



Joint Guidelines Compliance Table

JC/GL/2018/35

31 July 2018; Date of application – 1 May 2019 (Updated – 3 May 2019)

Joint Guidelines on complaints-handling to authorities competent for supervising the new institutions under PSD2 and/or the MCD (extension of Joint Guidelines on complaints-handling for the securities (ESMA) and banking (EBA) sectors-JC/GL/2014/43 Appendix 1, 18 February 2015)

The following competent authorities* comply or intend to comply with the ESAs' Joint Committee Guidelines on complaints-handling to authorities competent for supervising the new institutions under PSD2 and/or the MCD:

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
Member State					
BE	Belgium	Financial Services and Markets Authority (FSMA)	EBA	Yes	As at 05.12.2018, notification date. The National Bank of Belgium is not the competent authority for this matter. It was agreed that the Financial Services and Markets Authority (FSMA) will implement these guidelines for all regulated undertakings of the banking and securities sector, except for payment institutions, e-money institutions, payment initiation service providers, account information service providers, credit intermediaries and non-credit institution creditors for which the Federal Public Service Economy, S.M.E.s, Self-employed and Energy is the



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					competent authority. The compliance notification provided is on their behalf.
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	EBA, EIOPA, ESMA	Intends to comply**	This compliance notification pertains only to the financial institutions and activities in the Directives and Regulations that fall into the remit of the Bulgarian National Bank. This is the case for CRD, CRR, PSD 2 and EMD. We intend to comply with the requirements of the Guidelines under CRD and CRR from 04.12.2018. For the services under PSD 2 and EMD we intend to comply by the end of the first half of 2019. By contrast, the Mortgage Credit Directive (MCD) does not fall into the remit of the Bulgarian National Bank but of the Commission for Consumer Protection (CCP). We have made the CCP aware of these Guidelines, and they have indicated that they shall submit a separate compliance notification which BNB as a Contact Point under MCD will provide to you.
		Commission for Consumers Protection	EBA	Yes	As at 19.11.2018, notification date. This compliance notification pertains only to the financial institutions and activities in the Directives that fall into the remit of the Commission for Consumer Protection of Bulgaria, which is the Mortgage Credit Directive (MCD).
CZ	Czech Republic	Czech National Bank	EBA	Intends to comply**	By 01.05.2019.
DK	Denmark	The Danish FSA	EBA	Yes	As at 27.11.2018, notification date.
DE	Germany	Bundesanstalt für Finanzdienstleist	EBA	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
		ungsaufsicht (BaFin)			<p>Ba Fin's notification refers to the extension of the scope of the JC guidelines for complaints-handling for the securities (ESMA) and banking (EBA) sectors (JC 2014 43) regarding payment institutions and non-credit institution creditors only. In order to fully implement the aforementioned extension, national law has to be amended by a formal act adopted by Parliament.</p> <p>With regard to credit intermediaries according to Article 4(5) MCD, BaFin is not the competent authority according to Article 5(3) MCD. However, referring to para. 9 d) of the Guidelines on complaints-handling for the securities (ESMA) and banking (EBA) sectors (JC 2018 35), please be informed that the Federal Ministry for Economic Affairs and Energy also intends to comply with the Guidelines by such time as the necessary legislative proceedings have been completed. The transposition of the guidelines also requires amendments of national law which have to be adopted by Parliament.</p>
EE	Estonia	Finantsinspektsioon	EBA	Yes	As at 03.12.2018, notification date.
IE	Ireland	Central Bank of Ireland	EBA	Intends to comply**	By 01.05.2019.
EL	Greece	Bank of Greece	EBA	Intends to comply**	By 01.05.2019.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	EBA	Intends to comply**	<p>By such time as the necessary regulatory proceedings have been completed.</p> <p>The CNB intends to transpose the requirements of the GLs through the existing national "Guidelines for complaints-handling for credit</p>

