

Recommendations compliance table

EBA/REC/2015/01 Appendix 1

25 August 2015 / Updated - 3
February 2016

Recommendations on Equivalence of Confidentiality Regimes

The following competent authorities* comply or intend to comply with EBA's Recommendations on Equivalence of Confidentiality Regimes:

Member State	Competent authority	Complies or intends to comply	Comments
BE	Belgium National Bank of Belgium	Yes	As at 25 th July 2015 (Notification date). The NBB complies with the recommendation. No specific document to implement this Recommendation has been published but will use the Recommendation in its international cooperation involving the countries included in the recommendation.
BG	Bulgaria Българска народна банка (Bulgarian National Bank)	Yes	As at 31 st July 2015 (notification date).
CZ	Czech Republic Česká Národní Banka (Czech National Bank)	Yes	As at 2 nd June 2015 (notification date).
DK	Denmark Finanstilsynet (Danish Financial Supervisory Authority)	Yes	As at 14 th July 2015 (notification date).

		Competent authority	Complies or intends to comply	Comments
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)	Yes	As at 25 th August 2015 (notification date).
EE	Estonia	Finantsinspektsioon (Financial Supervision Authority)	Yes	As at 17 th August 2015 (notification date).
IE	Ireland	Central Bank of Ireland	Yes	As at 24 th June 2015 (notification date).
EL	Greece	Τράπεζα της Ελλάδος (Bank of Greece)	Intends to comply**	By 1 st September 2015
HR	Croatia	National Bank of Croatia	Yes	As at 8 th July 2015. We adopted recommendations on Equivalence of Confidentiality Regimes in Written Coordination and Cooperation Agreements accepting supervisors from countries listed in the Recommendation to participate in the college as observers
ES	Spain	Banco de España (Bank of Spain)	Yes	As at 29 th May 2015 (Notification date).
FR	France	Autorité de Contrôle Prudentiel et de Résolution (Prudential Supervisory & Resolution Authority)	Yes	03.02.2016 – Updated: As at 19.10.2015 (Notification date). Please note that we comply with these recommendations by internal doctrine.
IT	Italy	Banca d'Italia (Bank of Italy)	Yes	As at 24 th August 2015 (Notification date). The Italian institutional framework does not require legislative and/or regulatory provisions for the application of the recommendations on the equivalence of confidentiality regimes of third countries. The Banca d'Italia supervisory approaches and practices in respect to cooperation and information exchange with third countries are aligned with the EBA

		Competent authority	Complies or intends to comply	Comments
				recommendations.
CY	Cyprus	Κεντρική Τράπεζα της Κύπρου (Central Bank of Cyprus)	Yes	<i>As at 24th August 2015 (Notification date)</i>
LV	Latvia	Finanšu un Kapitāla tirgus Komisija (Financial and Capital Market Commission)	Yes	<i>As at 28^h August 2015 (Notification date)</i>
LT	Lithuania	Lietuvos Bankas (Bank of Lithuania)	No Response	No notification of compliance was received by the EBA within the two-month time limit.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (Commission for the Supervision of Financial Sector)	Yes	<i>As at 28^h August 2015 (Notification date)</i>
HU	Hungary	Magyar Nemzeti Bank (National Bank of Hungary)	Yes	<i>As at 14th July 2015 (Notification date)</i>
MT	Malta	Malta Financial Services Authority	Intends to comply**	Updated: 26 th January 2016 - by such time as the necessary legislative or regulatory proceedings have been completed.
NL	Netherlands	Autoriteit Financiële Markten (Authority for the Financial Markets)	Yes	<i>As at 7th August 2015 (Notification date)</i>
AT	Austria	Finanzmarktaufsicht (Financial Market Authority)	Yes	<i>As at 2nd June 2015 (Notification date)</i>
PL	Poland	Komisja Nadzoru Finansowego (Polish Financial Supervision Authority)	Yes	<i>As at 13th July 2015 (Notification date)</i>
PT	Portugal	Banco de Portugal (Bank of Portugal)	Yes	<i>As at 25th August 2015 (Notification date).</i>
RO	Romania	Banca Națională a României (National Bank of Romania)	Yes	<i>As at 25th August 2015 (Notification date).</i>

		Competent authority	Complies or intends to comply	Comments
SI	Slovenia	Banka Slovenije (Bank of Slovenia)	Yes	<p>As at 21st August 2015 (Notification date).</p> <p>Paragraph 3 of Article 295 of the Banking Act stipulates:</p> <p>(3) The following authorities may participate in the college; the competent authorities responsible for the supervision of subsidiaries of an EU parent bank, EU parent financial holding company or EU parent mixed financial holding company, and the competent authorities of the Member State in which the significant branches referred to in Article 286 of this Act are established, the European Banking Authority and ESCB central bank as appropriate, and the competent authorities of third countries (members of the college), if they are subject to confidentiality requirements that are equivalent to the obligation set out in Subsection 2.2.1 of this Act.</p> <p>Bank of Slovenia considers the confidentiality regimes applicable to third country listed in the ANNEX of the Recommendations on the equivalence of confidentiality regimes in supervisory processes.</p>
SK	Slovakia	Národná Banka Slovenska (National Bank of Slovakia)	Yes	<p>As at 24th August 2015 (notification date).</p>
FI	Finland	Finanssivalvonta (Finnish Financial Supervisory Authority)	Yes	<p>As at 19th August 2015 (Notification date).</p> <p>The recommendation will be taken into account in our supervisory practices when needed. So far we have not published any national measures regarding the recommendation.</p>
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Yes	<p>As at 28th August 2015 (Notification date)</p>

		Competent authority	Complies or intends to comply	Comments
UK	United Kingdom	Prudential Regulation Authority (PRA)	Yes	<i>As at 25th August 2015 (Notification date).</i>
		Financial Conduct Authority (FCA)	Yes	<i>As at 2nd June 2015 (Notification date).</i>

EU Institutions - Agencies

ECB	ECB	ECB	Yes	<i>As at 14th August 2015 (Notification date).</i>
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EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Icelandic Financial Supervisory Authority - FME)	Intends to comply**	By February 2016
LI	Liechtenstein	Finanzmarktaufsicht - FMA (Financial Market Authority)	Yes	<i>As at 1st June 2015 (Notification date).</i>
NO	Norway	Finanstilsynet (Norwegian Financial Supervisory Authority)	Yes	<i>As at 21st August 2015 (Notification date).</i>

European Territories under Article 355(3) TFEU

UK	United Kingdom	Financial Services Commission (Gibraltar)	Not applicable	The Guidelines do not apply to the jurisdiction of the competent authority.
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*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.