

## GUIDELINES COMPLIANCE TABLE

### Guidelines on the cooperation between authorities under Articles 17 and 23 of Regulation (EU) No 909/2014 (CSDR) [ref. ESMA70-151-435]

The following competent authorities comply or intend to comply with ESMA's Guidelines on the cooperation between authorities under Articles 17 and 23 of Regulation (EU) No 909/2014 (CSDR):

		Competent authority	Complies or intends to comply	Comments
<b>Member States</b>				
AT	Austria	Financial Market Authority (FMA)	Yes	<p>The links to the FMA website that show full compliance with all obligations stemming from the CSDR-Guidelines:</p> <p><a href="#">ESMA-Leitlinien und andere Konvergenzinstrumente - FMA Österreich</a></p> <p><a href="#">ESMA Guidelines and other Convergence Instruments - FMA Österreich</a></p>
BE	Belgium	National Bank of Belgium (NBB)	Yes	<p>NBB endorsement of guidelines on 17 April 2018. Additionally, the guidelines are published in the NBB website under the following link: <a href="https://www.nbb.be/en/financial-oversight/general/news/circulars-and-communications">https://www.nbb.be/en/financial-oversight/general/news/circulars-and-communications</a>. No additional national measures were needed/taken to ensure compliance with the guidelines.</p>
BG	Bulgaria	Financial Supervision Commission (FSC)	Yes	<p>The compliance with the guidelines is secured through their implementation in Ordinance № 8 adopted by the FSC. It is available</p>

		Competent authority	Complies or intends to comply	Comments
				via the link hereunder: <a href="https://www.fsc.bg/wp-content/uploads/2023/04/N_8_DV_36_2023-1.pdf">https://www.fsc.bg/wp-content/uploads/2023/04/N_8_DV_36_2023-1.pdf</a> .
CY	Cyprus	Cyprus Securities and Exchange Commission (CySEC)	Yes	CySEC Circular C241 <a href="https://www.cysec.gov.cy/CMSPages/GefFile.aspx?guid=01119bf9-0c94-40c8-99c0-797a7a134c20">https://www.cysec.gov.cy/CMSPages/GefFile.aspx?guid=01119bf9-0c94-40c8-99c0-797a7a134c20</a>
CZ	Czech Republic	Czech National Bank (CNB)	Yes	CNB provided a link to the part of the CNB website where information on ESMA guidelines is published <a href="https://www.cnb.cz/cs/dohled-financni-trh/legislativni-zakladna-obchodni-systemy-vyporadani-a-ochrana-trhu/metodicke-a-vykladove-materialy/">https://www.cnb.cz/cs/dohled-financni-trh/legislativni-zakladna-obchodni-systemy-vyporadani-a-ochrana-trhu/metodicke-a-vykladove-materialy/</a>
DK	Denmark	Finanstilsynet	Yes	<a href="https://www.csd.dk/">CSDR (finansstilsynet.dk)</a>
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Yes	
EE	Estonia	Estonian Financial Supervision Authority (FSA)	Yes	<a href="https://www.fi.ee/et/juhendid/investment-market/esma-suuniste-asutuste-koostoo-vastavalt-maaruse-el-nr-9092014-artiklitele-17-ja-23-valjaandmine">https://www.fi.ee/et/juhendid/investment-market/esma-suuniste-asutuste-koostoo-vastavalt-maaruse-el-nr-9092014-artiklitele-17-ja-23-valjaandmine</a>
EL	Greece	Hellenic Capital Market Commission (HCMC)	Yes	The HCMC has published an announcement (on 5/6/2018) on its website regarding its compliance status with the Guidelines (see at: <a href="http://www.hcmc.gr/el_GR/web/portal/elib/news">http://www.hcmc.gr/el_GR/web/portal/elib/news</a> ). According to the

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				<p>announcement, the HCMC has incorporated said GLs in its supervisory practice.</p> <p>See also:</p> <p><a href="http://www.hcmc.gr/en_US/web/portal/esmaguidelines">http://www.hcmc.gr/en_US/web/portal/esmaguidelines</a></p>
ES	Spain	Comisión Nacional del Mercado de Valores (CNMV)	<b>Yes</b>	<p>CNMV confirmed that no additional national measures were needed to implement ESMA's guidelines apart from the formal approval by CNMV of the decision to adopt each guideline.</p> <p>Additionally, the adopted guidelines are:</p> <ul style="list-style-type: none"> <li>• Considered in the authorisation, review, evaluation and supervision of the entities affected by these guidelines.</li> </ul> <p>Published on CNMV's website under the Market Infrastructure section  <a href="https://www.cnmv.es/portal/Gpage.aspx?id=LegESMA&amp;lang=en">https://www.cnmv.es/portal/Gpage.aspx?id=LegESMA&amp;lang=en</a></p>
FI	Finland	Finanssivalvonta (FSA)	<b>Yes</b>	<p>Because the Guideline on cooperation between authorities is addressed to authorities only there are no special national implementation measures concerning the Guideline.</p>
FR	France	Banque de France	<b>Yes</b>	
		Autorité des Marchés Financiers (AMF)	<b>Yes</b>	

