

## **The application by DNB of the guidelines and recommendations of the ESAs and the Joint Committee**

The European Supervisory Authorities (ESAs)<sup>1</sup> issue guidelines and recommendations to national competent authorities or financial institutions. The aim is to promote the consistency, efficiency and effectiveness of supervisory practices and to ensure that Union law is applied in a common, uniform and consistent manner.

National competent authorities (NCAs), including De Nederlandsche Bank (DNB), are required to make every effort to comply with the guidelines and recommendations of the ESAs<sup>2</sup>. Within two months after a guideline or recommendation has been issued, each competent authority confirms whether it complies or intends to comply with it. Where a competent authority does not comply or does not intend to comply – for example because national legislation prevents it from doing so – it informs the relevant ESA thereof, stating the reasons. This process is referred to as the “comply-or-explain procedure”.

The overview below sets out the guidelines and recommendations with which DNB complies. The overview includes the guidelines and recommendations adopted by the ESAs and the Joint Committee insofar as they concern rules for financial institutions whose supervision in the Netherlands rests with DNB. For each guideline or recommendation, the overview indicates: 1) the legal basis in the underlying European Directive or Regulation, and 2) the date on which the guideline or recommendation applies. The full texts of the guidelines and recommendations of the EBA can be consulted on the webpage [Compliance with EBA regulatory products](#). See also the [EBA Single Rulebook](#). The guidelines of EIOPA can be consulted on the webpage [EIOPA Guidelines](#). See also the [Solvency II Single Rulebook](#). Finally, the guidelines of ESMA can be found on the webpage [Guidelines and Technical Standards](#). The guidelines of ESMA often concern the activities of financial institutions whose supervision rests with the Netherlands Authority for the Financial Markets (AFM). The ESMA guidelines applied by DNB are listed in the overview below. More information on ESMA guidelines and recommendations applied by the AFM can be found on [the website](#) of the AFM.

*Note: This overview will be updated frequently, but it is possible that the latest version is not entirely up to date yet. The date on the document indicates when it was last updated.*

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<sup>1</sup> The three European Supervisory Authorities are the European Banking Authority (EBA), the European Insurance and Occupational Pensions Authority (EIOPA) and the European Securities and Markets Authority (ESMA). The ESAs cooperate within a joint forum known as the Joint Committee of the European Supervisory Authorities (Joint Committee, JC). The JC also issues guidelines.

<sup>2</sup> This is laid down in Article 16(3) of the founding Regulations of the ESAs – Regulation (EU) No 1093/2010 (EBA), Regulation (EU) No 1094/2010 (EIOPA) and Regulation (EU) No 1095/2010 (ESMA) – and confirmed by the Court of Justice of the European Union in its judgment of 15 July 2021 in the dispute between the Fédération bancaire française and the Autorité de contrôle prudentiel et de résolution – ECLI:EU:C:2021:599. In that judgment, the Court confirmed not only that, although EBA guidelines are not legally binding, supervisory authorities and financial institutions must make every effort to comply with them (paragraphs 43 and 48), but also that national courts are expected to take EBA guidelines into consideration when resolving cases (paragraph 71 of the judgment).

## Overview of Guidelines and Recommendations within DNB's domain of responsibility

Table – application of ESA guidelines		
Guideline / Recommendation	Basis in Directive or Regulation	Effective as of [date]
<b>Guidelines adopted by the Joint Committee</b>		
1.	JC <sup>3</sup> Guidelines on the convergence of supervisory practices relating to the consistency of supervisory coordination arrangements for financial conglomerates  <a href="#">JC /GL/2014/01</a>	Article 11(1) of Directive 2002/87/EC (Financial Conglomerates Directive)  23-02-2015
2.	Joint Guidelines on the prudential assessment of acquisitions and increases of qualifying holdings in the financial sector  <a href="#">JC/GL/2016/01</a>	Article 23 of Directive 2013/36/EU (Capital Requirements Directive); Article 59 of Directive 2009/138/EC (Solvency II Directive);  Article 13 of Directive 2004/39/EC (Markets in Financial Instruments Directive II, MiFID II)  01-10-2017
3.	Joint Guidelines on the characteristics of a risk based approach to anti money laundering and terrorist financing supervision, and the steps to be taken when conducting supervision on a risk sensitive basis - <b>The Risk Based Supervision Guidelines</b>  <a href="#">ESAs 2016 72</a>  Amended by Guidelines <a href="#">EBA/GL/2021/16</a>	Article 48(10) of Directive (EU) 2015/849 (4th Anti-Money Laundering Directive)  16/11/2017
4.	Joint Guidelines under Article 25 of Regulation (EU) 2015/847 on the measures payment service providers should take to detect missing or incomplete information on the payer or the payee, and the procedures they should put in place to manage a transfer of funds lacking the required information  <a href="#">JC/GL/2017/16</a>	Article 25 of Regulation (EU) 2015/847 (on information accompanying transfers of funds)  22/03/2018
5.	<del>Joint Guidelines under Articles 17 and 18(4) of Directive (EU) 2015/849 on simplified and enhanced customer due diligence and the factors credit and</del>	<del>Articles 17 and 18(4) of Directive (EU) 2015/849</del>  26-06-2018  Repealed by <a href="#">EBA/GL/2021/02</a>

financial institutions should consider when assessing the money laundering and terrorist financing risk associated with individual business relationships and occasional transactions –

**The Risk Factors Guidelines**

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6.	Joint guidelines on cooperation and information exchange for the purpose of Directive (EU) 2015/849 between competent authorities supervising credit and financial institutions – <b>The AML/CFT Colleges Guidelines</b> <u><a href="#">JC/GL/2019/81</a></u>	Articles 16 and 56(1) of Regulations (EU) 1093/2010 (establishing EBA), Regulation (EU) 1094/2010 (establishing EIOPA), and Regulation (EU) 1095/2010 (establishing ESMA) – the “ESA Regulations”	10/01/2020
7.	Joint Guidelines on the estimation of aggregated annual costs and losses caused by major ICT-related incidents under Regulation (EU) 2022/2554 <u><a href="#">JC/GL/2024/36</a></u>	Section II of Chapter V (Articles 31 to 44) of DORA	17/01/2025
8.	Joint Guidelines on the system established by the European Supervisory Authorities for the exchange of information relevant to the assessment of the fitness and propriety of holders of qualifying holdings <u><a href="#">JC/GL 2024 88</a></u>	Article 1(2) of Regulation (EU) No 1093/2010, Article 1(2) of Regulation (EU) No 1094/2010, and Article 1(2) of Regulation (EU) No 1095/2010, on the basis of Article 31bis of that Regulation	17/02/2025
9.	Guidelines on templates for explanations and opinions, and the standardised test for the classification of crypto-assets, under Article 97(1) of Regulation (EU) 2023/1114 <u><a href="#">JC 2024 28</a></u>	Article 97(1) of Regulation (EU) 2023/1114	12/05/2025
10.	Joint Guidelines on the estimation of aggregated annual costs and losses caused by major ICT-related incidents under Regulation (EU) 2022/2554 <u><a href="#">JC 2024 34</a></u>	Article 11(11) of Regulation (EU) 2022/2554	17/01/2025

