

Guidelines compliance table

EBA/GL/2020/01

(Update: 29 March 2022); Issue date:
22 January 2020; Application date: 07
December 2022

Guidelines amending Guidelines on fraud reporting under PSD2

The following competent authorities* comply or intend to comply with the EBA's Amending Guidelines amending Guidelines on fraud reporting under PSD2:

		Competent authority	Complies or intends to comply	Comments
Member State				
BE	Belgium	National Bank of Belgium	Complies	As of notification date, i.e. 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 : https://www.nbb.be/doc/cp/fr/2020/200324_nbb_2020_007.pdf Link to Dutch version : https://www.nbb.be/doc/cp/nl/2020/200324_nbb_2020_007.pdf
BG	Bulgaria	Bulgarian National Bank	Complies	As of notification date, i.e. 26.03.2020.
CZ	Czech Republic	Czech National Bank	Intends to comply**	By 01. 01.2022. Due to a need for a standardized, efficient and cost-effective approach with regard to reporting under both the said Guidelines and

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				<p>the ECB Payment Statistics Regulation (hereinafter the ECB Regulation), in line with the EBA's efforts. Moreover, the CNB has decided to start collecting the data under the Revised ECB Regulation by 1. 1. 2022 since the reporting systems of the CNB should be prepared for automated processing of standardized reporting by that date. The necessary legislative proceedings (in particular the issuance of an implementing decree) should be completed by 1. 1. 2022 as well. Such a coherent approach with regard to fraud reporting will also have a positive effect on the costs of implementing these requirements that are to be borne by payment service providers.</p> <p>The CNB will therefore not require payment service providers to report data for 2020 and 2021 in the extent specified by the Guidelines. First reporting of granular data according to the Guidelines from payment service providers to the CNB will happen in 2022 (for data related to the first half of 2022); it will be aggregated by the CNB as per the Guidelines and forwarded to the EBA and the ECB.</p> <p>The CNB is at the moment (on a yearly basis) manually collecting a certain set of data from payment service providers in order to fulfil the requirement of Art 96(6) PSD2. This set of 10 data points includes the number of payment transactions executed and the number of fraudulent payment transactions in 4 categories (credit transfers, direct debits card payments and other payment transactions) as well as the total number of payment transactions and fraudulent payment transactions. This data has been provided to the EBA and ECB in an</p>

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				aggregated form, as mandated by PSD2.
DK	Denmark	Danish Financial Supervisory Authority	Complies	By 01.01.2021.
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	Intends to comply**	Intends to comply with the Guidelines by such time as the necessary legislative or regulatory proceedings have been completed at national level, within the limit of the competencies that have been conferred to BaFin. BaFin is currently modifying its reporting templates and reporting channels.
EE	Estonia	Finantsinspektsioon	Complies	As of notification date, i.e. 06.04.2020. Finantsinspektsioon fully complies with the guidelines but it would like to note that Finantsinspektsioon will submit a proposal to the Ministry of Finance to amend the Regulation No 41 of the Minister of Finance (30.08.2019) on the submission of statistics on fraud on the various forms of payment. The amendment proposal will be based on the EBA guidelines.
IE	Ireland	Central Bank of Ireland	Intends to comply**	By application date, i.e. 01.01.2022. The Central Bank of Ireland intends to comply by 01.01.2022 in order to standardise the implementation of the amending EBA/GL/2020/01 together with the ECB Regulation ECB/2020/59. This approach is in line with the objective of creating a single flow for industry and achieve efficient utilisation of industry and Central Bank of Ireland resources. Please note that the Central Bank of Ireland remains fully compliant with the existing guidelines (EBA/GL/2018/05) and will continue to collect data on fraudulent payments under those guidelines until 2022.
EL	Greece	Bank of Greece	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed at national level.

