Guidelines compliance table

EBA/GL/2015/04 Appendix 1

07 October 2015
Updated 30/10/2025

Guidelines on factual circumstances amounting to a material threat to financial stability and on the elements related to the effectiveness of the sale of business tool under Article 39(4) of Directive 2014/59/EU

The following competent authorities* comply or intend to comply with EBA's Guidelines on the sale of business tools:

		Competent authority	Complies or intends to comply	Comments
Member State				
BE	Belgium	National Bank of Belgium	**Yes**	As at 6 October 2015. (Notification date).
BG	Bulgaria	Българска народна банка (Bulgarian National Bank) (as Resolution Authority)	**Yes**	As at 29 September 2015. (Notification date). The Bulgarian National Bank (BNB) is also a competent authority under the CRR. We were requested by the EBA to send two separate notifications where a notification is required both by the competent authority and by the resolution authority. Then BNB is responsible for banks only (as opposed to investment firms).
CZ	Czech Republic	Česká Národni Banka (Czech National Bank)	**Intends to comply****	Intends to comply with the Guidelines by the day when legislation implementing the Directive 2014/59/EU (BRRD) in Czech Republic becomes effective

		Competent authority	Complies or intends to comply	Comments
DK	Denmark	Finanstilsynet (Danish Financial Supervisory Authority)	**Yes**	As at 22 September 2015 (Notification date)
DE	Germany	Federal Agency for Financial Market Stabilisation (FMSA)	**Yes**	As at 22 December 2015. (Notification date). My jurisdiction complies with the above mentioned Guidelines to the extent that it does not conflict with national law.
EE	Estonia	*Finantsinspektsioon (Financial Supervision Authority)*	**Yes**	As at 29 September 2015. (Notification date).
IE	Ireland	*Central Bank of Ireland*	**Yes**	As at 13th August 2015 (Notification date)
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	**Intends to comply****	By 31 October 2015
HR	Croatia	National Bank of Croatia	**Yes**	Complies as of the date of this notification, 14/02/2024 The application of the EBA Guidelines is ensured and carried out by administrative practice of the CNB. No legislative changes have to be adopted. Until 1 January 2021, resolution powers in the Republic of Croatia were divided between the Croatian Deposit Insurance Agency (formerly the State Agency for Deposit Insurance and Bank Resolution), the Croatian National Bank and the Croatian Financial Services Supervisory Agency. However, from 1 January 2021, when the Act on the Resolution of Credit Institutions and Investment Firms (Official Gazette, 146/2020) entered into force, in addition to the fact that the Croatian Deposit Insurance Agency is no longer a resolution authority, all implementing acts it adopted with regard to European Banking Authority's Guidelines ceased to be valid. At the same time, the Croatian National Bank took over additional resolution powers as well as the obligation to decide on the compliance with the Guidelines

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				previously covered by the Croatian Deposit Insurance Agency's implementing acts. Accordingly, the Croatian National Bank is currently working on an act by which it intends to comply with the Guidelines on factual circumstances amounting to a material threat to financial stability and on the elements related to the effectiveness of the sale of business tool under Article 39(4) of Directive 2014/59/EU (EBA/GL/2015/04).
ES	Spain	Banco de España (Bank of Spain)	**Not applicable**	The Guidelines do not apply in the jurisdiction of the Competent Authority. 06.10.2015 - As already communicated to EBA on July 3Oth 2015, Spain opted to establish a structure with two resolution authorities, making the distinction between the roles of preventive and executive procedure (respectively assigned to Banco de España and FROB-Fund for Orderly Bank Restructuring-). Please be aware that EBA/GL/2015/04, EBA/GL/2015/05 and EBA/GL/2015/06 do not fall under Banco de España scope of competences. Therefore, Banco de España will not provide compliance notifications regarding these Guidelines.
FR	France	Fund for Orderly Bank Restructuring - FROB	**Yes**	As at 7 October 2015. (Notification date).