### Guidelines adopted by EBA

11.	EBA Guidelines on AMA extensions and changes <a href="#">EBA/GL/2012/01</a>	Article 312(2) of Regulation (EU) No 575/2013 (Capital Requirements Regulation)	06-03-2012
12.	EBA Guidelines on Stressed Value at Risk (Stressed-VaR) <a href="#">EBA/GL/2012/02</a>	Article 365(2) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	16-11-2012
13.	Guidelines on the Incremental Default and Migration Risk Charge (IRC) <a href="#">EBA/GL/2012/03</a>	Article 372 (last paragraph) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	16-11-2012
14.	GLs on Date collection for remuneration benchmarking <a href="#">EBA/GL/2012/04</a>	Article 75(1) of Directive 2013/36/EU and Article 75(2) of Directive 2013/36/EU	27-09-2012
15.	GLs on Data collection for high earners <a href="#">EBA/GL/2012/05</a>	Article 22 of Directive 2006/48	27-09-2012
16.	Guidelines on the assessment of the suitability of members of the management body and key function holders <a href="#">EBA/GL/2012/06</a>	Article 4(1) of Directive 2006/48/EC, Article 4(19) of Directive 2006/48/EC, Article 2(15) of Directive 2002/87/EC, Article 3(2) of Directive 2002/87/EC	22-05-2013
17.	EBA Guidelines on the applicable notional discount rate for variable remuneration <a href="#">EBA/GL/2014/01</a>	Article 94 (1)(g) of Directive 2013/36/EU (Capital Requirements Directive)	01-06-2014
18.	EBA Guidelines on disclosure of encumbered and unencumbered assets, Appendix <a href="#">EBA/GL/2014/03</a>	Article 443 of Regulation (EU) 575/2013 (Capital Requirements Regulation); Recommendation ESRB/2012/2, in particular Recommendations B and D <sup>4</sup>	27-12-2014
19.	EBA Guidelines on significant risk transfer (SRT) related to	Articles 243(6) and 244(6) of Regulation (EU) 575/2013	07-01-2015

<sup>4</sup> Recommendation ESRB/2012/2 of the European Systemic Risk Board of 20 December 2012 on funding of credit institutions (OJ C 119)

	Articles 243 and 244 of Regulation (EU) 575/2013 <a href="#">EBA/GL/2014/05</a>	(Capital Requirements Regulation)	
20.	EBA Guidelines on the range of scenarios to be used in recovery plans <a href="#">EBA/GL/2014/06</a>	Article 5(7) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-01-2015
21.	EBA Guidelines on the data collection exercise regarding high earners <a href="#">EBA/GL/2014/07</a>	Article 75(3) of Directive 2013/36/EU (Capital Requirements Directive)	31-10-2014
22.	EBA Guidelines on the remuneration benchmarking exercise <a href="#">EBA/GL/2014/08</a>	Article 75(1) of Directive 2013/36/EU (Capital Requirements Directive)	31-10-2014
23.	EBA Guidelines on the types of tests, reviews or exercises that may lead to support measures under Article 32(4)(d)(iii) of the BRRD <a href="#">EBA/GL/2014/09</a>	Article 32(4) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-01-2015
24.	EBA Guidelines on the criteria to determine the conditions for the application of Article 131(3) of Directive 2013/36/EU in relation to the assessment of other systemically important institutions (O-SIIs) <a href="#">EBA/GL/2014/10</a>	Article 131(3) (second paragraph) of Directive 2013/36/EU (Capital Requirements Directive)	01-01-2015
25.	EBA Guidelines on measures to reduce or remove impediments to resolvability and the circumstances in which each of the measures may be applied in accordance with Directive 2014/59/EU <a href="#">EBA/GL/2014/11</a>	Article 17(8) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-04-2015
26.	<del>EBA Guidelines on internet payments security under the Payment services directive, PSD1 (Directive 2007/64/EC)</del> <a href="#">EBA/GL/2014/12 rev1</a>	<del>Article 10(4), Title III, Title IV of PSD1</del>	<del>01-08-2015</del>
27.	Guidelines for common procedures and methodologies for the Supervisory Review and Evaluation Process (SREP) <a href="#">EBA/GL/2014/13</a>	Articles 97 and 107(3) of Directive 2013/36/EU (Capital Requirements Directive) <sup>5</sup>	01-01-2016

<sup>5</sup> Article 97 of the Capital Requirements Directive refers to the Supervisory Review and Evaluation Process (SREP). This has been implemented in Section 3:18a of the *Wft*. Article 107(3) of the Capital Requirements Directive refers to guidelines to be adopted by EBA in relation to the organisation of the SREP.

28.	EBA Guidelines on non-material, proprietary and confidential information and on the frequency of disclosures pursuant to Articles 432(1), 432(2) and 433 of Regulation (EU) 575/2013 <a href="#">EBA/GL/2014/14</a>	Articles 432(1), 432(2) and 433 of Regulation (EU) 575/2013 (Capital Requirements Regulation)	23-06-2014
29.	EBA Guidelines on national provisional list of the most representative services linked to a payment account and subject to a fee under the Payment Accounts Directive (PAD) (2014/92/EU) <a href="#">EBA/GL/2015/01</a>	Article 3(2) of Directive 2014/92/EU	12-05-2015
30.	EBA Guidelines on the minimum list of qualitative and quantitative recovery plan indicators <a href="#">EBA/GL/2015/02</a>	Article 9(2) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	31-07-2015
31.	EBA Guidelines on triggers for use of early intervention measures pursuant to Article 27(4) of Directive 2014/59/EU <a href="#">EBA/GL/2015/03</a>	Article 27(4) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-01-2016
32.	EBA Guidelines on the determination of when the liquidation of assets or liabilities under normal insolvency proceedings could have an adverse effect on one or more financial markets under Article 42(14) of Directive 2014/59/EU <a href="#">EBA/GL/2015/05</a>	Article 42(14) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-08-2015
33.	EBA Guidelines on the minimum list of services or facilities that are necessary to enable a recipient to operate a business transferred to it under Article 65(5) of Directive 2014/59/EU <a href="#">EBA/GL/2015/06</a>	Article 65(5) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-08-2015
34.	EBA Guidelines on the interpretation of the different circumstances when an institution shall be considered as failing or likely to fail under Article 32(6) of Directive 2014/59/EU <a href="#">EBA/GL/2015/07</a>	Article 32(6) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	01-01-2016
35.	EBA Guidelines on payment commitments under Directive	Article 10(2-3) of Directive 2014/49/EU	31-12-2015

	2014/49/EU on deposit guarantee schemes <a href="#">EBA/GL/2015/09</a>	(Deposit Guarantee Schemes Directive)	
36.	<del>EBA Guidelines on methods for calculating contributions to deposit guarantee schemes</del> <a href="#">EBA/GL/2015/10</a>	<del>Article 13(1-2) of Directive 2014/49/EU (Deposit Guarantee Schemes Directive)</del>	<del>31-12-2015</del> Repealed by <a href="#">EBA/GL/2023/02</a>
37.	EBA Guidelines specifying the conditions for group financial support under Article 23 of Directive 2014/59/EU <a href="#">EBA/GL/2015/17</a>	Article 23(1) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	09-02-2016
38.	EBA Guidelines on limits on exposures to shadow banking entities which carry out banking activities outside a regulated framework under Article 395(2) of Regulation (EU) 575/2013 <a href="#">EBA/GL/2015/20</a>	Article 395(2) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-01-2017
39.	EBA Guidelines on the minimum criteria to be fulfilled by a business reorganisation plan <a href="#">EBA/GL/2015/21</a>	Article 52(7) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	19-08-2016
40.	EBA Guidelines on cooperation agreements between deposit guarantee schemes under Directive 2014/49/EU <a href="#">EBA/GL/2016/02</a>	Article 14(5) of Directive 2014/49/EU (Deposit Guarantee Schemes Directive); Article 26 of Regulation (EU) 1093/2010 (EBA Founding Regulation)	08-12-2016
41.	EBA Guidelines on the provision of information in summary or collective form for the purposes of Article 84(3) of Directive 2014/59/EU <a href="#">EBA/GL/2016/03</a>	Article 84(3) and (7) of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	19-01-2017
42.	<del>EBA Guidelines on stress tests of deposit guarantee schemes under Directive 2014/49/EU, Appendix 1</del> <a href="#">EBA/GL/2016/04</a>	<del>Article 4(10) of Directive 2014/49/EU (Deposit Guarantee Schemes Directive)</del>	<del>19-12-2016</del> Repealed by <a href="#">EBA/GL/2021/10</a>
43.	EBA Guidelines on communication between competent authorities supervising credit institutions and the statutory auditor(s) and the audit firms(s) carrying out the statutory audit of credit institutions <a href="#">EBA/GL/2016/05</a>	Article 12(2) of Regulation (EU) 537/2014 (on specific requirements regarding statutory audit of public-interest entities)	31-03-2017

