



EBA/GL/2014/12 Appendix 1

21 May 2015 Updated 5 April 2016

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Compliance Table - Guidelines

Based on information supplied by them, the following competent authorities comply or intend to comply with: EBA Guidelines EBA/GL/2014/12 on the security of internet payments, published on 19th December 2014.

Member State		Competent authority	Complies or intends to comply	Comments
BE	Belgium	National Bank of Belgium	Yes	
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	Yes	
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	Yes	
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	Yes	
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)	Yes	
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	Partial	Updated: 05.04.2016: Finantsinspektsioon complies with these guidelines except point 7 in Title II "Strong Customer Authentication" which will come into force with the application of relevant provisions of Directive (EU) 2015/2366 of the European Parliament and the Council of Estonian national legislation.
IE	Ireland	Central Bank of Ireland	Yes	
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	Yes	
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Yes	

Member State		Competent authority	Complies or intends to comply	Comments
ES	Spain	Banco de España (Bank of Spain)	Yes	
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	Yes	
IT	Italy	Banca d'Italia (Bank of Italy)	Yes	
CY	Cyprus	(Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus))	Partial	The Central Bank of Cyprus (CBC) reported that it will comply with all Guidelines, except Guidelines 7.3, 8.1[cards], and 8.2. CBC is therefore partially compliant. CBC also indicated that it intends to be fully compliant without exceptions by 1 August 2016. One month beforehand, the EBA will request confirmation of the notification that the CBC has submitted today and will update the table as appropriate.
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	Yes	
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	Yes	
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	Yes	

Member State		Competent authority	Complies or intends to comply	Comments
HU	Hungary	Magyar Nemzeti Bank (National Bank of Hungary)	Yes	
MT	Malta	Malta Financial Services Authority	Yes	
NL	Netherlands	De Nederlandsche Bank (National Bank of Netherlands)	Yes	
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	Yes	
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	Yes	
PT	Portugal	Banco de Portugal (Bank of Portugal)	Yes	
RO	Romania	Banca Națională a României (National Bank of Romania)	Yes	
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	Yes	

Member State		Competent authority	Complies or intends to comply	Comments
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	No	National Bank of Slovakia (NBS) reported that it cannot cover the GL under its current legal framework. NBS is therefore not compliant.
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	Yes	
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Partial	The Swedish Financial Supervisory Authority reported that it will comply with all Guidelines, except Guidelines 7.6 and 7.7 in respect of payment institutions.

Member State		Competent authority	Complies or intends to comply	Comments
UK	United Kingdom	Financial Conduct Authority (FCA)	No	<p>FCA reported that it does not have the power without legislative change to make binding rules requiring all payment service providers (credit institutions, payment institutions and e-money institutions) to comply with the EBA Guidelines. The FCA is therefore not compliant.</p> <p>FCA also reported that it has considered what other steps it might take short of making binding rules, including issuing guidance to payment service providers, in the light of its statutory objectives and obligations and its public law duties, and in particular the requirement that FCA has regard to the principle of proportionality (see section 3B(1)(b) of FSMA 2000). It reported that the choreography of the EBA Guidelines and PSD2 is an important aspect of the proportionality analysis.</p> <p>FCA concluded that implementation of the Guidelines will require some providers to make significant changes to their systems and controls and significant additional changes are likely to be necessary following implementation of PSD2. The FCA continued that it had indicated to the UK market in March 2014 that it would be requiring compliance with the SecuRe Pay Recommendations in line with PSD2 transposition requirements.</p> <p>FCA remains of the view that it is reasonable, in all the circumstances, for FCA to incorporate the detail of the Guidelines (or equivalent guidelines issued under PSD2) into its supervisory framework in line with this timetable. FCA's intention is that this will be done in a way that is equally binding on all types of payment service provider.</p> <p>FCA also reported that it is fully supportive of the objectives behind the EBA Guidelines and agrees with the importance of consumers being protected against fraud when making payments online. Ensuring the security of payments and the protection of sensitive customer data is a critical part of the infrastructure of robust payment systems, and FCA has reminded payment service providers of their responsibility to ensure consumers' payments are safe and secure.</p>
		Financial Services Commission (Gibraltar)	No	31.07.2015 – Updated from Yes to No. Following consultation with the Gibraltar electronic money and banking industries and UK Financial Conduct Authority, the Gibraltar Financial Services Commission (“GFSC”) has reconsidered its approach to the Guidelines on the security of internet

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				payments. The GFSC shares the FCA's opinion that the significant changes to providers' systems and controls are like to be necessary following implementation of PSD 2. In addition to this, the GFSC notes that the onerous operational implementation of these guidelines would require standalone input by the Gibraltar firms as a large majority of licensees adopt the systems and controls as designed and implemented in their UK head offices. Therefore, the GFSC believes a more practical approach would be to follow the approach required by the FCA on the respective UK head offices. The GFSC will therefore incorporate the detail of the Guidelines into our supervisory framework in line with the PSD 2 transposition timeline.

EEA-EFTA States

IS	Iceland	Fjármálaeftirlitið (Icelandic Financial Supervisory Authority - FSA)	Yes	Updated: 15.01.2016
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	Yes	
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	Yes	

Notes

Article 16(3) of the EBA Regulation 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 endeavours 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 our website (www.eba.europa.eu).