

Guidelines compliance table

Guidelines on the enforcement of financial information (ESMA/2014/1293)

The following competent authorities have informed us that they comply, do not comply or intend to comply with the ESMA's guidelines on the enforcement of financial information:

Member State		Competent authority	Complies	Comments
BE	Belgium	Financial Services and Markets Authority (FSMA)	Yes	
BG	Bulgaria	Financial Supervision Commission (FSC)	No	FSC does not comply with Guidelines 2, 10 and 11 due to a lack of adequate resources and budgetary constraints. FSC intends to comply with Guideline 5 subject to necessary national legislative or regulatory proceedings.
CZ	Czech Republic	Czech National Bank (CNB)	Yes	
DK	Denmark	Erhvervsstyrelsen	Intends to comply	Erhvervsstyrelsen and Finanstilsynet currently do not comply with Guideline 1 due to a lack of legislative provisions related to the powers of the enforcers. As the authorities have initiated a change of the relevant national legislative proceedings, they intend to comply with Guideline 1 by 1 st January 2017.
		Finanstilsynet	Intends to comply	
DE	Germany	Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)	No	BaFin does not comply with Guidelines 7 and 17 due to its inability, for legal reasons, to request some enforcement actions and to authorize publication of decisions extracted from the EECS database.

EE	Estonia	Estonian Financial Supervision Authority	Yes	
IE	Ireland	Irish Accounting and Auditing Supervisory Authority (IAASA)	No	IAASA does not comply with Guideline 2 due to a lack of human resources and an inability to recruit additional personnel without government sanction.
EL	Greece	Hellenic Capital Market Commission (HCMC)	Yes	
ES	Spain	Comisión Nacional del Mercado de Valores (CNMV)	Yes	
FR	France	Autorité des Marchés Financiers (AMF)	Yes	
HR	Croatia	Hrvatska agencija za nadzor financijskih usluga (HANFA)	Intends to comply	HANFA currently does not comply with the Guidelines due to a lack of final enforcement responsibility and authority. As relevant national legislative proceedings have been initiated, HANFA intends to comply with all the Guidelines by 30 June 2016.
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 Secteur Financier (CSSF)	Yes	
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)	No	FMA does not comply with Guidelines 1 and 2 due to a lack of provisions related to the powers of the enforcer and inability to seek sanction for additional personnel. There is an unclear split of responsibility between FMA

				<p>and a private review panel (FREP), to whom some enforcement responsibilities are delegated.</p> <p>Discussions are currently taking place to clarify the relationship, the delegation procedure and the transmission of enforcement reports between FMA and FREP. Furthermore, a lawsuit is pending on the delegation of task to conduct regular inspections.</p>
PL	Poland	Komisja Nadzoru Finansowego (KNF)	Intends to comply	<p>KNF currently does not comply with Guidelines 1-2, 10-13 and 15-17 due to a lack of availability of the relevant legislative provisions.</p> <p>As relevant national legislative proceedings have been initiated, KNF intends to comply with Guidelines 1-2, 10-13 and 15-17 by 31 December 2015.</p>
PT	Portugal	Comissão do Mercado de Valores Mobiliários (CMVM)	Yes	
RO	Romania	Romanian Financial Supervisory Authority (CNVM)	Yes	
SI	Slovenia	Securities Market Agency (SMA)	No	SMA does not comply with Guidelines 1-2, 4-5, 8, 10-18 due to a lack of adequate resources as well as regulatory and legal provisions.
SK	Slovakia	National Bank of Slovakia (NBS)	Yes	
FI	Finland	Finanssivalvonta	Yes	
SE	Sweden	Finansinspektionen	No	Finansinspektionen does not comply with Guidelines 3 and 7 due to a lack of independence from market operators and inability to undertake some enforcement actions because of conflicts with national law.



UK	United Kingdom	Conduct Committee of the Financial Reporting Council	Yes	
		Financial Conduct Authority	Yes	

EEA EFTA State ¹		Competent authority	Complies	
IS	Iceland	Register of Annual Accounts	Yes	
NO	Norway	Finanstilsynet	Yes	

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 we issue that applies to them within two months of the guideline or recommendation being issued. 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 these reasons.

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).

¹ The EEA States other than the Member States of the European Union are not currently required to notify their compliance with ESMA's Guidelines. This table is based on information provided from the authorities listed in those EEA States on a voluntary basis.