

DECREE
of 13 December 2017

on the reporting duties of some persons authorised to provide payment services or to issue electronic money

The Czech National Bank stipulates, pursuant to Article 263 of Act No 370/2017, the Payment System Act, as regards the implementation of Article 30(2) and Article 89(3) of this Act, and pursuant to Article 41(3) of Act No 6/1993, on the Czech National Bank, as amended by Act No 227/2013:

Article 1

Subject of regulation

This Decree regulates the scope, form, deadlines and method of compiling and submitting reports to the Czech National Bank for some persons authorised to provide payment services or to issue electronic money under the conditions determined by the Payment System Act.

Article 2

Definition of terms

For the purposes of this Decree, the following definitions apply:

- a) a report is a structured set of data created by a reporting entity,
- b) a data file is an electronic grouping of data with predefined data structures that are methodologically described, transmitted and processed and are accessible as a whole in an information system.

Article 3

Reporting population

Reports shall be compiled and submitted by the following reporting entities:

- a) a payment institution,
- b) an electronic money institution,
- c) a foreign payment institution or foreign electronic money institution having its registered office in another Member State which operates in the Czech Republic through its branch,
- d) a small-scale payment service provider,
- e) a small-scale electronic money issuer,
- f) a payment account information manager.

Article 4

Submitted reports

(1) A reporting entity pursuant to Article 3(a) and (b) shall compile and submit the following reports:

- a) PLT(ČNB) 10-04 “Quarterly balance sheet”,
- b) PLT(ČNB) 20-04 “Quarterly profit and loss account”,
- c) PLT(ČNB) 30-04 “Report on capital”,
- d) PLT(ČNB) 40-04 “Report on eligible assets and volume of payment transactions and issued electronic money” and
- e) PLT(ČNB) 50-04 “Report on organisational structure”.

(2) A reporting entity pursuant to Article 3(c) shall compile and submit report PLT(ČNB) 70-04 “Report on the volume of payment transactions and issued electronic money”.

(3) A reporting entity pursuant to Article 3(d) and (e) shall compile and submit report PLT(ČNB) 40-04 “Report on eligible assets and volume of payment transactions and issued electronic money”.

(4) A reporting entity pursuant to Article 3(f) shall compile and submit the following reports:

- a) PLT(ČNB) 10-04 “Quarterly balance sheet”,
- b) PLT(ČNB) 20-04 “Quarterly profit and loss account” and
- c) PLT(ČNB) 50-04 “Report on organisational structure”.

(5) If a reporting entity pursuant to Article 3(a) and (b) has a duty to compile and submit to the Czech National Bank reports containing the data indicated in paragraphs (1)(a), (b) and (e) within a similar scope pursuant to legislation governing the reporting duties of persons operating on the capital market, it shall compile and submit only the following reports:

- a) PLT(ČNB) 30-04 “Report on capital”,
- b) PLT(ČNB) 40-04 “Report on eligible assets and volume of payment transactions and issued electronic money” and
- c) PLT(ČNB) 19-04 “Selected data from financial statements”.

(6) A reporting entity pursuant to Article 3(a), (b) and (f), whose authorisation relates to an indirect payment order payment service or to a payment account information service, shall also compile and submit the report PLT (ČNB) 80-04 “Liability insurance or comparable collateral”.

(7) A reporting entity pursuant to Article 3(a) to (e), whose authorisation relates to the provision of consumer or other credit, shall also compile and submit report PLT(ČNB) 90-04 “Report on provided consumer and other credits”.

(8) The content of the reports is stated in the annex to this Decree.

Article 5

Common provisions for preparing reports

(1) A reporting entity shall compile reports as of the last day of the calendar quarter and submit them within 30 days after the end of the first, second and third calendar quarter, and by 10 February of the following year after the end of the fourth calendar quarter.

(2) When preparing reports, a reporting entity shall proceed pursuant to legislation governing accounting and the compilation of financial statements¹⁾ or pursuant to international accounting standards as regulated by European Union law²⁾.

(3) A reporting entity shall convert data expressed in a foreign currency, if required, into data expressed in the Czech currency using the exchange rate declared by the Czech National Bank for the date of compilation of the report, unless legislation governing accounting or directly applicable European Union legislation governing the prudential requirements for credit institutions and investment firms³⁾ states otherwise. For data in currencies for which the Czech National Bank does not declare exchange rates, a reporting entity shall use the legislation governing accounting¹⁾ for conversion.

Article 6

Method and form of submitting reports

(1) A reporting entity shall submit reports to the Czech National Bank in electronic form as data messages in the format and structure of data files.

(2) Data messages in accordance with paragraph (1) shall be transmitted using equipment enabling access through an internet application or user interface for the collection system of the Czech National Bank.

(3) A data message in accordance with paragraph (1) shall be signed by the reporting entity using a recognised electronic signature of the contact person.

