

Pursuant to Article 176, paragraph 4 of the Law on Payment Services (RS Official Gazette, No 139/2014), Article 18, paragraph 1, item 3) and Article 68, paragraph 2 of the Law on the National Bank of Serbia (RS Official Gazette, Nos 72/2003, 55/2004, 85/2005 – other law, 44/2010, 76/2012, 106/2012, 14/2015 and 40/2015 – Constitutional Court decision), Governor of the National Bank of Serbia issues

DECISION

ON THE CONTENT, DEADLINES AND METHOD OF SUBMISSION OF DATA BY PAYMENT SERVICE PROVIDERS TO THE NATIONAL BANK OF SERBIA

1. This Decision sets out the content, deadlines and method of submission of data in relation to the provision of payment services and issuance of electronic money (hereinafter: e-money), which providers of these services must submit to the National Bank of Serbia (NBS).

2. The NBS shall collect the data referred to in Section 1 hereof and process them for statistical purposes, in order to monitor the development of payment operations and the use of payment instruments in the country.

3. For the purpose of this Decision, the following definitions shall apply:

1) **Payment service provider** means the entity referred to in Article 10, paragraph 1, items 1), 2), 3), 5) and 6) of the Law on Payment Services (hereinafter: Law);

2) **E-money issuer** means the entity referred to in Article 106, paragraph 1, items 1), 2), 3) and 5) of the Law;

3) **Payment service** means the payment service referred to in Article 4 of the Law;

4) **E-money** means e-money referred to in Article 2, paragraph 1, item 13) of the Law;

5) **Payment transaction** means the payment transaction referred to in Article 2, paragraph 1, item 1) of the Law;

6) **Payment order** means the payment order referred to in Article 2, paragraph 1, item 2) of the Law;

7) **Payment service user** means the user referred to in Article 2, paragraph 1, item 6) of the Law;

8) **Payer** means the payer referred to in Article 2, paragraph 1, item 7) of the Law;

9) **Payee** means the payee referred to in Article 2, paragraph 1, item 8) of the Law;

10) **Consumer** means the person referred to in Article 2, paragraph 1, item 9) of the Law;

11) **Entrepreneur** means the person referred to in Article 2, paragraph 1, item 10) of the Law;

12) **Current account** means the account referred to in Article 70 of the Law;

13) **Other payment account** means a) a payment account other than a current account, maintained by a bank for one or several payment service users and used for the execution of payment transactions based on a framework contract, without special limitations, and b) a payment account within the meaning of Article 2, paragraph 1, item 3) of the Law, maintained with a public postal operator, e-money institution and payment institution;

14) **Card** is a means enabling its holder to execute a payment transaction (placement, withdrawal and transfer) either through any acceptance device or at a distance; it may have, in accordance with the issuance agreement, one or several functions;

15) **Card with a cash function** means a card enabling its holder only to place and/or withdraw cash at automated teller machines (ATM);

16) **Card with a payment function** means a card, except for a card with an e-money function, with at least one of the following functions: a debit function, delayed debit function or credit card function;

17) **Debit card** means a card enabling its holder to pay for goods and services, and to withdraw cash up to the level of balances in his account, which also includes authorised overdraft;

18) **Card with a delayed debit function** means a card enabling its holder to pay for goods and services and withdraw cash up to a specific (agreed) limit. The balance of this account is then settled subsequently in full at the end of a predefined period, i.e. on the agreed debit date;

19) **Credit card** means a card enabling its holder to purchase goods and services and withdraw cash up to a prearranged credit limit. The credit granted may be either settled in full by the end of a specified period or is automatically divided into an agreed number of instalments under a pre-agreed model;

20) **Card with a debit and/or delayed debit function** means a card where it is not possible to differentiate whether a card, according to the agreement between the card issuer and holder, has a debit or delayed debit card function;

21) **Card with a credit and/or delayed debit function** means a card where it is not possible to differentiate whether a card, according to the agreement between the card issuer and holder, has a credit or delayed debit card function;

22) **Card with an e-money function** means a card which enables its holder to execute an e-money payment transaction;

23) **Card on which e-money can be stored directly** means a card with an e-money function, which enables e-money transfer from the card to the e-money recipient;

24) **Card which gives access to e-money stored on e-money accounts** means a card with an e-money function which gives access to server-based e-money;

25) **Card with a combined debit, cash and e-money function** means a card with all three functions;

26) **ATM** means an electromechanical device enabling card holders to place

and/or withdraw cash and/or use other services (e.g. transfer of funds, statement of account etc);

27) **ATM with a credit transfer function** means an ATM enabling credit transfer using a card, regardless of whether there is another function as well;

28) **POS terminal** means a device installed at a point of sale or teller of a payment service provider, which enables the use of cards, whereas information on payment transactions is recorded electronically (EFTPOS);

29) **E-money card terminal** means a device installed at a point of sale or teller of the payment service provider which, in addition to the EFTPOS terminal function, enables e-money transfer to the card with an e-money function and vice versa, or which enables the holder of e-money in the card with an e-money function to effect payment to the payee;

30) **E-money card loading and unloading terminal** means a device which enables e-money transfer to the card with an e-money function and vice versa;

