

Recommendations compliance table

EBA/REC/2017/03

20 December 2017; Date of application – 1 July 2018

Recommendations on outsourcing to cloud service providers

The following competent authorities* comply or intend to comply with EBA's Recommendations on outsourcing to cloud service providers:

Member State	Competent authority	Complies or intends to comply	Comments
BE	Belgium National Bank of Belgium	Intends to comply**	By 01.07.2018. The National Bank of Belgium is in the process of integrating these recommendations in its regulatory framework.
BG	Bulgaria Българска народна банка (Bulgarian National Bank)	No response	No notification of compliance was received by the EBA within the two-month time limit.
CZ	Czech Republic Czech National Bank	Yes	As at 12.04.2018, notification date.
DK	Denmark Danish Financial Supervisory Authority	Intends to comply**	By 01.01.2019. The enforcement of the current executive order on outsourcing is in accordance with the recommendations at the entry into force of the recommendations. A revised executive order in alignment with the recommendations is planned to enter into force by 01.01.2019.
DE	Germany BaFin	Intends to comply**	By respective implementation period that will be fixed for the Outsourcing guidelines.

		Competent authority	Complies or intends to comply	Comments
				BaFin already complies with the major part of the Recommendations on outsourcing to cloud service providers (EBA/REC/2017/03) except with the provisions for adequately informing the supervisors (REC 4.2). The recommendations on informing the competent authorities of material activities to be outsourced to cloud service providers and on maintaining an updated register by the institutions for all its activities outsourced to cloud service providers are currently not fully implemented. However, since EBA intends to fully integrate the Recommendations on outsourcing to cloud service providers into the EBA Guidelines on outsourcing and to repeal them when the Guidelines enter into force, BaFin intends to comply with the integrated version of the recommendations by the respective implementation period that will be fixed for the Outsourcing guidelines.
EE	Estonia	Finantsinspeksioon	Yes	As at 09.05.2018, notification date.
IE	Ireland	Central Bank of Ireland	Intends to comply**	By 01.07.2018.
EL	Greece	Bank of Greece	Intends to comply**	By 01.07.2018.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Intends to comply**	By 01/07.2018.
ES	Spain	Banco de España	Intends to comply**	By 01.07.2018.
FR	France	ACPR	Email received	Email dated 20.04.2018. ACPR is currently implementing all the provisions of these EBA recommendations. Unfortunately, the calendar of our internal formal validation process will not permit that ACPR meets the deadline of 28 May to express our intention to

		Competent authority	Complies or intends to comply	Comments
				comply with such Recommendations. However, we should in principle be in position to express our compliance through a decision that will be made by the ACPR college by mid-July.
IT	Italy	Bank of Italy	Intends to comply**	By 31.12.2018. With regard to credit institutions, the Bank of Italy Regulation on banks' outsourcing of IT system, including outsourcing to cloud service providers, is already compliant with the EBA Recommendations. As to investment firms, general rules on outsourcing are set forth by the 2007 Bank of Italy and Consob Joint Regulation implementing the Consolidated Law on Finance. As a result of legislative innovations introduced in 2017 to implement the MIFID 2 package these rules are currently under review and a new Regulation will be adopted in 2018; within this framework compliance with the Recommendations will be ensured.
CY	Cyprus	Central Bank of Cyprus	Intends to comply**	By 31.12.2018.
LV	Latvia	Financial and Capital Market Commission	Yes	As at 09.05.2018, notification date.
LT	Lithuania	Bank of Lithuania	Intends to comply**	By 01.07.2018.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Yes	As at 28.05.2018, notification date.
HU	Hungary	Magyar Nemzeti Bank (The Central Bank of Hungary)	Intends to comply**	By 01.07.2018.
MT	Malta	Malta Financial Services Authority	Intends to comply**	By such time as the necessary legislative or regulatory proceeds have been completed.

		Competent authority	Complies or intends to comply	Comments
NL	Netherlands	De Nederlandsche Bank	Yes	As at 23.05.2018, notification date.
AT	Austria	Austrian Financial Market Authority	Yes	As at 18.05.2018, notification date.
PL	Poland	Komisja Nadzoru Finansowego	Yes	As at 30.05.2018, notification date.
PT	Portugal	Banco de Portugal	Intends to comply**	By 01.01.2019.
RO	Romania	National Bank of Romania	Yes	As at 04.06.2018, notification date.
SI	Slovenia	Bank of Slovenia	Intends to comply**	By 01.07.2018.
SK	Slovakia	Národná Banka Slovenska	Intends to comply**	By the date of finalisation of draft GL on outsourcing.
FI	Finland	Finanssivalvonta (FIN-FSA)	Intends to comply**	By 01.07.2018.
SE	Sweden	Finansinspektionen	Yes	As at 28.05.2018, notification date.
UK	United Kingdom	Prudential Regulation Authority	Intends to comply**	By 01.07.2018.
		Financial Conduct Authority	Intends to comply**	By 01.07.2018.

EU Institutions - Agencies

	ECB	European Central Bank (for 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)	Intends to comply**	By December 2018.
--	-----	---	----------------------------	-------------------

EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	Yes	As at 28.05.2018, notification date.
----	---------	---	------------	--------------------------------------

		Competent authority	Complies or intends to comply	Comments
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	Intends to comply**	By 01.12.2018. Due to the implementation of new processes the Principality of Liechtenstein will comply with the recommendations per 1 December 2018.
NO	Norway	The Financial Supervisory Authority of Norway	Intends to comply**	By 01.07.2018.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Gibraltar Financial Services Commission	Yes	As at 12.06.2018, notification date.
----	----------------	---	------------	--------------------------------------

*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.

