

# Guidelines compliance table

EBA/GL/2015/11 Appendix 1

4 August 2016 – Updated 9 June 2021

## Guidelines on creditworthiness assessment

The following competent authorities\* comply, intend to comply, or do not comply with the EBA Guidelines on creditworthiness assessment (EBA/GL/2015/11).

Member State	Competent authority	Complies or intends to comply	Comments
BE	Federal Public Service Economy, S.M.E.s, Self-employed & Energy	<b>Yes</b>	<p>As at 12.03.2021, notification date. The National Bank of Belgium is not competent in the field of consumer's creditworthiness.</p> <p>The information provided in this notification form is on behalf of the Federal Public Service Economy, S.M.E.s, Self-employed and Energy, whom we have contacted for this notification.</p> <p>Article 18 of Directive 2014/17/EU on credit agreements for consumers relating to residential immovable property (Mortgage Credit Directive or 'MCD') requires that, before concluding a credit agreement, the creditor makes a thorough assessment of the consumer's creditworthiness, taking appropriate account of factors relevant to verifying the prospect of the consumer to meet his/her obligations under the credit</p>

		Competent authority	Complies or intends to comply	Comments
				<p>agreement. Article 20(1) MCD provides that the assessment of creditworthiness shall be carried out on the basis of information on the consumer's income and expenses and other financial and economic circumstances which is necessary, sufficient and proportionate.</p> <p>These articles have been transposed in article VII.131, § 4 and VII.133, §§ 1 and 2 of the Code of Economic Law.</p> <p>The guidelines are taken into account when assessing the conformity with art. VII.131, § 4 and VII.133, §§ 1 and 2 of the Code of Economic Law by the economic inspection.</p>
		National Bank of Belgium	<b>Not applicable</b>	The National Bank of Belgium is not competent in the field of consumer's creditworthiness. The response is on behalf of the Federal Public Service Economy, whom we have contacted for this notification.
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	<b>Yes</b>	
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	<b>Yes</b>	As at 05.02.2019, notification date.
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	<b>Yes</b>	As at 31.01.2019, notification date.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	<b>Yes</b>	
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	<b>Yes</b>	As at 15.08.2016, notification date.
IE	Ireland	Central Bank of Ireland	<b>Yes</b>	<a href="http://www.centralbank.ie/regulation/processes/consumer-protection-code/EuropeanSupervisoryAuthorityGuidelinesRecommendationsOpinions/Pages/default.aspx">http://www.centralbank.ie/regulation/processes/consumer-protection-code/EuropeanSupervisoryAuthorityGuidelinesRecommendationsOpinions/Pages/default.aspx</a>

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed. Since the GLs on Credit Worthiness Assessment have been repealed and the relevant provisions are incorporated in the EBA GL on loan origination and monitoring (EBA/GL/2020/06), we will adopt the latter ones.
HR	Croatia	National Bank of Croatia	<b>Yes</b>	As at 02.10.2020, notification date. Please be informed that the national measure necessary for compliance with the Guidelines is: Odluka o dodatnim kriterijima za procjenu kreditne sposobnosti potrošača te provođenju postupka naplate dospjelih neplaćenih obveza i dobrovoljne namire (only in the Croatian language) (OG 107/2017) Link: <a href="https://narodne-novine.nn.hr/clanci/sluzbeni/full/2017_11_107_2479.html">https://narodne-novine.nn.hr/clanci/sluzbeni/full/2017_11_107_2479.html</a>
ES	Spain	Banco de España (Bank of Spain)	<b>Intends to comply**</b>	Within the two months period, once the competent authority has been designated.
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	<b>Yes</b>	
IT	Italy	Banca d'Italia (Bank of Italy)	<b>Yes</b>	As at 03.05.2019, notification date.
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	<b>Yes</b>	
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	<b>Yes</b>	National measures adopted: Regulations of Financial and Capital Market Commission " Normative regulations on credit risk management": <a href="http://likumi.lv/ta/id/269956-kreditriskapa-valdisanas-normativie-noteikumi">http://likumi.lv/ta/id/269956-kreditriskapa-valdisanas-normativie-noteikumi</a> ,