44.	EBA Guidelines on remuneration policies and practices related to the sale and provision of retail banking products and services <a href="#">EBA/GL/2016/06</a>	Article 11(4) of Directive 2015/2366/EU (PSD2); Article 3(1) of Directive 2009/110/EC (Electronic Money Directive); Articles 74(3) and 75(2) of Directive 2013/36/EU (Capital Requirements Directive)	13-01-2018
45.	EBA Guidelines on the application of the definition of default under Article 178 of Regulation (EU) 575/2013 <a href="#">EBA/GL/2016/07</a>	Article 178 of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-01-2021
46.	EBA Guidelines on implicit support for securitisation transactions <a href="#">EBA/GL/2016/08</a>	Article 248 of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-03-2017
47.	EBA Guidelines on corrections to modified duration for debt instruments under  Article 340(3), second paragraph, of Regulation (EU) 575/2013 <a href="#">EBA/GL/2016/09</a>	Article 340(3), last paragraph, of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-03-2017
48.	EBA Guidelines on ICAAP and ILAAP information collected for SREP purposes <a href="#">EBA/GL/2016/10</a>	Articles 73, 86 and 97 of Directive 2013/36/EU (Capital Requirements Directive)	01-01-2017
49.	EBA Guidelines on disclosure requirements under Part Eight of Regulation (EU) No 575/2013 <a href="#">EBA/GL/2016/11 - V2</a>	Part Eight of Regulation (EU) 575/2013 (Capital Requirements Regulation)	31-12-2017
50.	<del>EBA Guidelines on LCR disclosure to complement the disclosure of liquidity risk management under Article 435 of Regulation (EU) 575/2013</del> <a href="#">EBA/GL/2017/01</a>	<del>Article 435 of Regulation (EU) 575/2013 (Capital Requirements Regulation)</del>	<del>31-12-2017</del>
51.	EBA Guidelines concerning the interrelationship between the BRRD sequence of write down and conversion and CRR/CRD <a href="#">EBA/GL/2017/02</a>	Article 48 of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	11-01-2018

52.	EBA Guidelines on the rate of conversion of debt to equity in bail-in  <a href="#">EBA/GL/2017/03</a>	Article 50 of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	11-01-2018
53.	EBA Guidelines on the treatment of shareholders in bail-in or the write-down and conversion of capital instruments  <a href="#">EBA/GL/2017/04</a>	Article 47 of Directive 2014/59/EU (Bank Recovery and Resolution Directive)	11-01-2018
54.	EBA Guidelines on ICT risk assessment in the context of the supervisory review and evaluation process (SREP)  <a href="#">EBA/GL/2017/05</a>	Articles 97 and 107(3) of Directive 2013/36/EU (Capital Requirements Directive) <sup>6</sup>	01-01-2018
55.	EBA Guidelines on credit institutions' credit risk management practices and accounting for expected credit losses  <a href="#">EBA/GL/2017/06</a>	Articles 74, 79(b) and (c), 88(1)(b) and 104(1) of Directive 2013/36/EU (Capital Requirements Directive)	01-01-2018
56.	EBA Guidelines on the criteria on how to stipulate the minimum monetary amount of the professional indemnity insurance or other comparable guarantee under Article 5(4) of Directive (EU) 2015/2366 (PSD2)  <a href="#">EBA/GL/2017/08</a>	Article 5(2) and (3) of Directive 2015/2366/EU (PSD2)	13-01-2018
57.	EBA Guidelines on the information to be provided for the authorisation of payment institutions and e-money institutions and for the registration of account information service providers under Article 5(5) of Directive (EU) 2015/2366 (PSD2)  <a href="#">EBA/GL/2017/09</a>	Articles 5 and 32 of Directive 2015/2366/EU (PSD2)	13-01-2018
58.	<del>EBA Guidelines on major incident reporting under Directive (EU) 2015/2366 (PSD2)</del>  <a href="#">EBA/GL/2017/10</a>	<del>Article 96(1) of Directive 2015/2366/EU (PSD2)</del>	<del>13-12-2018</del>  <a href="#">Replaced by EBA/GL/2021/03</a>
59.	<del>EBA Guidelines on internal governance under Directive 2013/36/EU</del>  <a href="#">EBA/GL/2017/11</a>	<del>Articles 74(3), 75(2), 92(2), 93, 95(1) and (2) of Directive 2013/36/EU (Capital Requirements Directive)</del>	<del>30-06-2018</del>  <a href="#">Repealed by EBA/GL/2021/05</a>

<sup>6</sup> Article 97 of the Capital Requirements Directive refers to the Supervisory Review and Evaluation Process (SREP). This has been implemented in Section 3:18a of the *Wft*. Article 107(3) of the Capital Requirements Directive refers to guidelines to be adopted by EBA in relation to the organisation of the SREP.

60.	<p><del>Joint ESMA and EBA Guidelines on the assessment of the suitability of members of the management body and key function holders under Directive 2013/36/EU and Directive 2014/65/EU</del></p> <p><a href="#">EBA/GL/2017/12</a></p>	<p>Article 91(12) of Directive 2013/36/EU (Capital Requirements Directive)</p>	<p><del>30-06-2018</del></p> <p>[Replaced by EBA/GL/2021/06 on 31-12-2021]</p>
61.	<p>EBA Guidelines on procedures for complaints of alleged infringements of Directive (EU) 2015/2366</p> <p><a href="#">EBA/GL/2017/13</a></p>	<p>Article 99 of Directive 2015/2366/EU (PSD2)</p>	<p>13-01-2018</p>
62.	<p>EBA Guidelines on supervision of significant branches</p> <p><a href="#">EBA/GL/2017/14</a></p>	<p>Title V, Chapter 4 and Title VII, Chapters 1 and 3 of Directive 2013/36/EU (Capital Requirements Directive);</p> <p>Title II, Section 2 of Directive 2014/59/EU (Bank Recovery and Resolution Directive)</p>	<p>01-01-2018</p>
63.	<p>EBA Guidelines on connected clients under Article 4(1)(39) of Regulation (EU) No 575/2013</p> <p><a href="#">EBA/GL/2017/15</a></p>	<p>Article 4(1)(39) of Regulation (EU) No 575/2013 (Capital Requirements Regulation)</p>	<p>01-01-2019</p>
64.	<p>EBA Guidelines on PD estimation, LGD estimation and the treatment of defaulted exposures</p> <p><a href="#">EBA/GL/2017/16</a></p>	<p>Article 159 of Regulation (EU) 575/2013 (Capital Requirements Regulation);</p> <p>EBA RTS 2016/03</p>	<p>01-01-2021</p>
65.	<p>EBA Guidelines on uniform disclosures under Article 473a of Regulation (EU) 575/2013 as regards the transitional period for mitigating the impact of the introduction of IFRS 9 on own funds</p> <p><a href="#">EBA/GL/2018/01</a></p> <p>Amended by <a href="#">EBA/GL/2020/12</a></p>	<p>Article 473a of Regulation (EU) 575/2013 (Capital Requirements Regulation)</p>	<p>20-03-2018 until the end of the transitional period referred to in paragraph 6 of Article 473a of Regulation (EU) 575/2013 (Capital Requirements Regulation)</p>
66.	<p>Guidelines on the management of interest rate risk arising from non-trading book activities</p> <p><a href="#">EBA/GL/2018/02</a></p>	<p>Articles 84 and 98(5) of Directive 2013/36/EU (Capital Requirements Directive)</p>	<p>30-06-2019</p>
67.	<p>EBA Guidelines on the revised common procedures and methodologies for the supervisory review and</p>	<p>Articles 97 and 107(3) of Directive 2013/36/EU (Capital</p>	<p>01-01-2019</p>

