

Guidelines compliance table

EBA/GL/2020/02

(Updated 16 March 2021); Issue date:
2 April 2020; Date of application: 2
April 2020 (amended by
EBA/GL/2020/08, application date: 8
March 2021)

Guidelines on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis

The following competent authorities* comply or intend to comply with the EBA's Guidelines on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis:

		Competent authority	Complies or intends to comply	Comments
Member State				
BE	Belgium	National Bank of Belgium	Complies	<p>As of notification date, i.e. 3 June 2020.</p> <p>The National Bank of Belgium (NBB) is compliant with these Guidelines and has implemented them in its supervision via a circular of May 7 2020 towards credit institutions under its direct supervision.</p> <p>The circular is published on NBB's website (French and Dutch).</p> <p>Link to French version : https://www.nbb.be/fr/articles/circulaire-nbb202021-orientations-de-la-be-ebagl202002-sur-les-moratoires-legislatifs-et-non</p> <p>Link to Dutch version : https://www.nbb.be/nl/artikels/cir</p>

		Competent authority	Complies or intends to comply	Comments
				culaire-nbb202021-eba-richtsnoeren-ebagl202002-inzake-wettelijk-vastgestelde-en-niet
BG	Bulgaria	Bulgarian National Bank	Complies	<p>As of notification date, i.e. 03.04.2020.</p> <p>In accordance with Article 74a of the Law on Credit Institutions banks shall apply the EBA guidelines, recommendations concerning them, and for which the BNB has announced it shall comply with in accordance with Article 79a, paragraph 1, item 2 of the same Law.</p> <p>The arrangements for restructuring plans are incorporated in Article 14 to Article 24 of the Law on the Recovery and Resolution of Credit Institutions and Investment Firms.</p>
CZ	Czech Republic	Czech National Bank	Complies	As of notification date, i.e. 08.06.2020.
DK	Denmark	Danish Financial Supervisory Authority	Complies	As of notification date, i.e. 01.06.2020.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Complies	As of notification date, i.e. 30.04.2020.
EE	Estonia	Finantsinspektsioon	Complies	<p>As of date of notification, i.e. 21.04.2020.</p> <p>Electronic link: https://www.fi.ee/et/juhendid/pangandus-ja-krediit/euroopa-pangandusjarelevalve-asutuse-suunised-suunised-covid-19-kriisitottu-kohaldatud</p>
IE	Ireland	Central Bank of Ireland	Complies	<p>As of notification date, i.e. 03.06.2020.</p> <p>Details of the Central Bank of Ireland’s supervisory expectations on payment breaks are available in the Covid-19 FAQs for regulated firms.</p>

		Competent authority	Complies or intends to comply	Comments
EL	Greece	Bank of Greece	Complies	As of notification date, i.e. 01.06.2020.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Complies	<p>As of notification date, i.e. 26.01.2021.</p> <p>The Croatian National Bank (CNB) is compliant with these Guidelines and has implemented them in its supervision via a circular letter sent on 23 December 2020 to credit institutions.</p> <p>The circular is published on CNB website:</p> <p>https://www.hnb.hr/documents/20182/3329058/e-okruznica2_smjernica-moratorijina-otplatu-kredita-kriza-COVID19.pdf/c911238a-089c-b96b-c1c6-55a4f05e78f3</p> <p>Previously, CNB didn't comply with the part that request for final date of application of moratorium to be 30 June 2020 (30 September) due to the fact that CNB started the regulatory initiatives on the relaxation of regulatory framework covered by the EBA Guidelines before the adoption of the EBA Guidelines. According to circular letter sent on 19 March 2020 to credit institutions final date of application of moratorium is 31 March 2021, hence the same as in revised EBA Guidelines (EBA/GL/2020/15).</p>
ES	Spain	Banco de España	Complies	As of notification date, i.e. 19.05.2020.
FR	France	Banque de France	Complies	As of notification date, i.e. 27.05.2020.

