

# Guidelines compliance table

EBA/GL/2017/10

27 July 2017; Date of application – 14 February 2018 (Updated 28 January 2019)

## Guidelines on major incident reporting under Directive (EU) 2015/2366 (PSD2)

The following competent authorities\* comply or intend to comply with the EBA's Guidelines on major incident reporting under PSD2:

Member State	Competent authority	Complies or intends to comply	Comments
BE	Belgium National Bank of Belgium	Yes	As at 05.02.2019, notification date. The National Bank of Belgium (NBB) is compliant with these Guidelines by implementing them in national law via the publication of Circular NBB_2018_14 on 29 March 2018. Link to French and Dutch versions of the Circular on the NBB website: <a href="https://www.nbb.be/en/articles/circular-nbb201814-eba-guidelines-incident-reporting">https://www.nbb.be/en/articles/circular-nbb201814-eba-guidelines-incident-reporting</a>
BG	Bulgaria Bulgarian National Bank	Yes	As at 17/07/2019, notification date.
CZ	Czech Republic Czech National Bank	Yes	As at 05.02.2019, notification date.
DK	Denmark Danish Financial Supervisory Authority	Yes	As at 10.01.2018, notification date.

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	<b>Yes</b>	As at 25.06.2018, notification date.
EE	Estonia	Finantsinspektsioon	<b>Yes</b>	As at 01.02.2018, notification date.
IE	Ireland	Central Bank of Ireland	<b>Yes</b>	As at 16.02.2018, notification date.
EL	Greece	Bank of Greece	<b>Intends to comply**</b>	<b>By end of April 2019.</b> By such time as the necessary legislative or regulatory proceedings have been completed.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	<b>Yes</b>	As of 28.07.2018. National measures necessary for compliance with the Guidelines are: Zakon o platnom prometu (engl. Payment System Act), published in "Narodne novine", no. 66/2018 on 20 July 2018, entered into force on 28 July 2018. Link: <a href="https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html">https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html</a>
ES	Spain	Banco de España	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings implementing Directive (UE) 2015/2366 have been completed, without prejudice to Spanish national provisions implementing this regulation and within the limit of the competencies conferred to Banco de España by these national provisions.
FR	France	ACPR	<b>Yes</b>	As at 21.02.2018, notification date.
IT	Italy	Bank of Italy	<b>Intends to comply**</b>	By <b>01.09.2019</b> <del>30.06.2018</del> .
CY	Cyprus	Central Bank of Cyprus	<b>Yes</b>	<b>As at 17.04.2019, notification date.</b>
LV	Latvia	Financial and Capital Market Commission	<b>Yes</b>	As at 01.02.2019, notification date. EBA Guidelines are implemented by the FCMC Regulations No 157 of 26 September 2018 Regulations on Major Incident Reporting Related to Payment Services ( <a href="http://www.fctk.lv/attachments/article/7403/Regulations%20on%20major%20incident%20reporting%2">http://www.fctk.lv/attachments/article/7403/Regulations%20on%20major%20incident%20reporting%2</a>

		Competent authority	Complies or intends to comply	Comments
				<a href="#">Orelated%20to%20payment%20ser vices.pdf</a> )
LT	Lithuania	Bank of Lithuania	Yes	As at 22.01.2019, notification date. Compliance with GL approved by 17 December 2018 Supervision Service Decision No 241-281. This Decision entered into force on 1 January 2019.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Yes	As at 05.02.2019, notification date.
HU	Hungary	The Central Bank of Hungary	Yes	As at 22.02.2019, notification date. Implementing document: MNB Decree No 36/2018. (36/2018. (XII. 13.) MNB rendelet a pénz- és hitelpiaci szervezetek által a jegybanki információs rendszerhez elsődlegesen a Magyar Nemzeti Bank felügyeleti feladatai ellátása érdekében teljesítendő adatazolgáltatási kötelezettségekről)
MT	Malta	Malta Financial Services Authority	Yes	As at 14.02.2018, notification date.
NL	Netherlands	De Nederlandsche Bank	Yes	As at 04.03.2019, notification date.
AT	Austria	Austrian Financial Market Authority	Yes	Following the entry into force of the Austrian Payment Services Act 2018 (ZaDiG 2018; Zahlungsdienstegesetz 2018) on 1 June 2018 our legal basis under national law is now adequate to allow the FMA to declare its full compliance with these Guidelines.
PL	Poland	Komisja Nadzoru Finansowego	Yes	As at 19.02.2018, notification date.
PT	Portugal	Banco de Portugal	Yes	As at 05.02.2019, notification date. Link to the national measure published by Banco de Portugal to comply with the Guidelines on major incidents reporting under PSD2 (available only in PT): <a href="https://www.bportugal.pt/instrucao/12019">https://www.bportugal.pt/instrucao/12019</a>