31) **E-money card accepting terminal** means a device which enables a holder of e-money in the card with an e-money function to effect transfer of e-money to the payee;

32) **E-money payment transaction** means e-money transfer from the e-money holder to the e-money recipient, regardless of whether such transaction is performed with a card with an e-money function or from the e-money account;

33) **Payment transaction using a card on which e-money can be stored directly** means e-money transfer to the payee, effected with this card through the e-money card accepting terminal;

34) **Payment transaction with e-money account** means a payment transaction where e-money is transferred from the payer's e-money account to the payee's account, regardless of whether the card used enables access to e-money stored on the e-money account;

35) **Payment transaction of e-money loading/unloading** means a transaction of e-money transfer from the e-money issuer to the card on which e-money can be stored directly and vice versa, performed through the e-money card loading and unloading terminal;

36) **Unauthorised payment transaction using a card** means a payment transaction effected by using lost or stolen cards, or abused data (*skimming*), and/or a payment transaction to whose execution the card holder did not give his consent in the form and in the manner determined by the agreement between the card issuer and holder;

37) **Credit transfer** means the payment service referred to in Article 4, paragraph 2 of the Law;

38) **Direct debit** means the payment service referred to in Article 4, paragraph 3 of the Law, which also includes invoices – specifications of orders submitted by the creditor to the payer's payment service provider (most often, the amount is not fixed);

39) **Standing order** means an instruction that the payer gives to its payment service provider for periodical execution of one or more payment transactions

(most often in the fixed amount); a standing order is not an instruction given by the payee;

40) **Money remittance** means the payment service referred to in Article 4, paragraph 1, item 6) of the Law;

41) **Payment transaction based on a promissory note** means the payment transaction referred to in Article 66, paragraph 1 of the Law.

4. Payment service providers must submit to the National Bank of Serbia the following, accurate and complete data:

1) data on the number of payment service users by types of payment services – in the form *Payment services* (Annex 1);

2) data on the number of issued cards – in the form *Payment cards* (Annex 2);

3) data on the number of devices and virtual points of sale where payment instruments are accepted – in the form *Acceptance network* (Annex 3);

4) data on payment transactions using cards and e-money – in the form *Transactions using cards and e-money* (Annex 4);

5) data on payment transactions in the acceptance network, by type of card-accepting device – in the form *Payment transactions on terminals* (Annex 5);

6) data on payment transactions executed with payment orders – in the form *Payment transactions with payment orders* (Annex 6);

7) data on payment transactions executed without payment orders – in the form *Payment transactions without payment orders* (Annex 7);

8) data on payment transactions of cash placement and withdrawal – in the form *Cash placement and withdrawal* (Annex 8);

9) data on payment transactions using a cheque – in the form *Cheque* (Annex 9);

10) data on payment transactions of the purchase of goods and services via the internet – in the form *INT-KUP* (Annex 10);

11) data on the value of e-money – in the form *E-money* (Annex 11).

The content of the forms referred to in paragraph 1 of this Section is determined in Annexes 1–10, which are printed alongside this Decision and make its integral part.

The data referred to in paragraph 1, subparagraphs 1)–3) of this Section shall be disclosed as at the last business day for the reporting period, whereas data referred to in paragraph 1, subparagraphs 4)–10) shall be disclosed cumulatively for the reporting period.

The data referred to in paragraph 1 of this Section about the value of payment transactions shall be disclosed without decimal places.

The data referred to in paragraph 1 of this Section refer to payment transactions executed in dinars in the Republic of Serbia, unless indicated otherwise in the Annexes referred to in that paragraph.

5. The data referred to in Section 4 of this Decision shall be submitted by payment service providers in accordance with the NBS instruction on electronic data submission.

6. Payment service providers shall submit the data referred to in Section 4 of this Decision in quarterly dynamics as follows:

- data for the first quarter, as at 31 March of the current year – by no later than 15 April of the current year;
- data for the second quarter, as at 30 June of the current year – by no later than 15 July of the current year;
- data for the third quarter, as at 30 September of the current year – by no later than 15 October of the current year;
- data for the fourth quarter, as at 31 December of the current year – by no later than 15 January of the next year.

7. Payment service providers shall for the first time submit data in accordance with this Decision for the first quarter of 2016 – on 15 April 2016.

The persons referred to in paragraph 1 of this Section shall submit data for the fourth quarter of 2015 in accordance with the Guidelines on the Manner and Timeframe of Bank Reporting on Payment Transactions (G. No 14236 of 18 November 2010).

Notwithstanding paragraphs 1 and 2 of this Section, payment service providers licensed after 1 October 2015 shall submit data as of the day of licensing in accordance with this Decision.

8. This Decision repeals the Decision on Data to be Reported by Banks to the National Bank of Serbia and the Reporting Manner and Timeframe (RS Official Gazette, No 81/2010) and the Guidelines on the Manner and Timeframe of Bank Reporting on Payment Transactions (G. No 14236 of 18 November 2010).

9. This Decision shall be published in the RS Official Gazette and shall enter into force on 1 October 2015.

D. No 17
26 June 2015
Belgrade

Governor
National Bank of Serbia
dr Jorgovanka Tabaković