komisja Nadzoru Finansowego	**Intends to comply****	When necessary legislative or regulatory proceedings have been completed. There are some restrictions on the legal framework enabling mutual exchange of information between the KNF and competent financial market supervision authorities from Member States and with relevant financial intelligence units from EU Member States to the extent necessary to achieving objectives set out in the Act of 1 March 2018 on counteracting money laundering and financing of terrorism as an implementation of Directive 2015/849 (AMLD4). Currently, work is underway in Poland on the AMLD5 implementation project, as well as the introduction of provisions enabling the abovementioned information exchange process.
PT	Portugal	Banco de Portugal	**Complies**	As of notification date, i.e. 14/10/2025 Since 2021, Banco de Portugal has carried out the mapping of entities in accordance with Guideline 1. As a result, the Supervisory Colleges for which it acts as the lead supervisor are currently identified and fully operational. Additionally, it participates as a permanent member in several other Supervisory Colleges.

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		Comissão do Mercado de Valores Mobiliários (CMVM)	**Complies**	As of notification date, i.e. 22 May 2020.
RO	Romania	National Bank of Romania	**Complies**	The mapping for the purposes of the Guidelines is available in our capacity as prudential supervisor (http://bnr.ro/Registre-si-Liste-717.aspx). The National Bank of Romania ensures cooperation and information exchange by attending the AML colleges already established at EU level, on a bilateral level as well (https://www.bnr.ro/Memorandums-of-understanding-2164.aspx). In accordance with Guideline 16.1, the provisions of the Guidelines will be fully implemented when a firm operating on a cross-border basis meets the conditions referred to in Guideline 2.2 for the establishment of an AML/CFT college in our jurisdiction.
SI	Slovenia	Bank of Slovenia	**Complies**	As of 30 September 2020. Link to the measures published in the relevant jurisdiction (Uradni list RS, št. 78/2020, 29 May 2020 – 1159. Sklep o uporabi Smernic o sodelovanju in izmenjavi informacij za namen Direktive (EU) 2015/849 med pristojnimi organi, ki nadzirajo kreditne in finančne institucije - https://www.uradni-list.si/_pdf/2020/Ur/u2020078.pdf)
SI	Slovenia	Insurance Supervision Agency	**Complies**	Complies as of the date of notification, which is 10 July 2023
SK	Slovakia	Národná banka Slovenska	**Complies**	As of notification date, i.e. 22 May 2020.
FI	Finland	Finanssivalvonta (FIN-FSA)	**Complies**	Complies as of date of notification, 28/07/2022. Since the establishment of AML colleges and signing of MoUs have been completed, it can be stated by the FIN-FSA that there is no legal or other impediment to complying with these guidelines.

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SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	**Complies**	As of notification date, i.e. 25 May 2020. No direct measures have been adopted to comply with the guidelines, as the measures that were required have been adopted as part of the implementation of the 5AMLD. The rationales behind the measures can be found on the Swedish Government's website (only in Swedish) here: https://www.regeringen.se/4adad0/contentassets/542cdf70b0a642d987c4dc7d0991e196/skarpta-atgarder-mot-penningtvatt-och-finansiering-av-terrorism-prop.-201819150.pdf.pdf. Finansinspektionen intends to comply with the guidelines but, as is the case within the corresponding prudential colleges, may be required to disclose information received through the AML/CFT Colleges to a third party under applicable law. In accordance with GL 8.1. and 8.3, Finansinspektionen will amend/propose to amend each cooperation and information sharing agreement within the respective colleges individually.

EU Institutions – Agencies

Single Supervisory Mechanism	European Central Bank	**Non-applicable**	The ECB (SSM) considers the Joint Committee Guidelines on cooperation and information exchange for AML/CFT supervision purposes (JC 2019 81) non-applicable to the ECB.

EEA – EFTA State

		Competent authority	Complies or intends to comply	Comments
IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	**Complies**	As of notification date, i.e. 22 May 2020. Act No. 140/2018 already has provisions on information exchange and cooperation between authorities for cross-border operations. The guidelines outline the procedure used for cooperation and exchange of information between supervisory authorities. The guidelines do not require further implementation measures. The Authority is considering updating information with regard to cooperation between supervisory authorities based on these guidelines on it's website.
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	**Complies**	As of date of notification, i.e.25 May 2020. Art. 5 (5) Law of 18 June 2004 on the Financial Market Authority (FMA Act) establishes that in the implementation of the FMA Act and the special legislation that falls within the area of responsibility of the FMA (which includes the Liechtenstein AML/CFT legislation) the FMA shall have due consideration for convergence in respect of supervisory tools and procedures in the European Economic Area. To this end it shall be obliged: (a) to participate in the work of the European supervisory authorities (EBA, EIOPA and ESMA), of the European Systemic Risk Board as well as other members of the European System of Financial Supervisors; (b) to meet existing reporting obligations to the European supervisory authorities, the European Systemic Risk Board, as well as to other members of the European System of Financial Supervisors. The FMA will comply with the Guidelines on cooperation and

		Competent authority	Complies or intends to comply	Comments
				information exchange for the purpose of Directive (EU) 2015/849 between competent authorities supervising credit and financial institutions ("The AML/CFT Colleges Guidelines") within the framework of its AML/CFT supervisory duties as set out in Art. 24 seq. of the Law of 11 December 2008 on Professional Due Diligence for the Prevention of Money Laundering, Organised Crime and Financing of Terrorism (Due Diligence Act) as well as within the scope of international cooperation as governed by Art. 37 of the Due Diligence Act. The applicability of AML/CFT Colleges Guidelines will be made public in an official FMA Communication.
NO	Norway	The Financial Supervisory Authority of Norway	**Complies**	As of notification date, i.e. 5 June 2020.

*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the EBA and ESMA 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 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 and ESMA'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 and ESMA endeavour to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the EBA and ESMA 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 and ESMA's website www.eba.europa.eu , www.esma.europa.eu .