		Competent authority	Complies or intends to comply	Comments
IT	Italy	Bank of Italy	Complies	As of notification date, i.e. 08.05.2020. The Guidelines have been transposed for LSI by means of supervisory expectations.
CY	Cyprus	Central Bank of Cyprus	Complies	As of notification date, i.e. 19.05.2020.
LV	Latvia	Financial and Capital Market Commission	Complies	As of notification date, i.e. 30.04.2020. Information published on the Finance Latvia Association webpage: https://www.financelatvia.eu/wp-content/uploads/2020/04/Moratorium_EN.pdf . On 30 April, 2020, FCMC sent a letter to the credit institutions informing them that the FCMC recognises the moratorium as compliant with EBA guidelines and reminding them about the main aspects of the EBA guidelines.
LT	Lithuania	Bank of Lithuania	Complies	As of date of notification, i.e. 20.04.2020. The Guidelines were fully transposed on 17 April 2020 by the Supervision Service Committee of the Bank of Lithuania No. V 2020/(21.25.E-2100)-241-71.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Complies	As of notification date, i.e. 30.04.2020. Circular CSSF 20/741 of 30 April 2020 on the Adoption of the Guidelines of the European Banking Authority on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis (EBA/GL/2020/02) (http://www.cssf.lu/fileadmin/files/Lois_reglements/Circulaires/Hors_blanchiment_terrorisme/cssf20_741_eng.pdf)
HU	Hungary	Central Bank of Hungary	Complies	As of notification date, i.e. 03.06.2020 (last update: 26.08.2020). As at 29.02.2021: The moratorium on payments was introduced in Hungary by Government Decrees, in which the conditions are in line with

		Competent authority	Complies or intends to comply	Comments
				<p>the guidelines. The relevant Government Decrees are available in English language under the following links: https://njt.hu/translated/doc/J2020R0047K_20200319_FIN.pdf , https://njt.hu/translated/doc/J2020R0062K_20200325_FIN.pdf .</p> <p>The remaining provisions of the guidelines were communicated to the sector by an instruction letter sent to the Hungarian Banking Association. With effect from 18 June 2020, the rules on the moratorium on payments are transferred from the Government Decrees to Articles 9 to 17 of Act LVIII of 2020 on transitional rules relating to the end of state of danger and on epidemiological preparedness. The text of the legislation is available in Hungarian only at the following link: http://njt.hu/cgi_bin/njt_doc.cgi?docid=220120.384679 . At the same time, the relevant Government Decrees were repealed, while the main requirements remained unchanged.</p>
MT	Malta	Central Bank of Malta	Complies	<p>As of notification date, i.e. 27.05.2020.</p> <p>The Minister responsible for public health, with the concurrence of and in consultation with the Minister for Finance and Financial Services, issued the Moratorium on Credit Facilities Regulations in Exceptional Circumstance through Legal Notice 142 of 2020. These Regulations have directed credit and financial institutions licensed by the Malta Financial Services Authority to offer a six-month moratorium on repayments on capital and interest for borrowers who have been negatively affected by COVID-19.</p> <p>Pursuant to these Regulations, the Central Bank of Malta issued Directive 18 in order to define the eligibility for the moratorium and</p>

		Competent authority	Complies or intends to comply	Comments
				<p>other conditions related to the implementation of the provisions of the Regulations. The moratorium applies to loans sanctioned prior to 14th April 2020 and the eligible applicants include those who were not in arrears and were meeting fully their commitments prior to 1st March 2020. Furthermore, applications by borrowers are to be made with their respective credit or financial institution until 30 June 2020.</p> <p>Borrowers eligible for this moratorium can apply to forego payments of both capital and interest completely for six months, and can also opt to continue to pay the interest but not the capital. This is done without the application of any penalties or restructuring/administrative fees.</p> <p>Furthermore, during the course of the moratorium, interest is to be accrued but not capitalised, in other words no interest compounding is to occur during this period. This accrued interest would subsequently be recovered on a straight line basis (spread equally) across the remaining modified maturity term of the loan after the end of the moratorium period.</p> <p>The Minister for Health, in consultation with the Minister for Finance and Financial Services, may decide to extend the duration of the moratorium and the duration of the application period. The six-month moratoria period will start with effect from the date of approval of the application.</p> <p>Link: https://www.centralbankmalta.org/en/news/14/2020/8805</p>

		Competent authority	Complies or intends to comply	Comments
NL	Netherlands	De Nederlandsche Bank N.V. (DNB)	Complies	As of notification date, i.e. as at 18.05.2020 and 22.01.2021.
AT	Austria	Austrian Financial Market Authority	Complies	<p>As of date of notification, i.e. 24.04.2020.</p> <p>On April 9th, 2020, FMA sent a letter to the credit institutions under its remit informing them about the main aspects of the EBA guidelines on payment moratoria. FMA also published the letter on its website (https://www.fma.gv.at/en/covid-19/).</p> <p>FMA, in particular, explained the pre-conditions that permit institutions not to classify a relevant exposure as a forbearance measure. Equally, it set out the implications of a moratorium on the definition of default. It underlined the documentation requirements contained in paragraph 19 of the guidelines. Finally, FMA stressed the importance of a clear and transparent communication with consumers on this issue. On April 4th, 2020, the Austrian legislator enacted, and subsequently published in the Federal Law Gazette, a law pertaining to the postponement of loan repayments. This legislative moratorium is available to consumers and microenterprises as defined in Article 2 (3) of the Annex of Commission Recommendation 2003/361/EC of 06 May 2003 regarding the definition of micro, small and medium-sized enterprises, OJ L 124, 20.05.2003, p. 36. It fully complies with the EBA Guidelines on this subject.</p>