	evaluation process (SREP) and supervisory stress testing <a href="#">EBA/GL/2018/03</a>	Requirements Directive) <sup>7</sup>	
68.	EBA Guidelines on institutions' stress testing <a href="#">EBA/GL/2018/04</a>	Article 100(2) of Directive 2013/36/EU (Capital Requirements Directive)	01-01-2019
69.	EBA Guidelines on fraud reporting under Article 96(6) of Directive 2015/2366/ EU (PSD2); <a href="#">EBA/GL/2018/05</a> Amended by <a href="#">EBA/GL/2020/01</a>	Article 96(6) of PSD2	01-01-2019
70.	EBA Guidelines on management of non-performing and forborne exposures <a href="#">EBA/GL/2018/06</a>	Regulation (EU) 680/2014 (laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) 575/2013)	30-06-2019
71.	Guidelines on the conditions to benefit from an exemption from the contingency mechanism under Article 33(6) of Regulation (EU) 2018/389 (RTS on SCA & CSC) <a href="#">EBA/GL/2018/07</a>	Article 33(6) of Regulation (EU) 2018/389	01-01-2019
72.	EBA Guidelines on the STS criteria for ABCP securitisation <a href="#">EBA/GL/2018/08</a> Amended by <a href="#">EBA/GL/2024/05</a>	Articles 24 and 26 of Regulation (EU) 2017/2402 (laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation)	15-05-2019
73.	EBA Guidelines on the STS criteria for non-ABCP securitisation <a href="#">EBA/GL/2018/09</a> Amended by <a href="#">EBA/GL/2024/05</a>	Articles 20, 21 and 22 of Regulation (EU) 2017/2402 (laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation)	15-05-2019

<sup>7</sup> Article 97 of the Capital Requirements Directive refers to the Supervisory Review and Evaluation Process (SREP). This has been implemented in Section 3:18a of the *Wft*. Article 107(3) of the Capital Requirements Directive refers to guidelines to be adopted by EBA in relation to the organisation of the SREP.

74.	EBA Guidelines on disclosure of non-performing and forborne exposures <a href="#">EBA/GL/2018/10</a> Amended by <a href="#">EBA/GL/2022/13</a>	Part Eight of Regulation (EU) 575/2013 (Capital Requirements Regulation) (as regards the disclosure requirements set out therein);  Regulation (EU) 680/2014 (laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) 575/2013)	31-12-2019
75.	<del>EBA Guidelines on specification of types of exposures to be associated with high risk</del> <a href="#">EBA/GL/2019/01</a>	<del>Article 128 of Regulation (EU) 575/2013 (Capital Requirements Regulation)</del>	01-07-2019
76.	EBA Guidelines on outsourcing arrangements <a href="#">EBA/GL/2019/02</a>	Article 74 of Directive 2013/36/EU (Capital Requirements Directive);  Article 9 of Directive 2015/2366/EU (PSD2);  Article 5(5) of Directive 2009/110/EC (Electronic Money Directive)	30-09-2019
77.	EBA Guidelines for the estimation of LGD appropriate for an economic downturn (Downturn LGD estimation) <a href="#">EBA/GL/2019/03</a>	Article 181 of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-01-2021
78.	EBA Guidelines on ICT and security risk management <a href="#">EBA/GL/2019/04</a>	Article 95(3) of Directive 2015/2366/EU (PSD2)	30-06-2020
79.	EBA guidelines on harmonised definitions and templates for funding plans of credit institutions under Recommendation of the European Systemic Risk Board of 20 December 2012 (ESRB/2012/2) <a href="#">EBA/GL/2019/05</a>  Replacement of EBA/GL/2014/04	Recommendation of the European Systemic Risk Committee of 20 December 2012 (ESRB/2012/2)	31-12-2020
80.	EBA Guidelines amending Guidelines EBA/GL/2018/05 on fraud reporting under the	Article 96(6) of Directive 2015/2366/EU (PSD2)	1-7-2020

Payment Services Directive  
(PSD2)

[EBA/GL/2020/01](#)

81.	EBA Guidelines on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis  <a href="#">EBA/GL/2020/02</a> <sup>8</sup> Amended by <a href="#">EBA/GL/2020/08</a> and <a href="#">EBA/GL/2020/15</a>	Article 178 of Regulation (EU) 575/2013 (Capital Requirements Regulation);  Commission Delegated Regulation (EU) 2018/171 on the materiality threshold for credit obligations past due	03-06-2020
82.	EBA Guidelines amending Recommendations EBA/REC/2015/01 on the equivalence of confidentiality regimes <a href="#">EBA/GL/2020/03</a>	Article 116 of Directive 2013/36/EU (Capital Requirements Directive)	16-04-2020
83.	EBA Guidelines on the determination of the weighted average maturity (WAM) of the contractual payments due under the tranche in accordance with point (a) of Article 257(1) of Regulation (EU) 575/2013  <a href="#">EBA/GL/2020/04</a>	Article 257 (1a) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	1-09-2020
84.	EBA Guidelines on credit risk mitigation for institutions applying the IRB approach with own estimates of LGDs <a href="#">EBA/GL/2020/05</a>	Article 108(2) of Regulation (EU) 575/2013 (Capital Requirements Regulation); EBA/RTS/2016/03	01-01-2022
85.	EBA Guidelines on loan origination and monitoring <a href="#">EBA/GL/2020/06</a>	Articles 74(1) and 79 of Directive 2013/36/EU (Capital Requirements Directive) <sup>9</sup>	30-06-2021
86.	<del>EBA Guidelines on reporting and disclosure of exposures subject to measures applied in response to the COVID-19 crisis</del> <a href="#">EBA/GL/2020/07</a>	<del>Annex V to Regulation (EU) 680/2014 (laying down implementing technical standards with regard to supervisory reporting of institutions according to</del>	<del>02-06-2020</del>

<sup>8</sup> Amended by EBA/GL/2020/08 and EBA/GL/2020/15. The clarifications provided are in line with Article 178 of Regulation (EU) 575/2013, with Commission Delegated Regulation (EU) 2018/171 on the materiality threshold for credit obligations past due and with the EBA Guidelines on the application of the definition of default under Article 178 of Regulation (EU) 575/2013, EBA/GL/2016/07.

<sup>9</sup> The AFM is the competent authority in relation to the Guidelines in Sections 5.1 to 5.2.4 on the application of the consumer creditworthiness assessment requirements in Chapter 6 of Directive 2014/17/EU (Mortgage Credit Directive) and Article 8 of Directive 2008/48/EC (Consumer Credit Directive).

		Regulation (EU) 575/2013)	
87.	EBA Guidelines amending Guidelines EBA/GL/2020/02 on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis <a href="#">EBA/GL/2020/08</a>	Article 178 of Regulation (EU) 575/2013 (Capital Requirements Regulation); Commission Delegated Regulation (EU) 2018/171 on the materiality threshold for credit obligations past due	25-06-2020
88.	EBA Guidelines on the treatment of structural FX under Article 352(2) of Regulation (EU) 575/2013 <a href="#">EBA/GL/2020/09</a>	Article 352(2) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	01-01-2022
89.	EBA Guidelines on the pragmatic 2020 supervisory review and evaluation process in light of the COVID-19 crisis <a href="#">EBA/GL/2020/10</a>	Articles 97 and 107(3) of Directive 2013/36/EU (Capital Requirements Directive); EBA/GL/2014/13 <sup>10</sup>	23-07-2020
90.	EBA Guidelines on supervisory reporting and disclosure requirements in compliance with the CRR 'quick fix' in response to the COVID-19 pandemic <a href="#">EBA/GL/2020/11</a>	Commission Implementing Regulation (EU) 680/2014 (laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) 575/2013)  Regulation (EU) 2016/200 (laying down regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions)	27-01-2021
91.	EBA Guidelines amending Guidelines EBA/GL/2018/01 on uniform disclosures under Article 473a of Regulation (EU) 575/2013 (CRR) on the transitional period for mitigating the impact of the	Article 473a of Regulation (EU) 575/2013 (Capital Requirements Regulation)	11-08-2020