		Competent authority	Complies or intends to comply	Comments
				Consumer Rights Protection Law (Article 8): <a href="http://likumi.lv/doc.php?id=23309">http://likumi.lv/doc.php?id=23309</a> ; Regulations of the Cabinet of Ministers Nr.245: <a href="http://likumi.lv/doc.php?id=22814">http://likumi.lv/doc.php?id=22814</a> Z Guidelines on assessment of consumer ability for credit repayment to credit issuer which does not correspond to status of a credit institution: <a href="http://www.ptac.lv/sites/default/files/docs/vadlinijas_maksatspejas_izvertesana_16_08_2013_gala.pdf">http://www.ptac.lv/sites/default/files/docs/vadlinijas_maksatspejas_izvertesana_16_08_2013_gala.pdf</a>
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	Yes	As at 04.02.2019, notification date. Compliance with GL approve by the Supervision Service Decision No 03-144.
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 (Central Bank of Hungary)	Yes	As at 05.02.2019, notification date. Implementing document: MNB Recommendation No 11/2017. ( <a href="#">A Magyar Nemzeti Bank 11/2017. (XI.6.) számú ajánlása a hitelkockázat méréséről, kezeléséről és kontrolljáról</a> )
MT	Malta	Malta Financial Services Authority	Intends to comply**	Intends to comply when necessary legislative or regulatory proceedings have been completed. The Malta Financial Services Authority is presently working to implement the EBA Guidelines on creditworthiness assessment (EBA/GL/2015/11) in the relevant national legislative instrument, by introducing new provisions to cater for this. The Authority aims to conclude this implementation at the earliest possible.
NL	Netherlands	Autoriteit Financiële Markten (Authority for the Financial Markets)	Yes	

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	<b>Yes</b>	As at 24.01.2019, notification date. In reference to our letter of 19th May 2016 in which we declared that the FMA “intends to comply” with EBA Guidelines GL 2015/11 and GL 2015/12 we would like to advise you of the following update circumstances: Firstly, our legal basis under national law is now sufficient [Articles 33 and 39 Banking Act (BWG; Bankwesengesetz)]. Secondly, after further evaluation good administrative practice already reflects the requirements of both Guidelines. In 2016 it had been assumed that further clarification would be needed, to be issued in the form of an FMA circular, which is now in actual fact not necessary. These national circumstances allow the FMA to declare full compliance with these Guidelines.
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	<b>Yes</b>	
PT	Portugal	Banco de Portugal (Bank of Portugal)	<b>Yes</b>	As at 01.02.2018, notification date.
RO	Romania	Banca Națională a României (National Bank of Romania)	<b>Yes</b>	As at 09.03.2021, notification date Guideline has been transposed through NBR Regulation no.17/2012 with further amendments (Regulation no.5/2016). <a href="http://www.bnr.ro/apage.aspx?pid=404&amp;actId=328898">http://www.bnr.ro/apage.aspx?pid=404&amp;actId=328898</a>
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	<b>Yes</b>	As at 07.03.2017, notification date. 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.

		Competent authority	Complies or intends to comply	Comments
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	Yes	
FI	Finland	The Regional State Administrative Agency of Southern Finland (RSAASF)	No	RSAASF has been designated in national legislation as an authority other than a competent authority as defined in Article 5 (3)(b) of Directive 2014/17/EU (MCD). However, RSAASF is not a competent authority as defined in Article 4(2)(i) of the Regulation 1093/2010/EU (EBA Regulation), is therefore not obliged to make every effort to comply with EBA Guidelines, and is also not competent to give binding instructions to actors under its supervision. RSAASF does therefore not intend to comply with EBA/GL/2015/11 but will make them available to all actors offering credit agreements under the MCD.
		Consumer Ombudsman (www.kkv.fi/en/)	Yes	
		Finanssivalvonta (FIN-FSA)	Yes	FIN-FSA regulations and guidelines entered into force 1 April 2017 and can be found <a href="#">here</a> (under section 6. Code of conduct), but only in Finnish and Swedish.
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Yes	As at 30.01.2019, notification date.

#### 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**	Will comply when the Directive is fully transposed into national law and the authority is designated as competent authority under the Directive. Intends to comply, further information is currently not available. FMA intends to comply with EBA/GL/2015/11 . The

		Competent authority	Complies or intends to comply	Comments
				incorporation of MCD into the EEA has been postponed. Therefore, also the national implementation of the act has been postponed. Currently it is unclear as of when the act will be incorporated into EEA.
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	Yes	

#### European Territories under Article 355(3) TFEU

\*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 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 the EBA's website [www.eba.europa.eu](http://www.eba.europa.eu).