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HR	Croatia	Hrvatska narodna banka (Croatian National Bank)	Complies	<p>As of notification date, i.e. 03.07.2020.</p> <p>Croatian National Bank enacted new Decision on amendments to the Decision on the obligation to submit fraud data (OG, 75/2020) which entered into force on 1st July 2020. (Odluka o izmjenama Odluke o obvezi dostavljanja podataka o prijevarama (NN, broj 75/2020)).</p> <p>It is published in Official Gazette and web site of Croatian National Bank on the following link: https://www.hnb.hr/-/odluka-o-objavi-podataka-o-prijevarama (only croatian version in this moment)</p>
ES	Spain	Banco de España	Complies	As of notification date, 28.03.2022.
FR	France	Banque de France	Intends to comply**	<p>By 01.01.2021.</p> <p>The French collection fraud statistical framework needs to be enhanced to meet all requirements of the Guidelines, in particular, with regard to the following aspects:</p> <ul style="list-style-type: none"> -introduction of new categories of allocation for fraud allowing cross-referencing data: geographical area/use of strong authentication/typology of fraud; -introduction of additional payment services in fraud monitoring (initiation, electronic money, money remittance); -breakdown of damage by payment instrument (accounting view); -transition to a bi-annual frequency of collections which were so far annual; -monitoring of exemptions from strong customer authentication cases from September 2019; <p>All these updates need IT developments for both PSP and Banque de France.</p>

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				<p>That is the reason why FR is compliant with all guidelines (both reporting from PSP and NCA), except for: 1.4, 1.5, 2.1, 3.1, 7 (except 7.2) on reporting applicable to Payment Services Providers and guideline 2.1 on reporting by competent authorities to the EBA and the ECB. Banque de France is going to comply with the latter guideline by 01.01.2021.</p> <p>Official publication in the ACPR's website: https://acpr.banque-france.fr/sites/default/files/media/2020/0406/202001_notice_de_conformite_acpr_orientations_eba_gl.pdf</p>
IT	Italy	Bank of Italy	Intends to comply**	<p>By application date, i.e. 01.07.2020. The Bank of Italy will provide the PSPs with the new reporting Template in due time.</p>
CY	Cyprus	Central Bank of Cyprus	Does not comply	<p>Has not notified the EBA.</p>
LV	Latvia	Financial and Capital Market Commission	Intends to comply**	<p>By 01.06.2020.</p> <p>To comply with the EBA Guidelines EBA/GL/2018/05 the FCMC has adopted Regulations No.124 "Regulations governing the preparation and submission of information on fraud reporting in the field of payment services" (https://likumi.lv/ta/id/309066-informacijas-par-krapšanas-gadījumiem-maksājumu-jomasagatavosanas-un-iesniešanas-normatīvie-noteikumi).</p> <p>The amendments to these FCMC Regulations incorporating EBA Guidelines EBA/GL/2020/01 are prepared and under the discussion with the market participants. It is planned that the amendments to the Regulations will be adopted by the FCMC Board by the end of May.</p>

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LT	Lithuania	Bank of Lithuania	Intends to comply**	By 30.11.2022. Reporting will be coordinated with the ECB. Reporting to the ECB by the NCBs of quarterly and semi-annual statistical information shall begin with quarterly data for Q1 of 2022 by end-May 2022 and semi-annual data for H1 of 2022 by end-November 2022. Reporting will be coordinated with the REGULATION (EU) 2020/2011 OF THE EUROPEAN CENTRAL BANK of 1 December 2020 amending Regulation (EU) No 1409/2013 on payments statistics (ECB/2013/43) (ECB/2020/59).
LU	Luxembourg	Commission de Surveillance du Secteur Financier (CSSF)	Complies	As of notification date, i.e. 05.03.2021.
HU	Hungary	Central Bank of Hungary	Intends to comply**	By 31.12.2020. The new rule set was implemented and effective from 1st January 2020 therefore the Central Bank of Hungary is able to receive data including the following breakdowns "merchant initiated transactions" and "other" as well so Hungary complies with the Final EBA GL, however the current fraud and data collections are including an exemption rule only for electronic e-commerce transactions carried out with cards concerning the Opinion approved by the Board and published by the EBA in October. This additional rule exists only in the Central Bank of Hungary rule set until 31th December 2020.
MT	Malta	Central Bank of Malta	Complies	As of notification date, i.e. 18.02.2020.
NL	Netherlands	De Nederlandsche Bank N.V. (DNB)	Complies	As of notification date, i.e. 06.04.2020.
AT	Austria	Austrian Financial Market Authority	Complies	As of notification date, i.e. 05.12.2022. With the entry into force of the amendment to the Payment Services Act 2018 (ZaDiG 2018) as amended by Federal Law

