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Answer given by Ms Albuquerque
on behalf of the European Commission
(9.3.2026)

Article 32(2) of the Non-Performing Loans Directive (NPLD) (EU) 2021/2167¹ provides a derogation for Member States, according to which they may allow entities providing credit servicing activities under national regimes equivalent to or stricter than that established by NPLD to be automatically recognised as authorised credit servicers under the national rules transposing NPLD. Pursuant to Article 32(3) and (4), when adopting measures transposing the Directive, Member States are required to make an explicit reference thereto and communicate to the Commission the text of the principal provisions of national law. This reflects the general obligation on Member States to notify transposition and implementation measures to the Commission in compliance with the principle of sincere cooperation in Article 4(3) of the Treaty on the Functioning of the European Union. They have a responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for enforcement. The Commission monitors the situation and may decide to take action. NPLD expressly allows Member States whose pre-existing national regimes are stricter than or equivalent to the regime established by NPLD to automatically recognise entities already carrying out credit servicing activities, to avoid the imposition of unjustified administrative burdens on service providers already subject to those regimes.

Cyprus notified the complete transposition of NPLD on 12 November 2024. The Commission has opened an informal dialogue to seek clarifications on various issues arising from national transposition measures. The Commission may raise questions concerning the implementation of authorisation regimes as part of this broader verification exercise.

¹ OJ L 438, 8.12.2021, pp. 1–37.