<sup>10</sup> These guidelines show how EBA Guidelines EBA/GL/2014/13 (SREP Guidelines) can be applied pragmatically for the purposes of the 2020 SREP cycle.

introduction of IFRS 9 on own funds to ensure compliance with the CRR 'quick fix' in response to the COVID-19 pandemic

[EBA/GL/2020/12](#)

92.	EBA Guidelines on the appropriate subsets of sectoral exposures to which competent or designated authorities may apply a systemic risk buffer in accordance with Article 133(5)(f) of Directive 2013/36/EU	Article 133(5f) of Directive 2013/36/EU (Capital Requirements Directive)	29-12-2020
<a href="#">EBA/GL/2020/13</a>			
93.	EBA Guidelines on the specification and disclosure of systemic importance indicators <a href="#">EBA/GL/2020/14</a> Amended by <a href="#">EBA/GL/2022/12</a> Amended by <a href="#">EBA/GL/2023/10</a>	Regulation (EU) 1222/2014 (supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions)	16-12-2020
94.	EBA Guidelines amending Guidelines EBA/GL/2020/02 on legislative and non-legislative moratoria on loan repayments applied in the light of the COVID-19 crisis <a href="#">EBA/GL/2020/15</a>	Article 178 of Regulation (EU) 575/2013 (Capital Requirements Regulation); Commission Delegated Regulation (EU) 2018/171 on the materiality threshold for credit obligations past due	16-12-2021
95.	EBA Guidelines specifying the conditions for the application of the alternative treatment of institutions' exposures related to 'tri-party repurchase agreements' set out in Article 403(3) of Regulation (EU) 575/2013 for large exposures purposes <a href="#">EBA/GL/2021/01</a>	Article 403(3) of Regulation (EU) 575/2013 (Capital Requirements Regulation)	28-06-2021

96.	EBA Guidelines on customer due diligence and the factors credit and financial institutions should consider when assessing the money laundering and terrorist financing risk associated with individual business relationships and occasional transactions (' <b>The ML/TF Risk Factors Guidelines</b> ') under Articles 17 and 18(4) of Directive (EU) 2015/849, repealing and replacing Guidelines JC/2017/37	Articles 17 and 18(4) of Directive (EU) 2015/849 (the fourth Anti-Money Laundering Directive)	01-06-2021
<a href="#"><u>EBA/GL/2021/02</u></a>			
<b>Amended by</b> <a href="#"><u>EBA/GL/2024/01</u></a>			
97.	EBA Guidelines on major incidents reporting under Directive (EU) 2015/2366 (PSD2)	Article 96(1) Directive 2015/2366 /EU (Payment services directive)	01-01-2022
<a href="#"><u>EBA/GL/2021/03</u></a>			
98.	EBA Guidelines on sound remuneration policies under Directive 2013/36/EU	Article 74(1)(92-95) of Directive 2013/36/EU (Capital Requirements Directive);  Article 450 of Regulation (EU) 575/2013 (Capital Requirements Regulation)	31-12-2021
<a href="#"><u>EBA/GL/2021/04</u></a>			
99.	EBA Guidelines on internal governance (second revision)	Articles 74(3), 75(2), 92(2), 93, 95(1) and (2) of Directive 2013/36/EU (Capital Requirements Directive)	31-12-2021
<a href="#"><u>EBA/GL/2021/05</u></a>			
100.	Joint ESMA and EBA Guidelines on the assessment of the suitability of members of the management body (revised)	Article 91(12) of Directive 2013/36/EU (Capital Requirements Directive)	31-12-2021
<a href="#"><u>EBA/GL/2021/06</u></a>			
101.	EBA Guidelines on criteria for the use of data inputs in the risk-measurement model referred to in Article 325bc of Regulation (EU) No 575/2013 (Capital Requirements Regulation)	Article 325bc of Regulation (EU) No 575/2013	01-01-20222
<a href="#"><u>EBA/GL/2021/07</u></a>			
102.	Guidelines on the monitoring of the threshold and other	Article 21b of Directive 2013/36/EU	14-11-2021

procedural aspects on the establishment of intermediate EU parent undertakings under Article 21b of Directive 2013/36/EU

**[EBA/GL/2021/08](#)**

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103.	EBA Guidelines specifying the criteria to assess the exceptional cases when institutions exceed the large exposure limits of Article 395(1) of Regulation (EU) No 575/2013 and the time and measures to return to compliance pursuant to Article 396(3) of Regulation (EU) No 575/2013	Articles 395(1) and 396(3) of Regulation (EU) 575/2013	01-01-2022
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**[EBA/GL/2021/09](#)**

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104.	Revised Guidelines on stress tests of deposit guarantee schemes	Article 4(10) of the Deposit Guarantee Schemes Directive (DGSD, 2014/49/EU)	15.09.2021
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**[EBA/GL/2021/10](#)**

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105.	Guidelines on recovery plan indicators under Article 9 of Directive 2014/59/EU	Article 9(2) of Directive 2014/59/EU (BRRD)	14.02.2022
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**[EBA/GL/2021/11](#)**

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106.	Guidelines on a common assessment methodology for granting authorisation as a credit institution under Article 8(5) of Directive 2013/36/EU	Article 8(5) of Directive 2013/36/EU	08.04.2022
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**[EBA/GL/2021/12](#)**

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107.	Guidelines on internal governance under Directive (EU) 2019/2034	Article 26(4) of Directive (EU) 2019/2034	30.04.2022
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**[EBA/GL/2021/14](#)**

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108.	Guidelines on the delineation and reporting of available financial means of Deposit Guarantee Schemes	Article 10(10) of Directive 2014/49/EU	30.03.2022
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**[EBA/GL/2021/17](#)**

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109.	Guidelines on improving resolvability for institutions and resolution authorities under articles 15 and 16 BRRD	15 and 16 Directive 2014/59/EU (BRRD)	01.01.2024
	<b><u>EBA/GL/2022/01</u></b>		
	Amended by		
	<b><u>EBA/GL/2023/05</u></b>		
110.	Guidelines on the limited network exclusion under PSD2	Article 3(k) and 37(2) of Directive (EU) 2015/2366	01.06.2022
	<b><u>EBA/GL/2022/02</u></b>		
111.	Guidelines on the equivalence and confidentiality of third country authorities	Article 116(6) Directive 2013/36/EU	16.08.2022
	<b><u>EBA/GL/2022/04</u></b>		
112.	Guidelines on policies and procedures in relation to compliance management and the role and responsibilities of the AML/CFT Compliance Officer under Article 8 and Chapter VI of Directive (EU) 2015/849	Article 8 and Chapter VI of Directive (EU) 2015/849	11/21/2022
	<b><u>EBA/GL/2022/05</u></b>		
113.	Guidelines on the benchmarking exercises on remuneration practices and the gender pay gap under Directive (EU) 2019/203	Directive 2013/36/EU	31.12.2022
	<b><u>EBA/GL/2022/06</u></b>		
114.	Guidelines on the benchmarking exercises on remuneration practices, the gender pay gap and approved higher ratios under Directive 2013/36/E	Article 34(2) of Directive (EU) 2019/2034	31.12.2022
	<b><u>EBA/GL/2022/07</u></b>		
115.	Guidelines on on the data collection exercises regarding high earners under Directive 2013/36/EU and under Directive (EU) 2019/2034	Article 75(3) of Directive 2013/36/EU Article 34(4) of Directive (EU) 2019/2034 (IFD)	31.12.2022

**EBA/GL/2022/08**

116.	Joint EBA and ESMA Guidelines on common procedures and methodologies for the supervisory review and evaluation process (SREP) under Directive (EU) 2019/2034	Articles 36 to 45 of regulation (EU) 2019/2034	19.06.2023
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**EBA/GL/2022/09**

117.	Guidelines on the criteria for the exemption of investment firms from liquidity requirements	Article 43(4) Regulation (EU) 2019/2033	28.11.2022
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**EBA/GL/2022/10**

