

Guidelines compliance table

EBA/GL/2017/17

12 December 2017; Date of application – 9 February 2018 (Update – 26 November 2018)

Guidelines on the security measures for operational and security risks of payment services under Directive (EU) 2015/2366 (PSD2)

The following competent authorities* comply or intend to comply with the EBA's Guidelines on Security Measures for Operational and Security Risks under PSD2:

Member State	Competent authority	Complies or intends to comply	Comments
BE	Belgium National Bank of Belgium	Intends to comply**	Once the Belgian law transposing PSD2 has been published.
BG	Bulgaria Bulgarian National Bank	Intends to comply**	By the end of the first half of 2018.
CZ	Czech Republic Czech National Bank	Yes	As at 12.03.2018, notification date.
DK	Denmark Danish Financial Supervisory Authority	Intends to comply**	By 01.01.2019.
DE	Germany Bundesanstalt für Finanzdienstleistungsufsicht (BaFin)	Intends to comply**	By 31.03.2019. BaFin intends to integrate the content of the Guidelines into the existing national rulebook for IT-supervision to avoid duplications of and possible contradictions with existing regulatory requirements. The necessary regulatory

		Competent authority	Complies or intends to comply	Comments
				procedures should be completed by 31.03.2019 at the latest.
EE	Estonia	Finantsinspektsioon	Yes	As at 26.02.2018, notification date.
IE	Ireland	Central Bank of Ireland	Yes	As at 09.03.2018, notification date.
EL	Greece	Bank of Greece	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Yes	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: https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html
ES	Spain	Banco de España	Intends to comply**	By such time as the necessary legislative or regulatory proceedings implementing 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	Yes	As at 21.02.2018, notification date.
IT	Italy	Bank of Italy	Intends to comply**	By 30.06.2018.
CY	Cyprus	Central Bank of Cyprus	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed, and the PSD2 is transposed into national law.
LV	Latvia	Financial and Capital Market Commission	Intends to comply**	By 01.06.2018. The Guidelines will be implemented with the FCMC Regulations, which are subject to the draft law implementing PSD2. The draft law is expected to be adopted by the Parliament by May, 2018.

		Competent authority	Complies or intends to comply	Comments
LT	Lithuania	Bank of Lithuania	Intends to comply**	By 01.05.2018.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
HU	Hungary	Central Bank of Hungary	Yes	As at 13.03.2018, notification date. On 13 th January 2018 MNB activated a notification portal so called ERA through which the PSPs can fulfil the reporting obligation relating to the operational and security risks assessment and mitigation measures implemented by them in accordance with Article 95(2) of Directive (EU) 2015/2366 (PSD2). PSPs were informed and are aware of the fact that the establishment of the framework with appropriate mitigation measures and control mechanisms to manage the operational and security risks relating to the payment services they provide has to be done in accordance with the EBA Guidelines (EBA/GL/2017/17) published on the EBA website. Furthermore on the basis of the EBA Guideline Hungary will enhance the compulsory nature of the establishment of such a framework by issuing MNB Guidelines addressed to PSPs by 30.05.2018.
MT	Malta	Malta Financial Services Authority	Yes	As at 12.03.2018, notification date. Please note that these Guidelines are the joint responsibility of both the MFSA and CBM and both have agreed to comply with these Guidelines.
		Central Bank of Malta	Yes	As at 12.03.2018, notification date. Please note that these Guidelines are the joint responsibility of both the MFSA and CBM and both have agreed to comply with these Guidelines.

		Competent authority	Complies or intends to comply	Comments
NL	Netherlands	De Nederlandsche Bank	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
AT	Austria	Austrian Financial Market Authority	Yes	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	Yes	As at 12.03.2018, notification date.
PT	Portugal	Banco de Portugal	Intends to comply**	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	Intends to comply**	As of date of entering into force of the law transposing the PSD2.
SI	Slovenia	Bank of Slovenia	Intends to comply**	By 02.03.2018 (the application date of the Guidelines). The Bank of Slovenia makes decisions regarding the application of Guidelines and recommendations issued by the European Banking Authority. Decision regarding the application of guidelines is published in the Official Gazette of the Republic of Slovenia.
SK	Slovakia	Národná banka Slovenska	Intends to comply**	By 01.01.2019.
FI	Finland	Finanssivalvonta (FIN-FSA)	Yes	As at 15.02.2018, notification date.
SE	Sweden	Swedish Financial Supervisory Authority	Intends to comply**	By 01.05.2018, which is the date by when Sweden will implement PSD2.
UK	United Kingdom	PRA	Not applicable	The scope of the Guidelines are outside of the scope of PRA competence, and are therefore not

		Competent authority	Complies or intends to comply	Comments
				applicable to the UK PRA. The relevant UK authority is responding.
		Financial Conduct Authority (FCA)	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. http://www.legislation.gov.uk/ukxi/2017/752/pdfs/ukxi_20170752_en.pdf On 19 December 2017 we published that we expect all businesses to comply with the EBA Guidelines from 13 January 2018. https://www.fca.org.uk/news/statements/eba-guidelines-operational-and-security-risks-under-psd2

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)	No response	No notification of compliance was received by the EBA within the two-month time limit.
NO	Norway	The Financial Supervisory Authority of Norway	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed. Directive 2015/2366 has not been incorporated in the EEA agreement nor Norwegian legislation yet.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Gibraltar Financial Services Commission	Yes	As at 23.05.2018, notification date.
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*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.