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					institutions, payment institutions and e-money institutions". These national guidelines should be renewed.
ES	Spain	Banco de España	EBA	Intends to comply**	By such time as the necessary legislative or regulatory proceedings implementing Directive (EU)2015/2366 and Directive (EU) 2014/17 have been completed, without prejudice to Spanish national provisions implementing these regulations and within the limit of the competencies conferred to Banco de España by these national provisions.
FR	France	ACPR	EBA	Yes	As at 13.12.2018, notification date.
IT	Italy	Bank of Italy	EBA	Intends to comply**	By 01.05.2019, when JC GLs will start being applicable as decided by EBA.
CY	Cyprus	Central Bank of Cyprus	EBA	Intends to comply**	By 1 May 2019.
LV	Latvia	Financial and Capital Market Commission	EBA	Yes	As at 30.11.2018, notification date.
LT	Lithuania	Bank of Lithuania	EBA	Intends to comply**	By 01.05.2019 or earlier.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	EBA	Intends to comply**	By 01.05.2019.
HU	Hungary	Central Bank of Hungary	EBA,ESMA	Yes	As at 21.11.2018, notification date.
MT	Malta	Malta Financial Services Authority	EBA	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
NL	Netherlands	Dutch Authority for the Financial Markets	EBA	Intends to comply**	By Q1 2020. The AFM intends to fully comply with these Guidelines by Q1 2020. To be specific, compliance with guideline 4 on data reporting in the banking sector

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					will be further developed in 2019. The data reporting mechanism is expected to be operational by early 2020.
AT	Austria	Austrian Financial Market Authority	EBA	Yes	With regard to PISPs and AISPs under PSD2, as at 18.10.2018, notification date. With regard to credit intermediaries and non-credit institution creditors (as defined in Article 4(5) and (10) of the MCD respectively), the FMA is not the competent authority and therefore informed the Federal Ministry of Science, Research and Economy as the competent authority (BMDW).
PL	Poland	Komisja Nadzoru Finansowego	EBA	Yes	As at 01.12.2018, notification date.
PT	Portugal	Banco de Portugal	EBA	Yes	As at 04.12.2018, notification date.
RO	Romania	National Bank of Romania	EBA	Intends to comply**	With the new Guidelines as of the date of entering into force – May 1st, 2019, for the newly introduced entities falling within its scope.
SI	Slovenia	Bank of Slovenia	EBA	Yes	As at 04.12.2018, notification date.
SK	Slovakia	Národná banka Slovenska	EBA	Yes	As at 04.12.2018, notification date.
FI	Finland	Finanssivalvonta (FIN-FSA)	EBA	Yes	As at 02.05.2019, notification date. National measures published by the FIN-FSA: https://www.finanssivalvonta.fi/en/reelulation/FIN-FSA-resulations/code-of-conduct/03_2013/
SE	Sweden	The Swedish Financial Supervision Authority	EBA	Yes	As at 14.11.2018, notification date.
UK	United Kingdom	PRA	EBA	Not applicable	The scope of the Guidelines are outside the scope of the PRA's authority, and are therefore not applicable to the UK PRA. The

	Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
				relevant UK authority (Financial Conduct Authority) is responding.
	Financial Conduct Authority (FCA)	EBA	Yes	As at 27.11.2018, notification date.

EU Institutions – Agencies

ECB	ECB	ECB	Not applicable	
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EEA – EFTA State

IS	Iceland	Financial Supervisory Authority, Iceland	EBA	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed.
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	EBA	Intends to comply**	To the extent as they refer to the PSD2 and the MCD. The Guidelines inter alia refer to Directive (EU) 2015/2366 (PSD2) and Directive 2014/17 /EU (MCD). The Principality of Liechtenstein intends to implement PSD 2 in national law by autumn 2019. The MCD has not yet been incorporated into the EEA-Agreement. The FMA complies with the rest of the Guidelines.
NO	Norway	The Financial Supervisory Authority of Norway	EBA	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed. The Norwegian FSA intends to comply with the guidelines once PSD2 as been implemented into Norwegian law.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Gibraltar Financial Services Commission	EBA	Yes	As at 04.12.2018, 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 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.eiopa.europa.eu; www.esma.europa.eu)