

GUIDELINES COMPLIANCE TABLE

Guidelines on methodology, oversight function and record-keeping requirements under the Benchmarks Regulation (ESMA81-393-288)

The following competent authorities comply or intend to comply with ESMA's Guidelines on methodology, oversight function and record-keeping requirements under the Benchmarks Regulation:

		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)	Intends to comply *	Intends to comply by 31st May 2022
BG	Bulgaria	Bulgarian National Bank	Intends to comply *	Intends to comply by the date a relevant institution or instrument will exist in the jurisdiction
CZ	Czech Republic	Czech National Bank (CNB)	Yes	
DK	Denmark	Finanstilsynet	Yes	
DE	Germany	BaFin	Yes	
EE	Estonia	Finantsinspektsioon (FSA)	Yes	https://www.fi.ee/et/juhendid/pangandus-ja-krediit/euroopa-vaartpaberiturujarelevalve-esma-suuniste-suunised-vordlusaluste-maaruse-kohaselt-kasutatava
IE	Ireland	Central bank of Ireland	Yes	
EL	Greece	Hellenic Capital Market Commission (HCMC)	Yes	http://www.hcmc.gr/el_GR/web/portal/eli/b/news

		Competent authority	Complies or intends to comply	Comments
ES	Spain	Comisión Nacional del Mercado de Valores (CNMV)	Yes	http://www.cnmv.es/DocPortal/Quees/Procedimientos/P01-Supervision-e-inspeccion_en.pdf
FR	France	Autorité des Marchés Financiers (AMF)	Yes	https://www.amf-france.org/en/news-publications/news/benchmarks-amf-will-apply-esma-guidelines
HR	Croatia	Hrvatska agencija za nadzor financijskih usluga (HANFA)	Yes	OSN - Smjernice o metodologiji, funkciji nadzora i vođenju evidencije u skladu s Uredbom o referentnim vrijednostima (ESMA81-393-288)
IT	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Yes	
CY	Cyprus	Cyprus Securities and Exchange Commission (CySEC)	Yes	https://www.cysec.gov.cy/public-info/circulars/supervised/BENCHMARK-PROVIDERS/92548/
LV	Latvia	Financial and Capital Market Commission (FCMC)	Intends to comply *	Intends to comply by the date a relevant institution or instrument will exist in the jurisdiction
LT	Lithuania	Lietuvos bankas (LB)	Intends to comply *	Intends to comply by the date a relevant institution or instrument will exist in the jurisdiction
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Yes	
HU	Hungary	Magyar Nemzeti Bank (MNB)	Intends to comply *	Intends to comply by the date a relevant institution or instrument will exist in the jurisdiction
MT	Malta	Malta Financial Services Authority (MFSA)	Yes	
NL	Netherlands	Authority for the Financial Markets (AFM)	Yes	
AT	Austria	Financial Market Authority (FMA)	Yes	https://www.fma.gv.at/en/eu/esma-guidelines/
PL	Poland	Komisja Nadzoru Finansowego (KNF)	Yes	

		Competent authority	Complies or intends to comply	Comments
PT	Portugal	Comissão do Mercado de Valores Mobiliários (CMVM)	Yes	https://www.cmvm.pt/pt/Cooperacao/esma/DocumentosESMACESR/Documentos/guidelines%20bmr.pdf .
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 **				
IS	Iceland	Central Bank of Iceland	Intends to comply	By the time an administrator of the relevant benchmarks is operating in the jurisdiction
LI	Liechtenstein	Finanzmarktaufsicht (FMA)	Yes	https://www.fma-li.li/files/list/fma-mitteilung-2012-2-anwendung-esma-leitlinien.pdf
NO	Norway	Finanstilsynet	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 Regulation (EU) 2016/1011, 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.

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).