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		Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	**Intends to comply****	By 31 December 2015.
IT	Italy	Banca d'Italia (Bank of Italy)	**Yes**	As at 24.11.2020, notification date. Compliance with the GL is ensured via the national handbook on crisis management and resolution recently finalized that provides an operational description of the resolution processes to be implemented by the Resolution Unit of the Bank of Italy both for SIs and LSIs in case of resolution. The handbook is an internal document. It refers to and includes as annexes the SRB internal manuals on Crisis Governance and Resolution Planning and the Internal Arrangements implementing some provisions of the Cooperation Framework. However, in light of their specific status, these annexes are available on a need to know basis only to the Resolution Unit staff and are stored separately in a dedicated repository.
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	**Intends to comply****	By 31 December 2015.
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	**Intends to comply****	By 31 December 2015.
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	**Intends to comply****	By 31 December 2016. According to the draft law implementing Bank recovery and resolution directive 2014/59/EU, the Bank of Lithuania

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				shall become a resolution authority. However the formal mandate is not granted to the Bank of Lithuania yet.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	**Yes**	As at 28 October 2025. (Notification date). Update of internal procedure
HU	Hungary	Magyar Nemzeti Bank (The Central Bank of Hungary)	**Intends to comply****	By 1 November 2015.
MT	Malta	Malta Financial Services Authority	**Intends to comply****	By such time as the necessary legislative or regulatory proceedings have been completed. When assessing whether there is a material threat to financial stability arising from/aggravated by the failure or likely to failure of an institution under resolution, the Resolution Authority will consider the impact on other institutions and shall take into consideration these guidelines when making their assessment. These guidelines shall be incorporated in the Resolution Authority's operations manual.
NL	Netherlands	De Nederlandsche Bank (National Bank of Netherlands)	**Yes**	As at 20 October 2025. (Notification date).
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	**Yes**	As at 1 October 2015. (Notification date).
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	**Does not comply/does not intend to comply**	No notification of compliance was received by the EBA within the two-month time limit.
PL	Poland	Bankowy Fundusz Gwarancynjy (Bank Guarantee Fund)	**Yes**	As at 3 March 2017, notification date. Compliance with the Guidelines is provided by incorporating into Resolution of the Fund Council on

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				the rules of leading by Bank Guarantee Fund resolution issued on the basis of the Act of 10 June 2016 on the Bank Guarantee Fund. Deposit Guarantee Scheme and Resolution ("Act on BFG") , a provision specifying that the Fund – when applying the sale of business tool – is obliged to follow the GL. Please find below excerpt from the rules: "The detailed internal rules of leading by Bank Guarantee Fund resolution (…) Chapter 11 § 16 The sale of business – selection of the potential purchasers Section 4. In matters relating to the use of the sale of business tool, the fund shall apply the European Banking Authority's Guideline on factual circumstances amounting to a material threat to financial stability and on the elements related to the effectiveness of the sale of business tool under Article 39(4) of Directive 2014/59/EU. (…)" In addition to the above please be informed that a non-official translation of the Act on BFG is available on the BFG website : https://www.bfg.pl/
PT	Portugal	Banco de Portugal (Bank of Portugal)	**Yes**	As at 6 October 2015. (Notification date).
RO	Romania	Banca Naţională a României (National Bank of Romania)	**Intends to comply****	Starting with the date when the national law transposing the Directive 2014/59/EU will enter into force. The draft law transposing the Directive 2014/59/UE has recently received a favourable opinion in the Commission for the budget, finance, banking activity and capital markets of the Upper Chamber of the Romanian Parliament.

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SI	Slovenia	Bank of Slovenia	**Yes**	As at 29th August 2017 (Notification date) The Bank of Slovenia makes decisions regarding the application of guidelines and recommendations issued by the European Banking Authority. Decisions regarding the application of such guidelines or recommendations are published in the Official Gazette of the Republic of Slovenia. Bank of Slovenia complies with the guidelines at hand and a separate Bank of Slovenia Regulation on the use of the Guidelines issued was issued for this purpose.
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)/Resolution Council	**Yes**	As at 14th September 2015 (Notification date)
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	**Does not comply/does not intend to comply**	No notification of compliance was received by the EBA within the two-month time limit.
SE	Sweden	Rahoitusvakausvirasto Finnish Financial Stability Authority	**Yes**	From 1st August 2015
		Swedish National Debt Office	**Intends to comply****	By 01.01.2017

EU Institutions - Agencies

ECB	European Central Bank		**Not applicable**	

EEA – EFTA State

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IS	Iceland	Finanzmarktaufsicht - FMA (Financial Market Authority)	**Intends to comply****	By the date on which the BRRD in 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 eh BRRD Level III-acts.
LI	Liechtenstein	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 compliance with this and other guidelines, will be communicated.
NO	Norway			

*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.