

## Guidelines compliance table

EBA/GL/2018/05

18 July 2018; Date of application – 1 January 2019 (updated 07 December 2022)

### Guidelines on fraud reporting under the Payment Services Directive 2 (PSD2)

The following competent authorities\* comply or intend to comply with the EBA's Guidelines on Fraud Reporting Guidelines under PSD2:

	<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
Member State			
BE	Belgium National Bank of Belgium	<b>Yes</b>	As of notification date, 11.03.2021. The National Bank of Belgium (NBB) is compliant with these Guidelines and has implemented them in its supervision via a circular of 24 March 2020 (NBB_2020_007).  The circular is published on the NBB's website (French and Dutch): Link to French version : <a href="https://www.nbb.be/doc/cp/fr/2020/200324_nbb_2020_007.pdf">https://www.nbb.be/doc/cp/fr/2020/200324_nbb_2020_007.pdf</a> Link to Dutch version : <a href="https://www.nbb.be/doc/cp/nl/2020/200324_nbb_2020_007.pdf">https://www.nbb.be/doc/cp/nl/2020/200324_nbb_2020_007.pdf</a>
BG	Bulgaria Bulgarian National Bank	<b>Yes</b>	As at 17.07.2019, notification date.

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
CZ	Czech Republic	Czech National Bank	<b>Intends to comply**</b>	By 01.01.2021. Proceedings to adapt and make the necessary changes to the underlying reporting systems, and in particular the implementation of a new data collection system of the Czech National Bank, have been initiated to comply with the Guidelines.
DK	Denmark	Danish Financial Supervisory Authority	<b>Intends to comply**</b>	By 01.01.2020. Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines.
DE	Germany	Bundesanstalt für Finanzdienstleistungsufsicht (BaFin)	<b>Yes</b>	As of 01.01.2022. Notification received on 10.02.2022.
EE	Estonia	Finantsinspektsioon	<b>Yes</b>	As at 26.11.2018, notification date.
IE	Ireland	Central Bank of Ireland	<b>Yes</b>	As at 16.11.2018, notification date.
EL	Greece	Bank of Greece	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed at national level.
HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	<b>Yes</b>	As at 05.06.2019, notification date. Odluka o obvezi dostavljanja podataka o prijeverama (NN, broj 54/2019) <a href="https://www.hnb.hr/-/odluka-o-objavi-podataka-o-prijeverama">https://www.hnb.hr/-/odluka-o-objavi-podataka-o-prijeverama</a>
ES	Spain	Banco de España	<b>Yes</b>	As of notification date, i.e. 28.03.2022.
FR	France	Banque de France	<b>Intends to comply**</b>	By 2021. Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines that are not covered under the existing national statistical framework, namely for guidelines 1.4, 1.5, 2.1, 3.1, 7 (except 7.2).
IT	Italy	Bank of Italy	<b>Intends to comply**</b>	By 01.07.2019. Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
CY	Cyprus	Central Bank of Cyprus	<b>Ye</b>	<p>By 01.01.2020.                      Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines</p> <p style="background-color: cyan; color: black;"><b>Update 14.01.2020</b></p> <p>‘Proceedings to adapt and make the necessary changes to the underlying reporting systems to comply with the Guidelines, as notified in our previous intention to comply notification, are still ongoing.                      Meanwhile, it has become that once the revised ECB statistics regulation (EU) 1409/2013 is in place, the required data will be collected through this Regulation. As it would not be expedient to focus our efforts on developing a reporting system that has a limited shelf life, we have decided to wait until the ECB regulation is finalised. We also believe this approach will provide the maximum degree of legal certainty for payment service providers. Until the finalisation of the ECB regulation we will be reporting aggregated statistical data on fraud on an annual basis, as required by Article 96(6) of PSD2.’</p>
LV	Latvia	Financial and Capital Market Commission	<b>Intends to comply**</b>	<p>By 01.01.2020.                      Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines.</p>
LT	Lithuania	Bank of Lithuania	<b>Intends to comply**</b>	<p>By 31.12.2020.                      Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines.                      While this is ongoing, Bank of Lithuania will include the number and value of total and fraudulent payments with a breakdown for each payment service (credit transfers, direct debits and etc.).</p>

