

Guidelines compliance table

EBA/GL/2017/17

12 December 2017; Date of application – 9 February 2018 (Update – 14 January 2020)

Guidelines on the security measures for operational and security risks of payment services under Directive (EU) 2015/2366 (PSD2)

The following competent authorities* comply or intend to comply with the EBA's Guidelines on Security Measures for Operational and Security Risks 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_13 on 29 March 2018. Link to French and Dutch versions of the Circular on the NBB website: https://www.nbb.be/en/articles/circular-nbb201813-eba-guidelines-security-measures-operational-and-security-risks-payments
BG	Bulgaria Bulgarian National Bank	Yes	As at 17/07/2019, notification date.
CZ	Czech Republic Czech National Bank	Yes	As at 12.03.2018, notification date.
DK	Denmark Danish Financial Supervisory Authority	Intends to comply**	By 01.07.2020, 01.01.2019

		Competent authority	Complies or intends to comply	Comments
				The Danish FSA intends to implement the guidelines into national law. However, the Danish FSA awaits the guidelines on JCT and security risk management as well as the forthcoming guidelines on outsourcing before doing so, as the national regulation will have to accommodate the proposed guidelines.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Intends to comply**	<p>By 31.12.2019. By 31.03.2019. BaFin intends to integrate the content of the Guidelines into the existing national rulebook for IT-supervision to avoid duplications of and possible contradictions with existing regulatory requirements. The necessary regulatory procedures should be completed by 31.03.2019 at the latest.</p> <p>Update 14.01.2020. BaFin intends to integrate the content of the Guidelines into the existing national rulebook for IT-supervision to avoid duplications of and possible contradictions with existing regulatory requirements. The necessary regulatory procedures should be completed by 31.12.2020 at the latest.</p>
EE	Estonia	Finantsinspektsioon	Yes	As at 26.02.2018, notification date.
IE	Ireland	Central Bank of Ireland	Yes	As at 09.03.2018, notification date.
EL	Greece	Bank of Greece	Intends to comply**	<p>By end of April 2019. By such time as the necessary legislative or regulatory proceedings have been completed.</p>
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Yes	<p>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: https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_66_1330.html</p>

		Competent authority	Complies or intends to comply	Comments
ES	Spain	Banco de España	Intends to comply**	By such time as the necessary legislative or regulatory proceedings implementing 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	Yes	As at 21.02.2018, notification date.
IT	Italy	Bank of Italy	Intends to comply**	By 01.09.2019 30.06.2018.
CY	Cyprus	Central Bank of Cyprus	Yes	As at 17.04.2019, notification date.
LV	Latvia	Financial and Capital Market Commission	Yes	As at 01.02.2019, notification date. EBA Guidelines are implemented by the FCMC Regulations No 158 of 26 September 2018 Regulations on Information Systems Security: (http://www.fctk.lv/attachments/article/5272/Regulations%20on%20Information%20Systems%20Security.pdf)
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.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Yes	As at 05.02.2019, notification date.
HU	Hungary	Central Bank of Hungary	Yes	As at 13.03.2018, notification date. On 13 th January 2018 MNB activated a notification portal so called ERA through which the PSPs can fulfil the reporting obligation relating to the operational and security risks assessment and mitigation measures implemented by them in accordance with Article 95(2) of Directive (EU) 2015/2366 (PSD2). PSPs were informed and are aware of the fact that the establishment of the framework with appropriate mitigation measures and control mechanisms

		Competent authority	Complies or intends to comply	Comments
				to manage the operational and security risks relating to the payment services they provide has to be done in accordance with the EBA Guidelines (EBA/GL/2017/17) published on the EBA website. Furthermore on the basis of the EBA Guideline Hungary will enhance the compulsory nature of the establishment of such a framework by issuing MNB Guidelines addressed to PSPs by 30.05.2018.
MT	Malta	Malta Financial Services Authority	Yes	As at 12.03.2018, notification date. Please note that these Guidelines are the joint responsibility of both the MFSA and CBM and both have agreed to comply with these Guidelines.
		Central Bank of Malta	Yes	As at 12.03.2018, notification date. Please note that these Guidelines are the joint responsibility of both the MFSA and CBM and both have agreed to comply with these Guidelines.
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 12.03.2018, notification date.
PT	Portugal	Banco de Portugal	Intends to comply**	By 31.03.2019. Banco de Portugal Intends to comply with the Guidelines on security measures for operational and security risks by such time as the necessary legislative or regulatory proceedings have been completed, which is expected to be 31.03.2019.

		Competent authority	Complies or intends to comply	Comments
				By the date of transposition of the PSD2 into national law, Banco de Portugal intends to comply with the Guidelines by the date of transposition of the PSD2 into national law assuming that it will be designated as the national competent authority (similarly to what happened in the transposition of the first PSD).
RO	Romania	National Bank of Romania	Intends to comply**	As of date of entering into force of the law transposing the PSD2. still the same
SI	Slovenia	Bank of Slovenia	Yes	As at 02.03.2018, notification date. https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-0469?so=2018-01-0469
SK	Slovakia	Národná banka Slovenska	Yes	As at 05.02.2019, notification date.
FI	Finland	Finanssivalvonta (FIN-FSA)	Yes	As at 15.02.2018, notification date.
SE	Sweden	Swedish Financial Supervisory Authority	Yes	As at 28.01.2019, notification date.
UK	United Kingdom	PRA	Not applicable	The scope of the Guidelines are outside of the scope of PRA competence, and are therefore not applicable to the UK PRA. The relevant UK authority is responding.
		Financial Conduct Authority (FCA)	Yes	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. http://www.legislation.gov.uk/ukxi/2017/752/pdfs/ukxi_20170752_en.pdf On 19 December 2017 we published that we expect all businesses to comply with the EBA Guidelines from 13 January 2018. https://www.fca.org.uk/news/statements/eba-guidelines-operational-and-security-risks-under-psd2

		Competent authority	Complies or intends to comply	Comments
EEA – EFTA State				
IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed. – still the same
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	Yes*	Complies with the guidelines as of 1 October 2019.
NO	Norway	The Financial Supervisory Authority of Norway	Yes*	As at 20.09.2019, notification date. 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/EU) into the EEA-agreement. A new regulation of 15 February 2019, regarding systems of payment services (Forskrift om systemer for betalingstjenester) ensures implementation of the provisions of the PSD2 directive art. 95 (1) and (2) regarding “Management of operational and security risks”. The new regulation came into force on 1. April 2019. The Financial Supervisory Authority of Norway (FSA) provided information about the EBA/GL/2017/17 on its webpage in April 2019 (https://www.fynanstilsynet.no/tema/psd-2---eus-reviderte-betalingstjenestedirektiv/psd2-arlig-rapportering-til-finanstilsynet-om-foretakets-riskovurderinger/)
European Territories under Article 355(3) TFEU				
UK	United Kingdom	Gibraltar Financial Services Commission	Yes	As at 23.05.2018, 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.