

Joint Guidelines Compliance Table

JC/GL/2014/01 Appendix 1

22 December 2014

Joint Guidelines on the convergence of supervisory practices relating to the consistency of supervisory coordination arrangements for financial conglomerates

The following competent authorities* comply or intend to comply with ESAs' Joint Guidelines on complaints-handling for the securities (ESMA) and banking (EBA) sectors:

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
Member States					
BE	Belgium	National Bank of Belgium	EBA	Yes	<p>The Belgian Banking Law includes the legal basis for setting up colleges for financial conglomerates.</p> <p>Since the concerned Joint Guidelines are only directed towards competent authorities, there was no need to adopt a specific national measure that would incorporate the guidelines.</p> <p>Furthermore, the answer from the National Bank of Belgium to the EBA concerns only the "Less Significant Credit Institutions". The ECB will reply for the (Belgian) "Significant Credit Institutions".</p> <p>Since there are no Belgian financial conglomerates</p>



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					<p>for which the NBB (and not the ECB) is coordinator, and consequently, no groups for which the NBB needs to use these guidelines to organize a fico college, we consider the NBB to be compliant with the guidelines.</p> <p>If a financial conglomerate, with a Belgian “less significant credit institution” being part of it and with a cross-border dimension as referred to in the Guidelines, would be created, the NBB will of course apply these guidelines.</p>
		National Bank of Belgium	EIOPA	Intends to comply **	
		Financial Services and Markets Authority	ESMA		
BG	Bulgaria	Българска народна банка (Bulgarian National Bank)	EBA	Yes	
		Комисията за финансов надзор (Financial Supervision Commission)	ESMA		
CZ	Czech Republic	Česká Národní Banka (Czech National Bank)	ESMA / EBA / EIOPA	Yes	

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	ESMA / EBA / EIOPA	Yes	The JC guidelines apply as from 23 February 2015, Finanstilsynet will as of this date comply with the JC guidelines, when carrying out the supplementary supervision according to Directive 2002/87/EC (FICOD). Relevant parts of the JC guidelines will be reflected in written agreements for relevant supervisory colleges, when these are being updated during the first half year of 2015.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)	ESMA/ EBA / EIOPA	Yes	
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	ESMA / EBA / EIOPA	Intends to comply **	By the date a relevant institution (according to the Guidelines) exists in my jurisdiction
IE	Ireland	Central Bank of Ireland	ESMA / EBA	Yes	
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	EBA	Intends to comply **	No date. The date a relevant institution or instrument exists in my jurisdiction. – Still the same The Guidelines are addressed to my competent authority but relate to a type of institutions, which does not currently exist in the authority's jurisdiction.
		Ελληνική Επιτροπή Κεφαλαιαγοράς (Hellenic Capital Market Commission)	ESMA	Intends to comply **	No date. The date a relevant institution or instrument exists in my jurisdiction.

		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
HR	Croatia	National Bank of Croatia	ESMA/ EBA	Yes	23/2/15 – Note1 – incorrect form used
ES	Spain	Banco de España (Bank of Spain)	EBA	Yes	
		Comisión Nacional del Mercado de Valores	ESMA	Do not apply	The guidelines are applicable in Spain but fall under the responsibility of the Banco de España
		Mineco, DGSFP	EIOPA	Yes	
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	ESMA / EBA	Intends to comply	By end of 2015 (EBA only)
		Autorité des Marchés Financiers	ESMA	Yes	
IT	Italy	Banca d'Italia (Bank of Italy)	EBA	Intends to comply **	To ensure full compliance with the Guidelines, some minor adjustments to the internal guidance for the performance of supplementary supervision of financial conglomerates will be necessary. These regulatory interventions are planned for the second quarter of this year.
		Commissione Nazionale per le Società e la Borsa	ESMA	Intends to comply **	By end of June 2015. "Some adjustments of the legal framework are needed and they will be adopted in such as time as the necessary legislative or regulatory proceedings have been completed, but



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					presumably no later than July 1st 2015.”
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	EBA	Yes	
		Επιτροπή Κεφαλαιαγοράς Κύπρου (Cyprus Securities and Exchange Commission)	ESMA		
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	ESMA/ EBA/ EIOPA	Intends to comply	<p>The Financial and Capital Market Commission of Latvia considers that the Joint Guidelines on the convergence of supervisory practices relating to the consistency of supervisory coordination arrangements for financial conglomerates mostly set the specific requirements for the coordinators of financial conglomerates regarding cooperation between supervisory authorities.</p> <p>Please be informed that there are no financial conglomerates yet identified in Latvia and the Financial and Capital Market Commission is not appointed as a coordinator of any of financial conglomerates. However, we will implement the above mentioned Joint Guidelines if there is any indication regarding identification of financial conglomerate in Latvia or if the Financial and Capital Market Commission is appointed</p>



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					as a coordinator of any of financial conglomerates. In addition, please be informed that the Law on Financial Conglomerates has been in force since 12.07.2005 in Latvia laying down specific requirements regarding cooperation and exchange of information between supervisory authorities.
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	ESMA/ EBA / EIOPA	Intends to comply **	No date provided: (the joint guidelines will be implemented by adopting a Decision of the Director of Supervision Service of the Bank of Lithuania (supervisory authority). The Guidelines are in the final stage of preparation)
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	ESMA/ EBA	Intends to comply **	By 30 April 2015 (No response received to EBA)
		Commissariat aux assurances	EIOPA	Yes	
HU	Hungary	Magyar Nemzeti Bank (National Bank of Hungary)	ESMA/ EBA / EIOPA	Intends to comply **	By 22 April 2015 As at 22.02.2019, notification date. Implementing document: MNB Internal Rules No 2018-237.
			EBA	Complies	
MT	Malta	Malta Financial Services Authority	ESMA/ EIOPA	Intends to comply **	'By such time as the necessary legislative or regulatory proceedings have been completed' An updated Comply or Explain Form will be