(4) A reporting entity shall state to the Czech National Bank the first names and surname, work address, telephone number and e-mail address of contact persons.

(5) A reporting entity shall inform the Czech National Bank, without undue delay, of changes to the data indicated in paragraph (4).

Article 7

Corrections and changes in reports

(1) If, after submitting reports to the Czech National Bank, an error is detected or if a change is made to the data or the data are supplemented, a reporting entity shall submit to the

¹⁾ Act No 563/1991, on accounting, as amended.

Decree No 500/2002, implementing some provisions of Act No 563/1991, on Accounting, as amended, for accounting units that are businesses using double-entry accounting, as amended.

Decree No 501/2002, implementing some provisions of Act No 563/1991, on Accounting, as amended, for accounting units that are banks and other financial institutions, as amended.

²⁾ Article 2 of Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards, as amended.

³⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012, as amended.

Czech National Bank corrected, changed or supplemented data without undue delay. If the correction, change or supplementation of data also affects data in other reports or reports for other time periods, a reporting entity shall also alter all such related reports.

(2) If, based on an audit of the financial statements at a reporting entity, there are changes to data in reports prepared as at 31 December, a reporting entity shall resubmit such reports with the corrected values within 15 days of such changes. If the correction affects data in other reports or reports for other time periods, a reporting entity shall also alter all such related reports.

(3) The corrected reports shall be submitted within the deadline pursuant to paragraphs (1) and (2) in the manner determined in Article 6 together with information about the content and reason for the correction.

Article 8

Temporary provisions

When compiling and submitting reports relating to the period up to 31 December 2017, the procedure shall be pursuant to Decree No 142/2011 on the submission of information by payment institutions, electronic money institutions, small-scale payment service providers and small-scale electronic money issuers to the Czech National Bank, in the wording effective before the effective date of this Decree.

Article 9

Effect

This Decree comes into effect on 13 January 2018.

Governor:

Rusnok, duly signed

Content of reports submitted by reporting parties to the Czech National Bank

1. **PLT(ČNB) 10-04 “Quarterly balance sheet”**

The report shall contain basic accounting data on assets and liabilities in the balance sheet structure based on the reporting entity’s accounting method. The data shall be reported collectively for all activities and separately for the provision of payment services and for the issuance of electronic money.

2. **PLT(ČNB) 20-04 “Quarterly profit and loss account”**

The report shall contain basic accounting data on income, costs and profit/loss in the structure of the profit and loss statement based on the reporting entity’s accounting method. The data shall be reported collectively for all activities and separately for the provision of payment services and for the issuance of electronic money.

3. **PLT(ČNB) 30-04 “Report on capital”**

The report shall contain data related to the legislation governing certain conditions for the performance of the activities of a payment institution and an electronic money institution. In the part relating to capital, it shall monitor the individual items. It shall also contain information about the manner of calculating capital requirements and a surplus or shortage of capital.

4. **PLT(ČNB) 40-04 “Report on eligible assets and volume of payment transactions and issued electronic money”**

The report shall contain the structure of funds of the reporting entities that have been entrusted to them for the purposes of conducting a payment transaction, and that correspond to financial liabilities arising from issued electronic money that may be invested only in low-risk liquid assets. It shall also contain data on the volume of payment transactions, data on the volume of electronic money issued and data on the average volume of electronic money in circulation.

5. **PLT(ČNB) 50-04 “Report on organisational structure”**

The report shall contain data on the managers of the reporting entity, on the shareholders, qualifying holdings and significant asset interests of the payment institution or electronic money institution. It shall contain basic identification data, data on registered capital broken down into the Czech Republic, other Member States and states of the European Economic Area and other states, main area of work and information about the commencement of office of managers, information about the shareholder structure and qualifying holdings of the reporting entity, and qualifying holdings of the reporting entity in other legal entities.

6. **PLT(ČNB) 19-04 “Selected data from financial statements”**

The report shall contain items of the balance sheet and the profit and loss statement that may be used or that relate to the provision of payment services, to the issuing of electronic money and to compliance with the rules for the performance of activities. The

data shall be reported collectively for all activities and separately for the provision of payment services and for the issuance of electronic money.

7. PLT(ČNB) 70-04 “Report on the volume of payment transactions and issued electronic money”

The report shall contain data on the total volume of payment transactions carried out in the period under review and on the total volume of electronic money issued in the period under review for activities in the Czech Republic.

8. PLT(ČNB) 80-04 “Liability insurance or comparable guarantee”

The report shall contain data for calculating the minimum insurance claim settlement limit and the minimum level of comparable guarantee relating to liability insurance or comparable guarantee. It shall also contain data on the volume of payment transactions and on the number of payment service users.

9. PLT(ČNB) 90-04 “Report on provided consumer and other credits”

The report shall contain data on the volume and number of provided and outstanding consumer and other credits, the volume and number of receivables past due by over three months and the amount of initial capital and the subsequent continuous capital requirement.