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				<p>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/2018/05 in accordance with the single data flow as defined in the MoU. ZaDiG 2018 - English version</p> <p>https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=3569</p> <p>Payment Fraud Reporting Regulation (ZBMV; Zahlungsbetrugsmeldeverordnung)</p> <p>https://www.fma.gv.at/wp-content/plugins/dw-fma/download.php?d=6054</p>
PL	Poland	Komisja Nadzoru Finansowego	Complies	As of notification date, i.e. 02.04.2020.
PT	Portugal	Banco de Portugal	Complies	As of notification date, i.e. 12.03.2020.
RO	Romania	National Bank of Romania	Complies	As of notification date, i.e. 06.04.2020.
SI	Slovenia	Bank of Slovenia	Complies	<p>As of notification date, i.e. 22.02.2022. Regulation on amending the Regulation on the application of the Guidelines on reporting requirements for fraud data under Article 96(6) PSD2 was published in the Official Gazette of the Republic of Slovenia No 40/2020 (page 1963) on 31 March 2020.</p> <p>URL: https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2020-01-0705/sklep-o-spremembi-sklepa-o-uporabi-smernic-o-zahtevah-porocanja-o-goljufijah-iz-clena-966-direktive-psd2</p>

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SK	Slovakia	Národná banka Slovenska	Intends to comply**	By 01.01.2021.
FI	Finland	Finanssivalvonta (FIN-FSA)	Complies	As of notification date, i.e. 08.04.2021. Please see the FIN-FSA supervision release 81/2020 (15 December 2020) https://www.finanssivalvonta.fi/en/publications-and-press-releases/supervision-releases/2020/reporting-of-fraud-data-related-to-payment-services--updated-reporting-template-available/
SE	Sweden	Finansinspektionen (Swedish Financial Supervisory Authority)	Complies	As of notification date, i.e. 08.03.2021.
UK	United Kingdom	PRA		
		Financial Conduct Authority (FCA)	Intends to comply**	By 01.07.2021.

EU Institutions – Agencies

ECB	Single Supervisory Mechanism	Not applicable	The SSM notified the EBA on 14 February 2020 that the EBA/GL/2020/01 Guidelines amending the EBA Guidelines on fraud reporting under PSD2 are deemed non-applicable to the ECB.
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EEA – EFTA State

IS	Iceland	Fjármálaeftirlitið (Financial Supervisory Authority, Iceland)	Intends to comply**	By such time as the necessary legislative or regulatory proceedings have been completed at national level.
LI	Liechtenstein	Financial Market Authority Liechtenstein (FMA)	Complies	As of notification date, i.e. 02.04.2020.

		Competent authority	Complies or intends to comply	Comments
NO	Norway	The Financial Supervisory Authority of Norway	Intends to comply**	Intends to comply with the Guidelines by the time the PSP's reporting for H1 2020 is opened 15. September 2020.

European Territories under Article 355(3) TFEU

UK	United Kingdom	Gibraltar Financial Services Commission	Does not comply	Has not notified the EBA.
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*The EEA States other than the Member States of the European Union are required to notify their compliance with EBA guidelines and recommendations relating to a legislative act which has been incorporated into the EEA Agreement, and otherwise provide the information 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 endeavour 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.