

Guidelines compliance table

EBA/GL/2015/03 Appendix 1

29 September 2015; Updated 2
October 2020

Guidelines on triggers for use of early intervention measures pursuant to Article 27 (4) of Directive 2014/59/EU

The following competent authorities* comply or intend to comply with EBA's Guidelines on triggers for use of early intervention measures:

Member State	Competent authority	Complies or intends to comply	Comments	
BE	Belgium	National Bank of Belgium	Yes	As at 28.09.2015, notification date.
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	Yes	As at 31.07.2015, notification date.
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	Yes	As at 05.02.2019, notification date.
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	Yes	As at 05.02.2019, notification date.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)	Yes	As at 28.09.2015, notification date.

		Competent authority	Complies or intends to comply	Comments
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	Yes	As at 29.09.2015, notification date.
IE	Ireland	Central Bank of Ireland	Yes	As at 01.02.2019, notification date.
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	Yes	As at 25.09.2015, notification date.
HR	Croatia	National Bank of Croatia	Yes	<p>As at 02.10.2020, notification date.</p> <p>Please be informed that national measures necessary for compliance with the Guidelines can be found in CNB internal procedures (SREP methodology). Hereby we provide the summary of the measures:</p> <p>Triggers for the decision on whether to apply early intervention measures from Article 235. of Credit Institutions Act based on SREP score are overall SREP score and pre-defined combinations of the Overall SREP score and scores for individual SREP elements.</p> <p>In the situation when overall SREP score 4 is assigned to credit institution, supervisor should determine, without undue delay, whether conditions for application of early intervention measures are fulfilled and notify competent authority's management. Once it confirms that conditions for application of early intervention measures are fulfilled, procedure on taking a decision establishing that a credit institution is in an early intervention phase is initiated and it is required to implement supervisory measures of early intervention.</p> <p>Regarding triggers based on monitoring of key indicators under SREP, thresholds for monitoring of key capital and liquidity indicators are set in the</p>

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				<p>manner to include minimum requirements as specified in Regulation (EU) No 575/2013 and additional requirements as specified in Articles 225. and 228. of Credit Institutions Act. In addition, thresholds for monitoring key capital indicators are set in the manner to include additional 1.5 percentage points above an institution’s minimum and additional own fund requirements (Pillar 1 and Pillar 2), without taking into account any buffer requirements. When material change which indicates serious deterioration in credit institution's operation, including situations reaching set thresholds, supervisor has to determine the cause of material change and make an assessment of materiality of the potential prudential impact on a credit institution and review risk assessment and SREP score. If it confirms that serious deterioration in credit institution's operation has occurred supervisor is obliged to undertake analysis whether conditions for application of early intervention measures are fulfilled and notify competent authority's management. Once confirmed, procedure on taking a decision establishing that a credit institution is in an early intervention phase is initiated and it is required to implement supervisory measures of early intervention.</p> <p>Regarding triggers based on significant events certain events may have a negative impact on credit institutions financial situation and lead into situation where conditions for early intervention are met. Croatian National Bank takes into consideration same events as referred in Guidelines that may lead credit institution into situation where conditions for early intervention are met. In the case</p>

		Competent authority	Complies or intends to comply	Comments
				<p>when one of the events occurs supervisor has to take same steps as described in chapters concerning triggers based on SREP score and triggers based on monitoring SREP key indicators.</p> <p>As at 28.09.2019, notification date. Please be informed that national measures necessary for compliance with the Guidelines can be found in CNB internal procedures (SREP methodology). Hereby we provide the summary of the measures:</p> <p>Triggers for the decision on whether to apply early intervention measures from Article 235. of Credit Institutions Act based on SREP score are overall SREP score and pre-defined combinations of the Overall SREP score and scores for individual SREP elements. In the situation when overall SREP score 4 is assigned to credit institution, supervisor should determine, without undue delay, whether conditions for application of early intervention measures are fulfilled and notify competent authority's management. Once it confirms that conditions for application of early intervention measures are fulfilled, procedure on taking a decision establishing that a credit institution is in an early intervention phase is initiated and it is required to implement supervisory measures of early intervention. Regarding triggers based on monitoring of key indicators under SREP, thresholds for monitoring of key capital and liquidity indicators are set in the manner to include minimum requirements as specified in Regulation (EU) No 575/2013 and additional requirements as specified in Articles 225. and 228. of Credit Institutions Act. In addition, thresholds for monitoring key capital indicators are set in the manner to include additional 1.5</p>

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				percentage points above an institution's minimum and additional own fund requirements (Pillar 1 and Pillar 2), without taking into account any buffer requirements. When material change which indicates serious deterioration in credit institution's operation, including situations reaching set thresholds, supervisor has to determine the cause of material change and make an assessment of materiality of the potential prudential impact on a credit institution and review risk assessment and SREP score. If it confirms that serious deterioration in credit institution's operation has occurred supervisor is obliged to undertake analysis whether conditions for application of early intervention measures are fulfilled and notify competent authority's management. Once confirmed, procedure on taking a decision establishing that a credit institution is in an early intervention phase is initiated and it is required to implement supervisory measures of early intervention. Regarding triggers based on significant events certain events may have a negative impact on credit institutions financial situation and lead into situation where conditions for early intervention are met. Croatian National Bank takes into consideration same events as referred in Guidelines that may lead credit institution into situation where conditions for early intervention are met. In the case when one of the events occurs supervisor has to take same steps as described in chapters concerning triggers based on SREP score and triggers based on monitoring SREP key indicators.
ES	Spain	Banco de España (Bank of Spain)	Yes	As at 28.09.2015, notification date.

