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Submission of data required for the compilation of the balance of payments

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RT I, 25.10.2013, 1
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Amended by the following acts

Passed	Published	Entry into force
10.07.2018	RT I, 03.07.2018, 6	01.01.2019

This Decree is established on the basis of subsection 91 (3) of the Credit Institutions Act and subsection 2 (2) of the Eesti Pank Act.

§ 1. General provisions

(1) This Decree establishes the requirements for the contents and structure of the reports on payments between customers of credit institutions, and the due dates and procedure for submission of the reports to Eesti Pank.

(2) The reports shall be used for gathering easily accessible data for the compilation of the state's balance of payments. The reporting shall not affect payment processing, shall be automated and shall comply with Regulation (EC) No 924/2009 of the European Parliament and of the Council of 16 September 2009 on cross-border payments in the Community, which was amended, with regard to Article 5, by Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012.

§ 2. Application of the Decree

(1) The reports established with the Decree shall be prepared and submitted by all credit institutions and branches of credit institutions operating in Estonia (hereinafter credit institutions).

(2) Credit institutions shall submit reports only on payment services rendered in entities located in Estonia.

§ 3. Terms and definitions used in the Decree

(1) Payment is an act of depositing or withdrawing cash, initiated by the payer or the payee, or a transfer of money, irrespective of the underlying legal relationship between the payer and the payee.

(2) Domestic payment is a payment transaction where both the payer's payment service provider and the payee's payment service provider are located in the Republic of Estonia.

(3) Cross-border payment is a payment transaction where the payer's payment service provider or the payee's payment service provider is located outside the Republic of Estonia.

(4) Residents are

1) state authorities or agencies of the Republic of Estonia in the broadest sense (legislative, executive and judicial bodies or their agencies, constitutional institutions), and local governments or their agencies;

2) Estonian diplomatic, consular or other official representations in foreign countries, and representative offices of other Estonian institutions or organisations abroad, which are not engaged in any economic or commercial activity;

3) legal persons in public law and their agencies formed under the laws of the Republic of Estonia;

4) legal persons in private law registered in the Republic of Estonia, or their representative offices (including cross-border service providers);

5) companies (Societas Europaea, SE) or cooperatives (Societas Cooperativa Europaea, SCE) registered in the Republic of Estonia under the statute for a European company, or their representative offices;

- 6) branches of foreign legal persons registered in the Republic of Estonia;
- 7) Estonian citizens residing in the Republic of Estonia;
- 8) aliens residing in the Republic of Estonia who hold a permanent residence permit or a temporary residence permit for at least one year;
- 9) persons specified in clauses 7 or 8, studying or undergoing medical treatment in a foreign country, irrespective of the duration of studies or medical treatment;
- 10) ship crews, seasonal or border workers who are persons specified in clauses 7 or 8 and are staying in a foreign country, irrespective of the duration of their stay in the foreign country;
- 11) diplomats, military personnel, staff of consular or other official representations of the Republic of Estonia and their family members staying in a foreign country and enjoying immunity and diplomatic privileges.

(5) Nonresidents are persons who are not included in the definition of resident.

(6) Customer is a natural or legal person (including a person not having a legal relationship with a reporting credit institution), except for a reporting credit institution.

(7) Correspondent account is a bank account used for settling payments effected on the order and on the account of another credit institution.

(8) Payment date or the customer's value date is the day of debiting or crediting of the customer's account.

(9) Payment currency is the currency in which the payment amount is transferred to the payee.

§ 4. Reports and the general principles for preparation of reports

(1) A credit institution shall prepare and submit the following reports:

- 1) "Report on cross-border payments of residents", code 227 (Appendix 1);
- 2) "Report on domestic payments of nonresidents", code 228 (Appendix 2).

(2) Payments on interim accounts or correspondent accounts which are originated in other credit institutions or forwarded to final beneficiaries in other credit institutions shall not be reported.

(3) Payments between customers within a credit institution shall be treated as domestic payments.

[RT I, 13.07.2018, 6 – entry into force 01.01.2019]

(4) The identification of domestic and cross-border payments shall not depend on the payment currency used.

(5) A cash pool account shall be used as a virtual account, with the residence of the originator or payee of the payment not depending on the location of the parent company.

(6) Non-completed payments returned to the payee due to deficient information shall not be reported.

§ 5. Reporting threshold

Payments amounting to and exceeding 10,000 euros or the corresponding amount in any other currency shall be reported.

§ 6. Reporting period and due dates for submission of reports

(1) The reporting period of the reports specified in subsection 4 (1) shall be the calendar month.

(2) A credit institution shall submit the reports specified in subsection 4 (1) to Eesti Pank by the seventh banking day after the end of the reporting period.

§ 7. Submission of reports

(1) The reports shall be submitted to Eesti Pank electronically in the XML (eXtensible Markup Language) format as provided by Eesti Pank Governor's Decree No. 4 of 29 May 2018 'Requirements for the electronic submission of reports' (RT I, 05.06.2018, 1).

[RT I, 19.06.2018, 1 – entry into force 01.01.2019]

(2) [Repealed – RT I, 13.07.2018, 6 – entry into force 01.01.2019]

(3) A blank report shall be submitted if no data are available on the area of report.

§ 8. Preservation of reports

Reports submitted to Eesti Pank shall be preserved within the credit institutions for a period of one year.

§ 9. Implementing provisions

(1) [Omitted from this text.]

(2) Data gathered but not yet submitted to Eesti Pank under the decree specified in subsection 1 of this section prior to its repeal shall be submitted to Eesti Pank in accordance with the requirements of the above decree by 21 February 2014 at the latest.

§ 10. Entry into force of the Decree

This Decree shall enter into force on 1 February 2014.

[Appendix 1](#) Report on cross-border payments of residents [RT I, 13.07.2018, 6 – entry into force 01.01.2019]

[Appendix 2](#) Report on domestic payments of non-residents [RT I, 13.07.2018, 6 – entry into force 01.01.2019]

Appendix 3 Technical specifications and submission format of reports [Repealed – RT I, 13.07.2018, 6 – entry into force 01.01.2019]