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
					submitted to the European Supervisory Authority once the Financial Conglomerates (Amendment) Regulations will be published in the Government Gazette.
			EBA	Complies	As at 04.02.2019, notification date.
NL	Netherlands	De Nederlandsche Bank (DNB)	EBA	Yes	As at 04.03.2019, notification date.
		Autoriteit Financiële Markten (Authority for the Financial Markets)	ESMA		
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	ESMA/ EBA/ EIOPA	Yes	
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	ESMA/ EBA/ EIOPA	Yes	Electronic link to national measures: http://www.knf.gov.pl/onas/wspolpraca_miedzynarodowa/unia/wytyczne.html
PT	Portugal	Banco de Portugal (Bank of Portugal)	EBA	Intends to comply **	Taking into account the data of the last Joint Committee List of Identified Financial Conglomerates (as per 31 December 2013 figures) published in 23 rd October 2014, I am currently notifying that Banco de Portugal intends to comply with the Joint Guidelines JC/GL/2014/01 by the date a relevant financial conglomerate would be identified in relation to which Banco de Portugal would be the

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					coordinator or a relevant competent authority.
		Comissão do Mercado de Valores Mobiliários	ESMA		
		ASF – Autoridade de Supervisão de Seguros e Fundos de Pensões	EIOPA	Yes	
RO	Romania	Banca Națională a României (National Bank of Romania)	EBA	Intends to comply **	<i>does not comply, but intends to comply</i> with the Joint Guidelines by the date on which the National Bank of Romania will have the quality of coordinator or relevant competent authority in case of a cross-border group identified as a financial conglomerate under Directive 2002/87/EC.
		Autoritatea de Supraveghere Financiară (Romanian Financial Supervisory Authority)	ESMA		
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	EBA	Yes	As at 01.07.2015, notification date. https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2015-01-1950?so=2015-01-1950 19/2/15 – Note1: Incorrect form returned (usual EBA form) Note2: However, we would like to stress out that currently there is no identified financial conglomerate in Slovenia
		Agencija za trg vrednostnih papirjev (Securities Market Agency)	ESMA	Yes	Note: Incorrect form returned (ESMA form)



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
		Insurance Supervision Agency	EIOPA	Intends to comply	From the date a relevant institution exists in the jurisdiction.
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	ESMA/ EIOPA	Intends to comply **	(reporting to EBA only): does not comply, but intends to comply - We have adopted decision that the guideline will be transposed into our by-laws. For the time being, we are not able to provide exact date of application due to uncertain expected date when internal transposition procedure will be finalized. Generally speaking, when adopting by-laws, which transpose guideline, we follow our standard internal procedure, where the Board of Directors adopt such guideline after the receipt of statement from pertinent section and subject to their meeting's calendar. On the top of this, we would like to inform you that there is no financial conglomerate supervised by the NBS.
			EBA	Yes	As at 05.02.2019, notification date.
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	ESMA/ EBA/ EIOPA	Yes	23/2/15 – Note1 – incorrect form returned to EBA – no date indication provided
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	ESMA/ EBA/ EIOPA	Yes	Please see the below hyperlink for Finansinspektionen's memorandum regarding implementation of the European supervisory authorities' guidelines and recommendations



	Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
				- http://www.fi.se/upload/90_English/20_Publications/20_Miscellaneous/2014/pm-eu-riktlinjer-12-12289eng.pdf

EU Institutions – Agencies

ECB	European Central Bank		Complies	As at 08.01.2021, notification date. *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.
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EEA – EFTA States

IS	Iceland	Fjármálaeftirlitið (Icelandic Financial Supervisory Authority - FME)	EBA	Intends to comply **	By the date a relevant institution or instrument exists in my jurisdiction.
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	ESMA/ EBA/ EIOPA	Yes	Please note: Wrong form used. The Financial Market Authority Liechtenstein (FMA) as the competent authority in charge of the national implementation of financial market related regulations acknowledges the publication of these Guidelines (JC/GL/2014/01). We note that currently the FMA is neither a coordinator nor the supervisor of an entity



		Competent authority	Relevant ESA/ESAs	Complies or intends to comply	Comments
				Complies or intends to comply	which is part of a financial conglomerate. Accordingly, only title I and title II (excluding paragraph 16) of the Joint Guidelines are of factual relevance for the FMA. The FMA will apply the Joint guidelines in full from the date a relevant institution exists in Liechtenstein.
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	ESMA/ EBA	Intends to comply	The Financial Supervisory authority of Norway intends to comply with the guidelines on the convergence of supervisory practices relating to the consistency of supervisory coordination arrangements for financial conglomerated. As of 01.01.2015 there are six financial conglomerates with financial holding company located in Norway, however only DNB, Storebrand and Gjensidige have crossborder activities. To be fully compliant with the guideline, it is necessary to make some adjustments to the College Agreements and MoAs for these companies. The adjustments will be done within reasonable time after the CRD IV and ESA regulations are incorporated in Norwegian law through the EEA-Agreement.



*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the ESAs' Joint 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 Joint 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 Joint Guidelines in force in the jurisdiction concerned.

Notes

Article 16(3) of the ESAs' 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 ESAs endeavour to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the ESAs 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 ESAs' website (www.eba.europa.eu; www.eiopa.europa.eu; www.esma.europa.eu)