

## Regulatory framework for oversight

DNB's oversight is based on:

- rules and regulations, applying relevant legislation as well as the underlying standards.
- moral suasion, applying standards such as the [Principles for Financial Market Infrastructures](#).

Statutory framework	Competent authority	Target group
Bank Act 1998 ( <i>Bankwet 1998</i> ) <ul style="list-style-type: none"> <li>- Section 3(1)(e)</li> <li>- Section 4(1)(b)</li> </ul>	DNB	All institutions operating in the area of payments
Treaty on the functioning of the European Union <ul style="list-style-type: none"> <li>- Article 127(2)</li> </ul>	European System of Central Banks (ESCB)	All institutions operating in the area of payments
Regulation on oversight requirements for systemically important payment systems	ESCB	Systemically important payment systems
Financial Supervision Act ( <i>Wet op het financieel toezicht – Wft</i> ) <ul style="list-style-type: none"> <li>- Section 5.27</li> <li>- Section 5.30(e) and the underlying supervisory framework</li> </ul>	AFM and DNB	Central counterparties and central securities depositories for stock exchanges or trading platforms
European Market Infrastructure Regulation (EMIR) *	DNB and AFM	Central counterparties
Regulation on Central Securities Depositories. **	AFM and DNB	Central securities depositories
Financial Supervision Act *** <ul style="list-style-type: none"> <li>- payment processing service providers</li> </ul>	DNB and AFM	Payment processing service providers

Financial Supervision Act **** - Section 3.17 safeguarding the smooth operation of the payment system	DNB	Banks, payment institutions, electronic money institutions and settlement agents
Single Euro Payments Area Regulation	DNB	Payment service providers, payers and payees

*\* Oversight of central counterparties (CCPs) under the EMIR*

The EMIR includes rules on mandatory central clearing and reporting of OTC transactions to trade repositories and introduces a licensing requirement for central counterparties (CCPs). Together with the AFM we supervise compliance with the EMIR. Read more about the EMIR [LINK toevoegen!]

<http://http://www.toezicht.dnb.nl/en/4/1/51-228791.jsp>

*\*\* Central Securities Depositories Regulation (CSDR)*

The CSDR includes rules for harmonised supervision of central securities depositories. The CSDR is elaborated in more detail in its relevant technical standards. Together with the AFM we supervise compliance with the CSDR.

*\*\*\* Supervision of payment processing service providers under the Wft*

DNB and the AFM are responsible for the supervision of payment processing service providers. Read more about the supervision of payment processing service providers: (LINK: [Open Book on Supervision](#) and the [DNB Regulation on payment processing service providers](#) (*Regeling DNB afwikkelondernemingen Wft, in Dutch only*)).

*\*\*\*\* DNB Regulation on oversight of the smooth operation of the payment system*

The Oversight Regulation includes rules to ensure the smooth operation of mass non-cash retail payments. It only applies to banks, payment institutions and electronic money institutions that perform at least 60 million non-cash payment transactions each year and have their registered office in the Netherlands. Read

more about the [Regulation on oversight of the smooth operation of the payment system](#) (in Dutch only).

### *Wholesale payments*

DNB maintains oversight of large value payment systems relevant to the Netherlands, including TARGET2, EURO1 and CLS. Our oversight is based on international arrangements and frameworks. A similar structure applies to oversight of the correct application of SWIFT, which is used for messaging in payment systems.