		Competent authority	Complies or intends to comply	Comments
PL	Poland	Komisja Nadzoru Finansowego	Complies	As of notification date, i.e. 02.06.2020.
PT	Portugal	Banco de Portugal	Complies	As of notification date, i.e. 17 July 2020. Banco de Portugal issued and published, on April 8 2020, a Circular Letter aimed at raising awareness to supervised institutions on the importance of adequately complying with these Guidelines. It is further emphasized that Banco de Portugal will take these Guidelines in consideration when performing its regulatory and supervisory duties.
RO	Romania	National Bank of Romania	Complies	Applies from date of notification, i.e. 16 March 2021. GUIDELINE has been transposed through NBR Instructions from 22.06.2020. http://www.bnr.ro/Instituti-de-credit--1965.aspx
SI	Slovenia	Bank of Slovenia	Does not comply and does not intend to comply**	Bank of Slovenia (BoS) believes that part of condition (f) in paragraph 10 of the Guidelines (deadline 30 June 2020) does not allow necessary flexibility and BoS does not intend to comply fully with it. Condition (f) is structured in two parts: <ul style="list-style-type: none"> - moratorium has to be launched in response to the COVID-19 pandemic and - moratorium has to be applied before 30 June 2020 (with an option for this deadline to be revised). BoS will comply with the condition that moratorium has to be launched in response to the COVID-19 pandemic and BoS will limit the time of application of moratorium as well. However, instead with the deadline as defined in the Guidelines at the time of preparing this statement, BoS will limit it in line with provisions of valid national

		Competent authority	Complies or intends to comply	Comments
				<p>legislation, representing framework for legislative moratoria in Slovenia.</p> <p>BoS complies with all other parts of the Guidelines.</p> <p>The part of the Guidelines BoS does not intend to comply with is a specified date 30 June 2020 as deadline until moratorium has to be launched and applied.</p> <p>30 June 2020 as the last date before moratorium has to be applied does not allow necessary flexibility due to the following reasons:</p> <ul style="list-style-type: none"> a) BoS reasonably believes that borrowers will face temporary liquidity issues as a consequence of measures, aimed to limit COVID-19 outbreak, even after 30 June 2020; BoS needs to take into account regular payment terms within economies as well and the fact that numerous measures which help borrowers still persist today (with different intensity in different Member States); b) BoS needs to be aware that in certain industries subjects were forced to temporary suspend their business and workers have to stay at home for safety reasons; it is important to give sufficient available time to prepare moratoria requests to those borrowers as well; c) last, but no least, BoS must be aware that banks will face numerous requests for moratoria and might be impossible for banks to adequately process them all until 30 June 2020. <p>Consequently, BoS has decided that it does not intend to comply with deadline 30 June 2020 (as valid at the time of preparing this statement). Institutions under BoS's supervision will have to apply</p>

		Competent authority	Complies or intends to comply	Comments
				moratorium at the latest 6 months after virus epidemic is formally called-off.
SK	Slovakia	Národná banka Slovenska	Complies	As of notification date, i.e. 08.02.2021.
FI	Finland	Finanssivalvonta (FIN-FSA)	Complies	As of notification date, i.e. 01.02.2021. See FIN-FSA's Supervision release 28 January 2021–3/2021 https://www.finanssivalvonta.fi/en/publications-and-press-releases/supervision-releases/2021/updated-eba-guidelines-on-general-loan-payment-moratoria-applied-in-the-light-of-the-covid-19-crisis-incorporated-into-fin-fsas-set-of-regulations-and-guidelines/ .
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Complies	As of notification date, i.e. 03.06.2020.

EU Institutions – Agencies

ECB	Single Supervisory Mechanism	Complies	As of 24.07.2020. Significant Institutions as defined in Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.
-----	------------------------------	----------	---

EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	Complies	As of notification date, i.e. 04.03.2021. https://www.cssf.lu/wp-content/uploads/cssf20_756eng.pdf
----	---------	---	----------	--

		Competent authority	Complies or intends to comply	Comments
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	Complies	As of notification date, i.e. 28.05.2020.
NO	Norway	The Financial Supervisory Authority of Norway	Complies	As of notification date, i.e. 22.04.2020. National measures adopted to comply with the guidelines: https://www.finanstilsynet.no/nyheter/sarkiv/nyheter/2020/covid-19-endring-av-betalingsplan-og-identifisering-av-misligholdte-engasjementer/

*The EEA States other than the Member States of the European Union are required to notify their compliance with EBA guidelines and recommendations relating to a legislative act which has been incorporated into the EEA Agreement, and otherwise provide the information 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.