		Competent authority	Complies or intends to comply	Comments
HR	Croatia	Hrvatska agencija za nadzor financijskih usluga (HANFA)	Yes	<p>These Guidelines are implemented into the supervisory practices of Hanfa which is a national competent authority responsible for the authorisation and supervision of CSDs established in Croatia in accordance with Article 11(1) of CSDR. Under the general provision of Article 2(4) of the <a href="#">Croatian Capital Market Act (Croatian Official Gazette No. 65/18, 17/20, 83/21 and 151/22</a>, available in Croatian only) all the guidelines issued by European supervisory authorities (ESAs) by their powers are binding for Hanfa and persons/entities to whom the guidelines apply. These Guidelines are applicable in Croatia since the issuance of Hanfa's Notification on the compliance with these Guidelines on April 12<sup>th</sup> 2018. Hanfa sent a notification it intends to comply with the guidelines one the Capital Market Act which regulates the implementation of CSDR in the Croatian law, enters into force, i.e. July 27<sup>th</sup> 2018.</p> <p>The list of Esma Guidelines for which Hanfa notified compliance (including CSDR guidelines) is available on Hanfa's <a href="#">web page</a> (available in Croatian language only).</p>
HU	Hungary	Magyar Nemzeti Bank (MNB)	Yes	<p>Mean of implementation: MNB's inner policy - 2020-231. alelnöki utasítás</p> <p>a Pénzügyi infrastruktúrák igazgatóság feladatkörébe tartozó hatósági és egyéb</p>

		Competent authority	Complies or intends to comply	Comments
				eljárások részletszabályairól. Link not available as it is not a public document.
IE	Ireland	Central Bank of Ireland	<b>Intends to comply</b>	When a CSD is authorised in Ireland or when receives any of the documents listed in Section 4.2.3 of the Guidelines.
IT	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	<b>Yes</b>	<a href="https://www.consob.it/documents/1912911/1979011/Avviso_20180518.pdf/a8da839b-f080-76c1-8e26-9b235d1aac6d">https://www.consob.it/documents/1912911/1979011/Avviso_20180518.pdf/a8da839b-f080-76c1-8e26-9b235d1aac6d</a>
LV	Latvia	Latvijas Banka	<b>Yes</b>	
LT	Lithuania	Bank of Lithuania	<b>Yes</b>	
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	<b>Yes</b>	The CSSF has integrated their provisions in their internal procedures and administrative practice. They have shared these procedures during the CSDR Review exercise in 2022 and mentioned those on Article 23 during the PTWG meeting in Julia (CSSF's best practices identified during the CSDR PR).
MT	Malta	Malta Financial Services Authority (MFSA)	<b>Yes</b>	Part V, Section 6 (R5-6.1) 'CSDs and Cooperation Between Authorities' of the <a href="#">Financial Market Rules</a> , highlights the requirements where the Guidelines on the cooperation between authorities under Articles 17 and 23 of Regulation (EU) No 909/2014 (CSDR) have been adopted.
NL	Netherlands	Netherlands Authority for the Financial Markets (AFM)	<b>Yes</b>	<a href="https://www.afm.nl/~profmedi/files/onderwerpen/richtsnoeren/esma-guideline-">https://www.afm.nl/~profmedi/files/onderwerpen/richtsnoeren/esma-guideline-</a>

		Competent authority	Complies or intends to comply	Comments
				<a href="#">cooperation-authorities-art-17-23.pdf</a>
PL	Poland	Komisja Nadzoru Finansowego (KNF)	<b>Yes</b>	<p>KNF incorporated the guidelines into its supervisory practices.</p> <p>Link to Guidelines has been attached on the KNF website: <a href="https://www.knf.gov.pl/dla_rynku/regulacje_i_praktyka/Rozporzadzenie_CSDR">https://www.knf.gov.pl/dla_rynku/regulacje_i_praktyka/Rozporzadzenie_CSDR</a>.</p> <p>No additional national measures were needed to ensure compliance.</p>
PT	Portugal	Comissão do Mercado de Valores Mobiliários (CMVM)	<b>Yes</b>	
RO	Romania	Romanian Financial Supervisory Authority (ASF)	<b>Yes</b>	
SE	Sweden	Finansinspektionen (FI)	<b>Yes</b>	<p>FI publishes information on Guidelines on its website:</p> <p><a href="https://www.fi.se/sv/marknad/regler/bors-clearing-och-vardepapperscentraler/internationella-riktlinjer/">https://www.fi.se/sv/marknad/regler/bors-clearing-och-vardepapperscentraler/internationella-riktlinjer/</a></p>
SI	Slovenia	Securities Market Agency (SMA)	<b>Yes</b>	<p>Decisions on the application of the guidelines have been published on the SMA website: <a href="https://www.atvp.si/pVxL0zn1N4qOTnRd/sklepi-o-uporabi-smernic">https://www.atvp.si/pVxL0zn1N4qOTnRd/sklepi-o-uporabi-smernic</a></p>
SK	Slovakia	National Bank of Slovakia (NBS)	<b>Yes</b>	NBS published on their website information about the guidelines together with an

