



Guidelines compliance table

Guidelines and Recommendations for establishing consistent, efficient and effective assessments of interoperability arrangements (ESMA/2013/322)

The following competent authorities comply or intend to comply with ESMA Guidelines for establishing consistent, efficient and effective assessments of interoperability arrangements.

Member State		Competent authority	Complies
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Yes
EL	Greece	Ελληνική Επιτροπή Κεφαλαιαγοράς (HCMC)	Yes
ES	Spain	Comisión Nacional del Mercado de Valores (CNMV)	Yes
FR	France	Autorité des Marchés Financiers	Yes
		Autorité de contrôle prudentiel et de résolution	
		Banque de France	
HR	Croatia	Hrvatska agencija za nadzor financijskih usluga (HANFA)	Intends to comply
IT	Italy	Commissione Nazionale per le Società e la Borsa (CONSOB)	Yes
		Banca d'Italia	
HU	Hungary	Magyar Nemzeti Bank (MNB)	Yes
NL	Netherlands	De Nederlandsche Bank (DNB)	Yes
		Autoriteit Financiële Markten (AFM)	Yes
AT	Austria	Finanzmarktaufsicht (FMA)	Yes
PL	Poland	Komisji Nadzoru Finansowego (KNF)	Yes
PT	Portugal	Comissão do mercado de valores mobiliários (CMVM)	Yes
SE	Sweden	Finansinspektionen (FI)	Yes



UK	United Kingdom	Bank of England	Yes
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Notes

Article 16(3) of the ESMA Regulation requires national competent authorities to inform us whether they comply or intend to comply with each Guideline or recommendation ESMA issues. If a competent authority does not comply or does not intend to comply it must inform ESMA of the reasons. ESMA decides on a case by case basis whether to publish reasons.

Please note that, jurisdictions where there is currently no CCP do not appear in the table at this stage. ESMA is confirming whether nevertheless the relevant national competent authority(ies), designated as such under Article 22 of EMIR, intend(s) to comply. Updates of this compliance table will be published accordingly when necessary. In any case, as soon as an entity files an application for authorisation under Regulation (EU) 648/2012 of the European Parliament and Council on OTC derivatives, central counterparties and trade repositories (EMIR), the corresponding competent authority will be considered “non-compliant” unless it formally confirms its compliance to ESMA.

Furthermore Latvia and Luxembourg have not designated any competent authorities in relation to Article 22 of EMIR so, in those jurisdictions, no authority has a duty to inform ESMA whether they intend to comply.

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.

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 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 our website (www.esma.europa.eu)