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
RO	Romania	National Bank of Romania	<b>Intends to comply**</b>	As of date of entering into force of the law transposing the PSD2. <b>still the same</b>
SI	Slovenia	Bank of Slovenia	<b>Yes</b>	As at 02.03.2018, notification date. <a href="https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-0470?so=2018-01-0470">https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-0470?so=2018-01-0470</a>
SK	Slovakia	Národná Banka Slovenska	<b>Yes</b>	As at 25.01.2018, notification date.
FI	Finland	Finanssivalvonta (FIN-FSA)	<b>Yes</b>	As at 15.02.2018, notification date.
SE	Sweden	Financial Supervisory Authority	<b>Yes</b>	<b>As at 28.01.2019, notification date.</b>
UK	United Kingdom	PRA	<b>Not applicable</b>	
		Financial Conduct Authority	<b>Yes</b>	As at 20.12.2017, notification date. National transposition legislation, The Payment Services Regulations (link below) transposes the Payment Services Directive EU 2015/2366 in UK law. <a href="http://www.legislation.gov.uk/uksi/2017/752/pdfs/ukxi_20170752_en.pdf">http://www.legislation.gov.uk/uksi/2017/752/pdfs/ukxi_20170752_en.pdf</a> In September 2017 we indicated our intention to comply in our Policy Statement; <a href="https://www.handbook.fca.org.uk/handbook/SUP/15/14.html?date=2018-01-13">https://www.handbook.fca.org.uk/handbook/SUP/15/14.html?date=2018-01-13</a>

**EU Institutions – Agencies**

ECB	ECB	ECB	<b>Not applicable</b>	
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**EEA – EFTA State**

IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed. <b>still the same</b>
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	<b>Yes*</b>	Complies with the guidelines as of 1 October 2019.

		Competent authority	Complies or intends to comply	Comments
NO	Norway	Financial Supervisory Authority of Norway	Yes*	<p>As at 20.09.2019.</p> <p>On 7 June 2019, the Norwegian Government (King in Council) resolved to authorize the EEA-committee, in its 13 June meeting, to incorporate PSD2 (directive 2015/2366) into the EEA-agreement.</p> <p>In Norway, payment service providers have had an obligation to report about major incidents to the Financial Supervisory Authority (FSA) since 2009.</p> <p>Provisions ensuring implementation of the wording in PSD2 art. 95 nr.1 and 96 nr.1 regarding incident detection, management, classification, reporting and provisions relating to the duty to inform payment service users of incidents came into force in Norway on 1 April 2019.</p> <p>Reference is made to the new regulation of 15 February 2019 regarding systems of payment services (Forskrift om systemer for betalingstjenester) and changes in the wording of some provisions of the Norwegian ICT-regulation of 21 May 2003.</p> <p>The FSA of Norway has provided information about the EBA/GL/2017/10 on its webpage in April 2019 (<a href="https://finansstilsynet.no/tema/psd-2---eus-reviderte-betalingstjenestedirektiv/psd2-hendelsesrapportering/">https://finansstilsynet.no/tema/psd-2---eus-reviderte-betalingstjenestedirektiv/psd2-hendelsesrapportering/</a>)</p> <p>The FSA of Norway complies with the Guidelines on major incidents reporting under PSD2. However, the FSA of Norway has experience with incident reporting since 2009, and we intend to continue our interpretation of the deadline for initial incident reporting since 2009, ref. the PSD2 working “undue delay”, mentioned in the GL 2.8. In some cases the deadline for sending an initial report to the</p>

		Competent authority	Complies or intends to comply	Comments
				Norwegian FSA may be less than 4 hours.
<b>European Territories under Article 355(3) TFEU</b>				
UK	United Kingdom	Gibraltar Financial Services Commission	<b>No response</b>	No notification of compliance was received by the EBA within the two-month time limit.

\*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](http://www.eba.europa.eu).