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
				The methodology used by the Bank of Lithuania will comply with the Guidelines and data collected will be comparable with the high-level data collected under the Guidelines.
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	<b>Yes</b>	As of notification date, 05.03.2021. <a href="https://www.cssf.lu/wp-content/uploads/files/Lois_reglements/Circulaires/Hors_blanchiment_terrorisme/cssf19_712eng.pdf">https://www.cssf.lu/wp-content/uploads/files/Lois_reglements/Circulaires/Hors_blanchiment_terrorisme/cssf19_712eng.pdf</a>
HU	Hungary	Central Bank of Hungary	<b>Intends to comply**</b>	By 2020 (for the 2020 data). Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines.
MT	Malta	Central Bank of Malta	<b>Intends to comply**</b>	By 01.01.2019.
NL	Netherlands	De Nederlandsche Bank N.V. (DNB)	<b>Yes</b>	As of notification date, 11.03.2021.
AT	Austria	Austrian Financial Market Authority	<b>Yes</b>	Complies as of the date of notification, 05.12.2022.  With the entry into force of the amendment to the Payment Services Act 2018 (ZaDiG 2018) as amended by Federal Law Gazette I No. 36/2022 and with the entry into force of the Payment Fraud Reporting Regulation (ZBMV; Federal Law Gazette II 219/2022) on June 14, 2022, the desired legal basis as well as the necessary reporting system was created to deliver full compliance for this guideline and guideline EBA/GL/2020/01 in accordance with the single data flow as defined in the MoU.  ZaDiG 2018 - English version <a href="https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=3569">https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=3569</a>  Payment Fraud Reporting Regulation (ZBMV; Zahlungsbetrugsmeldeverordnung)

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
				<a href="https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=6054">https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=6054</a>
PL	Poland	Komisja Nadzoru Finansowego	<b>No</b>	Komisja Nadzoru Finansowego (the KNF) hereby kindly informs you of its intention to partially comply with the Guidelines on fraud reporting under PSD2 (EBA/GL/2018/05). Article 96(6) requesting member states to “ensure that payment service providers provide, at least on an annual basis, statistical data on fraud” has been translated into the Polish Act on Payment Services as a yearly requirement. Pursuant to the Polish Act on Payment Services, both the receipt of the data from the payment service providers and its subsequent reporting to the EBA and the ECB will be proceeded by the Komisja Nadzoru Finansowego (KNF) once a year and not every six months, as required by the Guidelines.
PT	Portugal	Banco de Portugal	<b>Yes</b>	As at 13.02.2019, notification date.
RO	Romania	National Bank of Romania	<b>Yes</b>	As of notification date, 11.03.2021. Guideline has been transposed through NBR Regulation no.2/2020.  <a href="http://www.bnr.ro/apage.aspx?pid=404&amp;actId=331475">http://www.bnr.ro/apage.aspx?pid=404&amp;actId=331475</a>
SI	Slovenia	Bank of Slovenia	<b>Yes</b>	As at 01.01.2019, notification date. <a href="https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-4130?so=2018-01-4130">https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-4130?so=2018-01-4130</a>
SK	Slovakia	Národná banka Slovenska	<b>Intends to comply **</b>	By end of 2019. Proceedings to adapt and make the necessary changes to the underlying reporting systems have been initiated to comply with the Guidelines.
FI	Finland	Finanssivalvonta (FIN-FSA)	<b>Yes</b>	As at 08.04.2021, notification date. Pls see the FIN-FSA Regulations and Guidelines 8/2014 Management of operational risk in supervised entities of the financial sector  ( <a href="https://www.finanssivalvonta.fi/en/regulation/FIN-FSA-">https://www.finanssivalvonta.fi/en/regulation/FIN-FSA-</a>

		<b>Competent authority</b>	<b>Complies or intends to comply</b>	<b>Comments</b>
				regulations/risk-management/08_2014/)
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	<b>Yes</b>	As at 13.11.2018, notification date.

#### EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed at national level.
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	<b>Yes*</b>	Complies with the guidelines as of 1 October 2019.
NO	Norway	The Financial Supervisory Authority of Norway	<b>Intends to comply**</b>	By such time as the necessary legislative or regulatory proceedings have been completed at national level. [Expected Spring 2019].

\*The EEA States other than the Member States of the European Union are not currently required to notify their compliance with the EBA’s Guidelines. This table is based on information provided from those EEA States on a voluntary basis.

\*\* 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.

#### Notes

Article 16(3) of the EBA’s Regulations 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.

The EBA endeavours to ensure the accuracy of this document, however, the information is provided by the competent authorities and, as such, the EBA 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 the EBA’s website [www.eba.europa.eu](http://www.eba.europa.eu).

