



# Guidelines compliance table

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ESMA35-43-1430

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29 October 2021

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## Guidelines on MiFID II suitability requirements (ESMA35-43-1163)

The following competent authorities\* comply or intend to comply with ESMA Guidelines on product governance:

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
<b>Member States</b>				
BE	Belgium	Financial Services and Markets Authority (FSMA)	<b>Yes</b>	As of 29.03.2019, notification date
BG	Bulgaria	Financial Supervision Commission (FSC)	<b>Yes</b>	As of 05.06.2020
CZ	Czech Republic	Czech National Bank (CNB)	<b>Yes</b>	As of 18.12.2018, notification date
DK	Denmark	Finanstilsynet	<b>Yes</b>	As of 09.11.2018, notification date
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	<b>Yes</b>	As of 29.04.2020
EE	Estonia	Estonian Financial Supervision Authority (FSA)	<b>Yes</b>	As of 17.12.2018, notification date
IE	Ireland	Central Bank of Ireland	<b>Yes</b>	As of 17.12.2018, notification date

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
EL	Greece	Hellenic Capital Market Commission (HCMC)	<b>Yes</b>	As of 07.01.2019, notification date
ES	Spain	Comisión Nacional del Mercado de Valores (CNMV)	<b>Yes</b>	As of 21.12.2018, notification date
FR	France	Autorité des Marchés Financiers (AMF)	<b>Yes</b>	As of 17.01.2019, notification date
		Autorité de Contrôle Prudentiel et de Résolution (ACPR)	<b>Yes</b>	As of 18.02.2019, notification date
HR	Croatia	Hrvatska agencija za nadzor financijskih usluga (HANFA)	<b>Yes</b>	As of 10.01.2019, notification date
IT	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	<b>Yes</b>	As of 30.11.2018, notification date
CY	Cyprus	Cyprus Securities and Exchange Commission (CySEC)	<b>Yes</b>	As of 04.01.2019, notification date
LV	Latvia	Financial and Capital Market Commission (FCMC)	<b>Yes</b>	As of 07.01.2019, notification date
LT	Lithuania	Bank of Lithuania	<b>Yes</b>	As of 18.12.2018, notification date
LU	Luxembourg	Commission de Surveillance du Secteur	<b>Yes</b>	As of 07.01.2019, notification date

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
		Financier (CSSF)		
HU	Hungary	Magyar Nemzeti Bank (MNB)	<b>Yes</b>	As of 15.04.2019, notification date
MT	Malta	Malta Financial Services Authority (MFSA)	<b>Yes</b>	As of 28.01.2019, notification date
NL	Netherlands	Netherlands Authority for the Financial Markets (AFM)	<b>Yes</b>	As of 11.01.2019, notification date
AT	Austria	Financial Market Authority (FMA)	<b>Yes</b>	As of 13.12.2018, notification date
PL	Poland	Komisja Nadzoru Finansowego (KNF)	<b>Yes</b>	As of 04.01.2019, notification date
PT	Portugal	Comissão do Mercado de Valores Mobiliários (CMVM)	<b>Yes</b>	As of 04.01.2019, notification date
RO	Romania	Romanian Financial Supervisory Authority (ASF)	<b>Yes</b>	As of 14.06.2019, notification date
SI	Slovenia	Securities Market Agency (SMA)	<b>Yes</b>	As of 04.01.2019, notification date
SK	Slovakia	National Bank of Slovakia (NBS)	<b>Yes</b>	As of 10.12.2018, notification date
FI	Finland	Finanssivalvonta (FSA)	<b>Yes</b>	As of 11.02.2019, notification date
SE	Sweden	Finansinspektionen (FI)	<b>Yes</b>	As of 01.01.2019, notification date

		Competent authority	Complies or intends to comply	Comments
<b>EEA EFTA States**</b>				
IS	Iceland	Fjármálaeftirlitið (FME)	<b>Intends to comply</b>	By when the legislative proceedings for the incorporation of MiFID II in the EEA agreement have been completed
LI	Liechtenstein	Finanzmarktaufsicht (FMA)	<b>Intends to comply</b>	By when the legislative proceedings for the incorporation of MiFID II in the EEA agreement have been completed
NO	Norway	Finanstilsynet	<b>Yes</b>	As of 07.01.2019, notification date
GB	United Kingdom***	Financial Conduct Authority (FCA)	<b>Yes</b>	As of 21.12.2018, notification date
GI	Gibraltar***	Financial Services Commission (Gibraltar)	<b>Yes</b>	As at 03.01.2019, notification date

\*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.

\*\*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 relating to a legal act that has been incorporated in the EEA Agreement. This compliance table reports on Guidelines relating to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (MiFID II), which has not yet been incorporated in the EEA Agreement. This table is therefore based on information provided from those competent Authorities on a voluntary basis.

\*\*\*The United Kingdom formally left the EU on 31 January 2020, following which the withdrawal agreement entered into force. The withdrawal agreement marked the start of a transition period which lasted until 31 December 2020, whereby the UK was no longer an

EU Member State, but EU law continued to apply to it. The compliance status recorded in this table for the competent authorities of the United Kingdom and the European territories for whose external relations it is responsible under Article 355(3) TFEU (Gibraltar) therefore reflects their compliance status as at 31 December 2020 and is retained for the purpose of historical information. Please note that, from 1 January 2021, EU law no longer applies to those competent authorities.

## 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 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.

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))