118.	EBA/GL/2022/11 - Guidelines for institutions and resolution authorities to complement the resolvability assessment for transfer strategies	Articles 10, 12 15 and 16 of Directive 2014/59/EU	01.01.2024
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**EBA/GL/2022/11**

119.	Guidelines amending GLs EBA GL 2020 14 on the specification and disclosure of systemic important indicators	Paragraph 2a of Directive (EU) 2019/878 of 20 May 2019 and to article 5a of Delegated Regulation (EU) 2021/539 of 11 February 2021	16.01.2023
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**EBA/GL/2022/12**

120.	Guidelines amending GLs EBA GL 2018 10 on disclosure of non-performing and foreborne exposures	Article 442 of Regulation (EU) No 575/2013 (CRR)	31.12.2022
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**EBA/GL/2022/13**

121.	Guidelines issued on the basis of Article 84 (6) of Directive 2013/36/EU specifying criteria for the identification, evaluation, management and mitigation of the risks arising from potential changes in interest rates and of the assessment and monitoring of credit spread risk, of institutions' non-trading book activities	Article 84 (6) of Directive 2013/36/EU	30.06.2023 with the exception of sections 4.5 and 4.6 that apply at 31 December 2023
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**EBA/GL/2022/14**

122.	Guidelines on the use of Remote Customer Onboarding Solutions under Article 13(1) of Directive (EU) 2015/849	Article 13(1) of Directive (EU) 2015/849	02.10.2023
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**EBA/GL/2022/15**

123.	Guidelines to resolution authorities on the publication of the write-down and conversion and bail-in exchange mechanic	Articles 43 and 44, 46 to 50 and 59 to 62 of Directive 2014/59	01.01.2024
<b><u>EBA/GL/2023/01</u></b>			
124.	Guidelines (revised) on methods for calculating contributions to deposit guarantee schemes under Directive 2014/49/EU repealing and replacing Guidelines EBA/GL/2015/10	Article 13, lid 3, of Directive 2014/49/EU	03.07.2023
<b><u>EBA/GL/2023/02</u></b>			
125.	Guidelines amending Guidelines EBA/2021/02 on customer due diligence and the factors credit and financial institutions should consider when assessing the money laundering and terrorist financing risk associated with individual business relationships and occasional transactions ('The ML/TF Risk Factors Guidelines') under Articles 17 and 18(4) of Directive (EU) 2015/849	Articles 17 and 18, sub 4, of Directive (EU) 2015/849	25.09.2023
<b><u>EBA/GL/2023/03</u></b>			
126.	Guidelines on policies and controls for the effective management of money laundering and terrorist financing (ML/TF) risks when providing access to financial services	Article 8, sub 3, of Directive (EU) 2015/849 and article 16 of Directive (EU) 2014/92	03.11.2023
<b><u>EBA/GL/2023/04</u></b>			
127.	Guidelines amending Guidelines EBA/GL/2022/01 on improving resolvability for institutions and resolution authorities under articles 15 and 16 of Directive 2014/59/EU (Resolvability Guidelines) to introduce a new section on resolvability testing	Articles 15 and 16 of Directive 2014/59/EU	01.01.2024
<b><u>EBA/GL/2023/05</u></b>			
128.	Guidelines on overall recovery capacity in recovery planning	Articles 5 and 7, as well as Annex, Part A, point 1, of Directive 2014/59/EU, and Chapter I, Section II,	11-01-2023
<b><u>EBA/GL/2023/06</u></b>			

of Commission  
Delegated Regulation  
(EU) 2016/1075

129.	Guidelines amending Guidelines EBA/GL/2021/16 on the characteristics of a risk-based approach to anti-money laundering and terrorist financing supervision, and the steps to be taken when conducting supervision on a risk-sensitive basis under Article 48(10) of Directive (EU) 2015/849 (The Risk-Based Supervision Guidelines)	Article 16 of Regulation (EU) No 1093/2010	30-12-2024
<b><u>EBA/GL/2023/07</u></b>			
130.	Guidelines on benchmarking of diversity practices, including diversity policies and gender pay gap, under Directive 2013/36/EU and Directive (EU) 2019/2034	Article 91(11) of Directive 2013/36/EU and Article 26 of Directive (EU) 2019/2034	27-06-2024
<b><u>EBA/GL/2023/08</u></b>			
131.	Guidelines amending Guidelines EBA/GL/2020/14 on the specification and disclosure of systemic importance indicators	Article 2a of Directive (EU) 2019/878 of 20 May 2019 and to article 5a of Delegated Regulation (EU) 2021/539 of 11 February 2021	20-04-2024
<b><u>EBA/GL/2023/10</u></b>			
132.	Guidelines amending Guidelines EBA/2021/02 on customer due diligence and the factors credit and financial institutions should consider when assessing the money laundering and terrorist financing risk associated with individual business relationships and occasional transactions ('The ML/TF Risk Factors Guidelines') under Articles 17 and 18(4) of Directive (EU) 2015/849	Articles 17 and 18(4) of Directive (EU) 2015/849	30-12-2024
<b><u>EBA/GL/2024/01</u></b>			
133.	Guidelines on the establishment and maintenance of national lists or registers of credit	Article 9(1) of Directive (EU) 2021/2167	30-12-2024

servicers under Directive  
(EU) 2021/2167

**EBA/GL/2024/02**

134.	Guidelines on the application of the group capital test for investment firm groups in accordance with Article 8 of Regulation (EU) 2033/2019	Article 8(1) and (4) of Regulation (EU) 2019/2033	01-01-2025
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**EBA/GL/2024/03**

135.	Guidelines on resubmission of historical data under the EBA reporting framework		17-10-2024
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**EBA/GL/2024/04**

136.	Guidelines on the STS criteria for on-balance-sheet securitisation and amending Guidelines EBA/GL/2018/08 and EBA/GL/2018/09 on the STS criteria for ABCP and non-ABCP securitisation	Article 26a of Regulation (EU) 2017/2402	09-12-2024
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**EBA/GL/2024/05**

137.	Guidelines on the minimum content of the governance arrangements for issuers of asset-referenced tokens	Article 34(13) of Regulation (EU) 2023/1114	20-12-2024
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**EBA/GL/2024/06**

138.	Guidelines on recovery plans under Articles 46 and 55 of Regulation (EU) 2023/1114	Articles 46 and 55 of Regulation (EU) 2023/1114	13-11-2024
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**EBA/GL/2024/07**

139.	Guidelines establishing the common reference parameters of the stress test scenarios for the liquidity stress tests referred in Article 45(4) Regulation (EU) 2023/1114	Article 45(8) of Regulation (EU) 2023/1114	30-09-2024
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**EBA/GL/2024/08**

140.	Joint EBA and ESMA Guidelines on the suitability assessment of members of management body of issuers of asset-referenced tokens and of crypto-asset service providers	Articles 21(3) and 63(11) of Regulation (EU) 2023/1114	04-02-2025
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**EBA/GL/2024/09**

141.	Guidelines amending Guidelines EBA/GL/2015/12 on arrears and foreclosure	Article 28 of Directive 2014/17/EU	22-10-2024
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**EBA/GL/2024/10**

142.	Guidelines on information requirements in relation to transfers of funds and certain crypto-assets transfers under Regulation (EU) 2023/1113 (Travel rule Guidelines)	Article 36, first and second subparagraphs, of Regulation (EU) 2023/1113	30-12-2024
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**EBA/GL/2024/11**

143.	Guidelines on redemption plans under Articles 47 and 55 of Regulation (EU) 2023/1114	Articles 47 and 55 of Regulation (EU) 2023/1114	10-02-2025
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**EBA/GL/2024/13**

144.	Guidelines on internal policies, procedures and controls to ensure the implementation of Union and national restrictive measures	Article 74(1) of Directive 2013/36/EU, Article 11(4) of Directive (EU) 2015/2366, and Article 3(1) of Directive 2009/110/EC	30-12-2025
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**EBA/GL/2024/14**