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				<p>electronic link to its Slovak and English version:</p> <p><a href="https://nbs.sk/dohlad-nad-financnym-trhom/legislativa/legislativa/detail-dokumentu/usmernenia-esma-z-28-marca-2018-c-esma70-151-435-sk-spolupraca-medzi-organmi-podla-clankov-17-az-23-nariadenia-eu-c-909-2014/">https://nbs.sk/dohlad-nad-financnym-trhom/legislativa/legislativa/detail-dokumentu/usmernenia-esma-z-28-marca-2018-c-esma70-151-435-sk-spolupraca-medzi-organmi-podla-clankov-17-az-23-nariadenia-eu-c-909-2014/</a></p> <p><a href="https://nbs.sk/en/dohlad-nad-financnym-trhom/legislativa/legislativa/detail-dokumentu/esma-guidelines-of-11-july-2017-no-esma70-151-435-guidelines-on-cooperation-between-authorities-under-articles-17-and-23-of-regulation-eu-no-909-2014/">https://nbs.sk/en/dohlad-nad-financnym-trhom/legislativa/legislativa/detail-dokumentu/esma-guidelines-of-11-july-2017-no-esma70-151-435-guidelines-on-cooperation-between-authorities-under-articles-17-and-23-of-regulation-eu-no-909-2014/</a></p> <p>By publishing guidelines on their website, they expect from their supervised entities to be in compliance with them.</p>
<b>EEA EFTA States **</b>				
IS	Iceland	Central Bank of Iceland	<b>Yes</b>	
LI	Liechtenstein	Finanzmarktaufsicht (FMA)	<b>Yes</b>	<p>FMA-Liechtenstein publishes all guidelines in their website under the following link:</p> <p><a href="https://www.fma.li.li/de/regulierung/regulierung-en-der-europaischen-aufsichtsbehorden/guidelines.html">https://www.fma.li.li/de/regulierung/regulierung-en-der-europaischen-aufsichtsbehorden/guidelines.html</a></p>

		Competent authority	Complies or intends to comply	Comments
NO	Norway	Finanstilsynet	Yes	As the guideline is only aimed at national supervisory authorities and not at market players, Finanstilsynet has not published the guideline on their website.

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#### European Territories under Article 355(3) TFEU

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\* 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 or recommendations 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 or recommendations in force in the jurisdiction concerned.

\*\*[Please select one of Options A, B or C below, depending on whether the underlying legal acts have been incorporated in the EEA Agreement.]

**[Option A (all underlying legal acts have been incorporated in the EEA Agreement.)]** The competent authorities of the EEA States other than the Member States of the European Union are required to notify their compliance with ESMA’s guidelines or recommendations relating to a legal act that has been incorporated in the EEA Agreement. This compliance table reports on guidelines relating to Regulation (EU) No 909/2014, which has been incorporated in the EEA Agreement.

**[Option B (none of the underlying legal acts have been incorporated in the EEA Agreement.)]** The competent authorities of the EEA States other than the Member States of the European Union are required to notify their compliance with ESMA’s guidelines or recommendations relating to a legal act that has been incorporated in the EEA Agreement. This compliance table reports on guidelines relating to the Regulation (EU) No 909/2014, which has not yet been incorporated in the EEA Agreement. This table is therefore based on information provided from those competent authorities of the EEA States on a voluntary basis.

**[Option C (some but not all of the underlying legal acts have been incorporated in the EEA Agreement.)]** The competent authorities of the EEA States other than the Member States



of the European Union are required to notify their compliance with ESMA's guidelines or recommendations relating to a legal act that has been incorporated in the EEA Agreement. This compliance table reports on guidelines relating to the Regulation (EU) No 909/2014, which has been incorporated in the EEA Agreement. This compliance table also reports on guidelines relating to the Regulation (EU) No 909/2014 which has not yet been incorporated in the EEA Agreement. This table is to that extent based on information provided from those competent authorities of the EEA States on a voluntary basis.

#### Notes

*Article 16(3) of Regulation (EU) No 1095/2010 (the ESMA Regulation) requires national competent authorities to inform us whether they comply or intend to comply with each set of guidelines or recommendations 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.*

*ESMA endeavours to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, ESMA cannot accept responsibility for its content 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 our website ([www.esma.europa.eu](http://www.esma.europa.eu)).*