		Competent authority	Complies or intends to comply	Comments
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	Yes	As at 21.02.2019, notification date. ACPR complies through an internal document (methodological note).
IT	Italy	Banca d'Italia (Bank of Italy)	Intends to comply**	By 31 st December 2016. We acknowledge that the GL apply from 1 st January 2016. However, given that the BRRD Directive has been implemented in Italy on November 2015, we are still working on amendments needed to our Internal Supervisory Guide, as well as to our level 2 legislation, where needed, in order to fully align them with the EBA Guidelines. Therefore, we indicated the deadline of 31 December 2016 in the form as the date within which we expect to have completed these works, even if we do not exclude to end them before. Furthermore, it should be noted that, from 31 December 2015, even if we have not formally implemented the EBA Guidelines, we already consider them as our framework of reference, where applicable.
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	Yes	As at 17.04.2019, notification date.
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	Yes	As at 01.02.2019, notification date. 1) Amendments to the FCMC Banking Off-Site Supervision Handbook (Rev 4, revised on 10.08.2015); 2) Provisions on early intervention measures set in the Law on the Recovery and Resolution of Credit Institutions and Investment Firms (http://www.fctk.lv/en/law/credit-institutions/laws/7355-law-on-the-recovery-and-resolution-of-credit-institutions-and-investment-firms.html); 3) FCMC internal procedure for initiation of an administrative

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				<p>matter and adopting intermediate measures;</p> <p>4) FCMC internal policy for timely corrective measures and sanctions;</p> <p>5) FCMC internal procedure for maintenance of the "Administrative Matters" database;</p> <p>6) FCMC has developed its early warning indicators system;</p> <p>7) All decisions, supporting documents and explanations made are recorded in the Lotus document management system and are traceable.</p>
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	Yes	As at 22.01.2019, notification date. Compliance with GL approved by 25 January 2016 Supervision Service Decision No 241-23.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	Yes	As at 05.02.2019, notification date.
HU	Hungary	Magyar Nemzeti Bank (The Central Bank of Hungary)	Yes	As at 22.02.2019, notification date. Implementing document: MNB Internal Rules No 2018-237.
MT	Malta	Malta Financial Services Authority	Yes	As at 04.02.2019, notification date.
NL	Netherlands	De Nederlandsche Bank (National Bank of Netherlands)	Yes	As at 29.09.2015, notification date.
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	Yes	As at 24.01.2019, notification date. In reference to our compliance declaration of 22 September 2015 in which we declared that the FMA "intends to comply" with the EBA Guidelines on triggers for use of early intervention measures pursuant to Article 27(4) of Directive 2014/59/EU (EBA/GL/2015/03) with effect from their entry into force, we would like to confirm the following circumstances. We would like to inform you that following the entry into force of the Guidelines on

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				triggers for use of early intervention measures pursuant to Article 27 (4) of Directive 2014/59/EU (EBA/GL/2015/03) on 1 January 2016, the FMA has been fully compliant with these Guidelines with effect from that date.
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	Yes	As at 15.02.2019, notification date.
PT	Portugal	Banco de Portugal (Bank of Portugal)	Yes	As at 05.02.2019, notification date.
RO	Romania	Banca Națională a României (National Bank of Romania)	Yes	As of 14.12.2015, the date of entering into force of the law transposing the principles of the above mentioned Guidelines (Law no.312/2015 on the recovery and resolution of credit institutions and investment firms, as well as on amending and supplementing some normative acts in the financial field).
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	Yes	As at 01.01.2016, notification date. https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2015-01-2711?sop=2015-01-2711
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	Yes	As at 29.09.2015, notification date.
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	Yes	As at 18.01.2019, notification date. Regulations and guidelines 2/2015: https://www.finanssivalvonta.fi/en/regulation/FIN-FSA-regulations/miscellaneous-regulations-and-guidelines/02_2015/
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Yes	As at 31.01.2019, notification date.
UK	United Kingdom	Prudential Regulation Authority (PRA)	Yes	As at 25.09.2015, notification date.

		Competent authority	Complies or intends to comply	Comments
		Financial Conduct Authority (FCA)	Intends to comply**	By 01.01.2016

EU Institutions - Agencies

ECB	ECB	ECB	Yes	As at 23.09.2015, notification date.
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EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Icelandic Financial Supervisory Authority - FME)	Yes	As at 05.02.2019, notification date.
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	Intends to comply**	The Guidelines refer to Directive 2014/59/EU, establishing a recovery and resolution framework in the European Union. The Principality of Liechtenstein intends to implement this Directive on January 1, 2017. By the date on which the BRRD is incorporated into the EEA Agreement. The Guidelines refer to Directive 2014/49/EU (BRRD). The national BRRD legislation is already in force in the Principality of Liechtenstein. The BRRD has not yet been incorporated into the EEA Agreement. As soon as the BRRD is part of the EEA Agreement, the Financial Market Authority Liechtenstein will update its notifications regarding the BRRD Level III-acts.
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	Not applicable	The Guidelines do not apply in the jurisdiction of the competent authority. Awaiting a final agreement on the implementation of the ESAs' regulations into the EEA agreement, the BRRD has not yet been incorporated into the EEA agreement, nor has a resolution authority in Norway yet been appointed. As soon as the relevant domestic legislation has been adopted and necessary decisions taken, the stance of the Norwegian resolution authority as regards

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				compliance with this and other guidelines, will be communicated.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Financial Services Commission (Gibraltar)	Yes	As at 04.02.2019, 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.