145.	Guidelines on templates to assist competent authorities in performing their supervisory duties regarding issuers' compliance under Titles III and IV of Regulation (EU) 2023/1114	Article 94(1)(a) and Titles III and IV of Regulation (EU) 2023/1114, which the EBA uses when exercising its supervisory powers under Article 122 of that Regulation	26-5-2025
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**EBA/GL/2024/16**

146.	Guidelines amending Guidelines EBA/GL/2019/04 on ICT and security risk management	Article 95(3) of Directive (EU) 2015/2366	20-5-2025
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**EBA/GL/2025/02**

147.	Guidelines on ADC exposures to residential property under Article 126a of Regulation (EU) 575/2013	Article 126bis (3) of Regulation (EU) No 575/2013	4-11-2025
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**EBA/GL/2025/03**

**Recommendations adopted by EBA**

148.	EBA Recommendation on the use of Legal Entity Identifier (LEI) <a href="#">EBA/REC/2014/01</a>	Article 35 of Regulation 1093/2010 (EBA Founding Regulation)	31-01-2014
149.	EBA Recommendations on the equivalence of confidentiality regimes <a href="#">EBA/REC/2015/01</a> Amended by Recommendation <a href="#">EBA/REC/2018/01</a> And Recommendation <a href="#">EBA/REC/2018/03</a> And by Guideline <a href="#">EBA/GL/2020/03</a>	Article 116 of Directive 2013/36/EU (Capital Requirements Directive)	02-04-2015
150.	EBA Recommendation amending Recommendation <a href="#">EBA/REC/2015/01</a> on the equivalence of confidentiality regimes <a href="#">EBA/REC/2015/02</a>	Article 116 of Directive 2013/36/EU (Capital Requirements Directive)	12-09-2015
151.	EBA Recommendation amending Recommendation <a href="#">EBA/REC/2015/01</a> on the equivalence of confidentiality regimes <a href="#">EBA/REC/2017/01</a>	Article 116 of Directive 2013/36/EU (Capital Requirements Directive)	12-01-2017
152.	EBA Recommendation on the coverage of entities in a group recovery plan <a href="#">EBA/REC/2017/02</a>	Articles 5 to 9 of Directive 2014/59/EU (Bank Recovery and Resolution Directive); Articles 3 to 21 of Commission Delegated Regulation (EU) 2016/1075; EBA/GL/2015/02 on recovery plan indicators and EBA/GL/2014/06 on the set of recovery plan scenarios	01-07-2017

#### **Guidelines adopted by EIOPA**

153.	EIOPA Guidelines on the use of the Legal Entity Identifier; EIOPA-BoS-14/026 Per 01-07-2022 replaced by <a href="#">EIOPA-BoS-2021/456</a>	n/a	<del>31-12-2014</del> 01-07-2022
154.	EIOPA Guidelines on operational functioning of colleges <a href="#">EIOPA-BoS-14/146</a>	Article 248 of Directive 2009/138/EG (Solvency II Directive)	01-01-2016
155.	EIOPA Guidelines on contract boundaries EIOPA-BoS-14/165 EN	Articles 76(1) and 78 of Directive	<del>01-01-2016</del>

	Per 01-01-2023 replaced by <a href="#">EIOPA-BoS-22/218</a>	2009/138/EG (Solvency II Directive) Articles 17 and 18 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2023
156.	EIOPA Guidelines on valuation of technical provisions <b>EIOPA-BoS-14/166</b>  Per 01-01-2023 replaced by <a href="#">EIOPA-BoS-22/217</a>	Articles 48 and 76-86 of Directive 2009/138/EG (Solvency II Directive); Articles 17-42 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	<del>01-01-2016</del> 01-01-2023
157.	EIOPA Guidelines on ancillary own funds <a href="#">EIOPA-BoS-14/167</a>	Articles 89, 90, 93-96, 226 and 235 of Directive 2009/138/EG (Solvency II Directive); Articles 62-67, 74-75 and 78-79 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
158.	EIOPA Guidelines on Classification of Own Funds <a href="#">EIOPA-BoS-14/168</a>	Articles 93-95 of Directive 2009/138/EG (Solvency II Directive); Articles 69-79 and 82 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
159.	EIOPA Guidelines on ring- fenced funds <a href="#">EIOPA-BoS-14/169</a>	Articles 99 and 111 of Directive 2009/138/EG (Solvency II Directive); Articles 80-81 and 216-217 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
160.	EIOPA Guidelines on treatment of related undertakings, including participations <a href="#">EIOPA-BoS-14/170</a>	Articles 92 and 111 of Directive 2009/138/EG (Solvency II Directive); Articles 68, 168 and 171, without prejudice to Article 84, of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
161.	EIOPA Guidelines on look- through approach <a href="#">EIOPA-BoS-14/171</a>	Articles 104 and 105 of Directive 2009/138/EG (Solvency II Directive); Article 84 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
162.	EIOPA Guidelines on basis risk <a href="#">EIOPA-BoS-14/172</a>	Articles 104 and 105 of Directive 2009/138/EG (Solvency II Directive);  Articles 86 and 210 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015

163.	EIOPA Guidelines on application of outwards reinsurance arrangements to the non-life underwriting risk sub-module <a href="#">EIOPA-BoS-14/173</a>	Article 105(2) of Directive 2009/138/EG (Solvency II Directive); Articles 119-135, 208 and 214 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2015
164.	EIOPA Guidelines on the treatment of market and counterparty risk exposures in the standard formula <a href="#">EIOPA-BoS-14/174</a>	Articles 104-105 of Directive 2009/138/EG (Solvency II Directive); Articles 164-202 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
165.	EIOPA Guidelines on application of the life underwriting risk module <a href="#">EIOPA-BoS-14/175</a>	Article 105(3) of Directive 2009/138/EG (Solvency II Directive); Articles 137-139 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
166.	EIOPA Guidelines on health catastrophe risk sub-module <a href="#">EIOPA-BoS-14/176</a>	Article 105(4) of Directive 2009/138/EG (Solvency II Directive); Articles 160-163 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
167.	EIOPA Guidelines on the loss-absorbing capacity of technical provisions and deferred taxes <a href="#">EIOPA-BoS-14/177</a>	Articles 103 and 108 of Directive 2009/138/EG (Solvency II Directive); Articles 83 and 205-207 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2016
168.	EIOPA Guidelines on undertaking-specific parameters <a href="#">EIOPA-BoS-14/178</a>	Articles 104(7), 110-111, 230 and 248(2) of Directive 2009/138/EG (Solvency II Directive); Articles 218, 229-220, 338 and 356 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
169.	EIOPA Guidelines on supervisory review process <a href="#">EIOPA-BoS-14/179</a>	article 36 of Directive 2009/138/EG (Solvency II Directive);	01-01-2016
170.	EIOPA Guidelines on the use of internal models <a href="#">EIOPA-BoS-14/180</a>	Articles 112-113, 115-116, 120-126 and 231 of Directive 2009/138/EG (Solvency II Directive); Title I, Chapter VI and Title II Chapter II of Delegated Regulation (EU) 2015/35	01-04-2015

