

GUIDELINES COMPLIANCE TABLE

 ESMA35-43-1968

 Updated on 1 June 2023

Guidelines on cross-selling practices [ESMA/2016/574]

The following competent authorities have informed ESMA that they comply, do not comply or intend to comply with the ESMA's guidelines on cross-selling practices:

| | | Competent authority | Complies or intends to comply | Comments |
|----------------------|----------------|---|-------------------------------|----------|
| Member States | | | | |
| BE | Belgium | Financial Services and Markets Authority (FSMA) | Yes | |
| BG | Bulgaria | Financial Supervision Commission (FSC) | Yes | |
| CZ | Czech Republic | Czech National Bank (CNB) | Yes | |
| DK | Denmark | Finanstilsynet | Yes | |
| DE | Germany | Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin) | Yes | |
| EE | Estonia | Estonian Financial Supervision Authority (FSA) | Yes | |
| IE | Ireland | Central Bank of Ireland | Yes | |
| EL | Greece | Hellenic Capital Market | Yes | |

| | | Competent authority | Complies or intends to comply | Comments |
|----|------------|--|--------------------------------------|-----------------|
| | | Commission (HCMC) | | |
| ES | Spain | Comisión Nacional del Mercado de Valores (CNMV) | Yes | |
| | | Autorité des Marchés Financiers (AMF) | Yes | |
| FR | France | Autorité de contrôle prudentiel et de résolution (ACPR) ¹ | Yes | |
| HR | Croatia | Hrvatska agencija za nadzor financijskih usluga (HANFA) | Yes | |
| IT | Italy | Commissione Nazionale per le Società e la Borsa (CONSOB) | Yes | |
| CY | Cyprus | Cyprus Securities and Exchange Commission (CySEC) | Yes | |
| LV | Latvia | Financial and Capital Market Commission (FCMC) | Yes | |
| LT | Lithuania | Bank of Lithuania | Yes | |
| LU | Luxembourg | Commission de Surveillance du | Yes | |

¹ Autorité de Contrôle Prudentiel et de Résolution is the authority responsible for the supervision of structured deposits in France.

| | | Competent authority | Complies or intends to comply | Comments |
|----|-------------|---|--------------------------------------|-----------------|
| | | Secteur Financier (CSSF) | | |
| HU | Hungary | Magyar Nemzeti Bank (MNB) | Yes | |
| MT | Malta | Malta Financial Services Authority (MFSA) | Yes | |
| NL | Netherlands | Netherlands Authority for the Financial Markets (AFM) | Yes | |
| AT | Austria | Financial Market Authority (FMA) | Yes | |
| PL | Poland | Komisja Nadzoru Finansowego (KNF) | Yes | |
| PT | Portugal | Comissão do Mercado de Valores Mobiliários (CMVM) | Yes | |
| RO | Romania | Romanian Financial Supervisory Authority (ASF) | Yes | |
| SI | Slovenia | Securities Market Agency (SMA) | Yes | |
| SK | Slovakia | National Bank of Slovakia (NBS) | Yes | |
| FI | Finland | Finanssivalvonta (FSA) | Yes | |
| SE | Sweden | Finansinspektionen (FI) | Yes | |

EEA EFTA States**

| | | Competent authority | Complies or intends to comply | Comments |
|----|-------------------|---|--------------------------------------|--|
| IS | Iceland | Central Bank of Iceland | Yes | Act no. 115/2021 on Markets in Financial Instruments implemented both MiFID II and MiFIR into the Icelandic national legal order and entered into force on 1 September 2021. The guidelines were published on the home page of the Icelandic Central Bank and a circular sent to relevant regulated entities on 20 October 2021. |
| LI | Liechtenstein | Finanzmarktaufsicht (FMA) | Yes | |
| NO | Norway | Finanstilsynet | Yes | |
| GB | United Kingdom*** | Financial Conduct Authority (FCA) | Yes | |
| GI | Gibraltar*** | Financial Services Commission (Gibraltar) | Yes | |

*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 been incorporated in the EEA Agreement.

*** 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)