		(Solvency II Regulation)	
171.	EIOPA Guidelines on group solvency <a href="#">EIOPA-BoS-14/181</a>	Articles 212-235, 261-262 and 263 of Directive 2009/138/EG (Solvency II Directive);  Articles 328-342 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
172.	EIOPA Guidelines on the methodology for equivalence assessments by national supervisory authorities under Solvency II <a href="#">EIOPA-BoS-14/182</a>	Articles 227 and 260 of Directive 2009/138/EG (Solvency II Directive);  Articles 379 and 380 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-04-2015
173.	EIOPA Guidelines on system of governance <a href="#">EIOPA-BoS-14/253</a>	Articles 40-49, 75, 93, 132 and 246 of Directive 2009/138/EG (Solvency II Directive);  Articles 71, 73, 75, 77 and 258-275 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2016
174.	EIOPA Guidelines on Own Risk Solvency Assessment (ORSA) <a href="#">EIOPA-BoS-14/259</a>	Articles 41, 44-45 and 246 of Directive 2009/138/EG (Solvency II Directive);  Articles 258-259, 262 and 306 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2016
175.	EIOPA Guidelines on the methods for determining the market shares for reporting <a href="#">EIOPA-BoS-15/106</a>	Article 35(6-8) of Directive 2009/138/EG (Solvency II Directive)	01-01-2016
176.	EIOPA Guidelines on Financial Stability Reporting  <a href="#">EIOPA-BoS-24/138</a>	Article 35 of Regulation (EU) 1094/2010	01-01-2016
177.	EIOPA Guidelines on the Extension of the Recovery Period <a href="#">EIOPA-BoS-15/108</a>	Articles 138(3,4) and 218(4) of Directive 2009/138/EG (Solvency II Directive)	01-01-2016
178.	EIOPA Guidelines on reporting and public disclosure <a href="#">EIOPA-BoS-15/109</a>	Articles 35 (2)(a)(ii), 51, 53-55, 245(2), 254(2) and 256 of Directive 2009/138/EG (Solvency II Directive)	01-01-2016

		Articles 290-314, 359-375 and Annex XX of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	
179.	EIOPA Guidelines on the supervision of branches of third-country insurance undertakings  <a href="#">EIOPA-BoS-15/110</a>	Articles 162-171 of Directive 2009/138/EG (Solvency II Directive)	01-01-2016
180.	EIOPA Guidelines on the implementation of the long-term guarantee measures  <a href="#">EIOPA-BoS-15/111</a>	Articles 77, 77b, 77d, 308c and 308d of Directive 2009/138/EG (Solvency II Directive)  Articles 26, 37, 83, 166-167, 176(1), 178(1), 179(1), 204(4), 250(1) and 251(1) of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2016
181.	EIOPA Guidelines on the exchange of information within colleges  <a href="#">EIOPA-BoS-15/112</a>	Article 249 of Directive 2009/138/EG (Solvency II Directive)	01-01-2016
182.	EIOPA Guidelines on recognition and valuation of assets and liabilities other than technical provisions  <a href="#">EIOPA-BoS-15/113</a>	Articles 35 and 75 of Directive 2009/138/EG (Solvency II Directive);  Articles 7-16 of Delegated Regulation (EU) 2015/35 (Solvency II Regulation)	01-01-2016
183.	EIOPA Guidelines on facilitating an effective dialogue between competent authorities supervising insurance undertakings and statutory auditor(s) and the audit firm(s) carrying out the statutory audit of those undertakings  <a href="#">EIOPA-BoS-16/071</a>	Article 12(2) of Regulation (EU) 537/2014	31-05-2017
184.	EIOPA Guidelines on outsourcing to cloud service providers  <a href="#">EIOPA-BoS-20-002</a>	Article 49 of Directive 2009/138/EG (Solvency II Directive)	01-01-2021 (end date status: 17-01-2025)
185.	EIOPA Guidelines on information and communication technology security and governance	Governance provisions under the Solvency II	01-07-2021 (end date status: 17-01-2025)

	<a href="#"><u>EIOPA-BoS-20/600</u></a>	Directive and Regulation <sup>11</sup>	
186.	EIOPA Guidelines on PEPP supervisory reporting	Article 40(2a) of Regulation (EU) 2019/1238 (PEPP Regulation)	22-03-2022
	<a href="#"><u>EIOPA-BoS-21/260</u></a>		
187.	EIOPA Guidelines on Pre-Application of Internal Models		01-01-2014
	<a href="#"><u>EIOPA-CP-13/011</u></a>		

#### **Recommendations adopted by EIOPA**

188.	EIOPA Recommendations on supervisory flexibility regarding the deadline of supervisory reporting and public disclosure - coronavirus/COVID-19	Solvency II Directive and EIOPA Guidelines based on the Solvency II Directive	20-03-2020
	<a href="#"><u>EIOPA-BoS-20/236</u></a>		
189.	EIOPA Recommendations for the insurance sector in light of the United Kingdom withdrawing from the European Union	These recommendations are based on the Solvency II Directive, Directive (EU) 2016/973 (the Insurance Distribution Directive) and EIOPA's guidelines and other relevant EIOPA tools.	The recommendations apply from the date following that on which the Treaties ceased to apply to and in the United Kingdom in accordance with Article 50(3) of the Treaty on European Union.
	<a href="#"><u>EIOPA-BoS-19/040</u></a>		

#### **Guidelines adopted by ESMA**

190.	Guidelines on article 25 of Directive 2011/61/EU	Article 25 of Directive 2011/61/EU	23-08-2021
	<a href="#"><u>Guideline ESMA 34-32-701</u></a>		
191.	Guidelines on the consistent application of the triggers for the use of Early Intervention Measures (Article 18(8) of CCPRRR)	Article 14 EMIR	08-06-2017
	<a href="#"><u>ESMA91-372-1700</u></a>		
192.	Guidelines on written agreements between members of CCP colleges	Articles 15, 17-21, 30-32, 35, 41, 49, 51 en 54 EMIR	01-07-2021
	<a href="#"><u>ESMA70-151-3431</u></a>		
193.	Guidelines on CCP conflict of interest management	Articles 26, 28 en 33 EMIR	05-06-2019

<sup>11</sup> The Guidelines build on the governance provisions under Articles 41, 44, 46, 47, 132 and 246 of the Solvency II Directive and Articles 258-260, 266, 268-271 and 274 of the Solvency II Regulation. They also build on the recommendations from the EIOPA Guidelines on the System of Governance (EIOPA-BoS-14/253) and the EIOPA Guidelines on outsourcing to cloud service providers (EIOPA-BoS-19/270).

**ESMA70-151-1439**

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| 194. | Guidelines on EMIR Anti-Procyclicality Margin Measures for Central Counterparties | Article 41 EMIR | 03-12-2018 |
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**ESMA70-151-1496**

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| 195. | Guidelines Further specifying the circumstances for temporary restrictions in the case of a significant non-default event in accordance with Article 45a of EMIR | Article 45a EMIR | 02-08-2024 |
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**ESMA91-372-1704**

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| 196. | Guidelines and Recommendations for establishing consistent, efficient and effective assessments of interoperability arrangements | Articles 51-54 EMIR | 10-06-2013 |
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**ESMA/2013/322**

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| 197. | Guidelines on the reporting to competent authorities under article 37 of the MMF Regulation | Articles 37 MMF Regulation | 22-08-2020 |
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**ESMA34-49-173**

**Acronyms :**

*DNB*: De Nederlandsche Bank N.V.

*EBA*: European Banking Authority, legal successor to the Committee of European Banking Supervisors (CEBS);

*EIOPA*: The European Insurance and Occupational Pensions Authority, legal successor to the Committee of European Insurance and Occupational Pensions Supervisors (CEIOPS);

*ESMA*: European Securities and Markets Authority, legal successor to the Committee of European Securities Regulators (CESR);

*Joint Committee*: Joint Committee of the European Supervisory Authorities (ESAs);

*Wft*: Financial Supervision Act (*Wet op het financieel toezicht*);

*Wwft*: Anti-Money Laundering and Anti-Terrorist Financing Act (*Wet ter voorkoming van witwassen en financiering van terrorisme*)

*BMfo*: Decree on Conduct of Business Supervision of Financial Undertakings under the Wft (*Besluit Markttoegang financiële ondernemingen Wft*)

*Bpr*: Decree on Prudential Rules for Financial Undertakings under the Wft (*Besluit prudentiële regels Wft*)

*Bptfg*: Decree on Prudential Supervision of Financial Groups under the Wft (*Besluit prudentieel toezicht financiële groepen Wft*)

*Bbpm*: Decree on Special Prudential Measures, Investor Compensation and Deposit Guarantees under the Wft (*Besluit bijzondere prudentiële maatregelen, beleggerscompensatie en depositogarantie Wft*)

*PSD2*: Payment Services Directive, Directive Directive 2015/2366/EU

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