

Pursuant to Article 103b, paragraph 6 of the Law on the Prevention of Money Laundering and Terrorism Financing (RS Official Gazette, Nos 113/2017 and 91/2019) and Article 18, paragraph 1, item 3) 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, 40/2015 – Constitutional Court decision and 44/2018), the Governor of the National Bank of Serbia hereby issues the following

D E C I S I O N
ON DETAILED TERMS AND MANNER OF KEEPING THE SINGLE
REGISTER OF MONEY REMITTANCE BENEFICIARIES

Basic provisions

1. This Decision sets forth detailed terms and manner in which the National Bank of Serbia keeps the Single Register of Money Remittance Beneficiaries, the manner of and deadlines for submitting the data kept in the Register and the manner of accessing these data.

2. The Single Register of Money Remittance Beneficiaries shall contain data on the beneficiaries of the money remittance payment service.

The Single Register of Money Remittance Beneficiaries shall not contain data on the amounts of payment transactions.

3. The money remittance payment service, within the meaning of this Decision, shall have the meaning defined in the law governing the provision of payment services.

The money remittance beneficiary, within the meaning of this Decision, shall mean the payer and the payee.

The payer, within the meaning of this Decision, is a natural person issuing a payment order to a payment service provider to execute a payment transaction, regardless of whether the payer has permanent residence on the territory of the Republic of Serbia.

The payee, within the meaning of this Decision, is a natural person receiving the funds that are the subject of the money remittance with the payment service provider, regardless of whether the payee has permanent residence on the territory of the Republic of Serbia.

The payment service provider, within the meaning of this Decision, is a bank, a payment institution, an electronic money institution or a public postal operator, within the meaning of the law governing the provision of payment services, when they provide the money remittance payment service.

4. The National Bank of Serbia shall keep the Single Register of Money Remittance Beneficiaries in electronic form, based on data submitted to it by payment service providers.

Data kept in the Single Register of Money Remittance Beneficiaries

5. The Single Register of Money Remittance Beneficiaries shall contain the following data on money remittance beneficiaries:

- 1) name and surname of the money remittance beneficiary;
- 2) data on whether the money remittance beneficiary is a citizen of the Republic of Serbia and/or the name of the foreign country whose citizen he is – if the money remittance beneficiary is not a citizen of the Republic of Serbia;
- 3) unique citizen identification number of the money remittance beneficiary, and/or other appropriate identity designation of the money remittance beneficiary without the Republic of Serbia's citizenship (e.g. passport number or register number determined by the competent state authority);
- 4) address of permanent residence and/or temporary residence of the money remittance beneficiary;
- 5) name of the country to which the funds are remitted and/or from which they are received – if the funds are remitted abroad and/or received from abroad;
- 6) data on whether the money remittance beneficiary is the payer or the payee;
- 7) date of payment order receipt and/or date when the funds were placed at the disposal of the payee;
- 8) data on whether the money remittance payment service was provided in cooperation with a global money transfer service (e.g. Western Union, MoneyGram, Ria Money Transfer, Unistream Money Transfer), including the name of the service, or the payment service was provided by the payment service provider alone, including the name of such service (if the service is provided under a specific name);
- 9) date when the payment service provider submitted data about the money remittance beneficiary to the National Bank of Serbia.

Manner and deadlines for submitting data

6. The payment service provider shall submit the data from Section 5 hereof to the National Bank of Serbia electronically, in accordance with the National Bank of Serbia's technical guidelines defining the manner of submitting data for the purpose of keeping the Single Register of Money Remittance Beneficiaries.

The payer's payment service provider shall submit the data from Section 5 hereof relating to the payer, while the payee's payment service provider shall submit the data from Section 5 hereof relating to the payee.

The payment service provider who, in accordance with law, provides the money remittance payment service via an intermediary shall submit data from paragraph 1 of this Section relating to money remittance payment services provided via an intermediary to the National Bank of Serbia in the manner set out in that paragraph.

7. The data from Section 5 hereof shall be submitted by 12.00 noon for payment transactions executed on the previous day, while if the payment transaction was executed on a non-working day, these data shall be submitted by no later than 12.00 noon on the first following working day.

Non-working days referred to in paragraph 1 of this Section shall mean Saturdays, Sundays and state and religious holidays observed and considered non-working days in the Republic of Serbia.

8. The payment service provider shall be responsible for the accuracy of data submitted in accordance with this Decision, and the National Bank of Serbia shall be responsible for ensuring that the data from the Single Register of Money Remittance Beneficiaries are identical to the submitted data.

Accessing data from the Single Register of Money Remittance Beneficiaries

9. The data from the Single Register of Money Remittance Beneficiaries shall not be publicly available and shall be subject to the provisions of the law governing the provision of payment services which pertain to business secrets, as well as the provisions of regulations governing the protection of personal data.

The authorities and persons authorised pursuant to the regulations referred to in paragraph 1 of this Section to have access to data from the Single Register of Money Remittance Beneficiaries shall be allowed such access by the National Bank of Serbia exclusively via a special applicative solution, based on the received request signed by a qualified electronic signature. Apart from the special applicative solution, in the case of courts and other competent authorities, these data may also be provided based on a written request, in accordance with law.

By way of exception to paragraph 2 of this Section, authorised persons in competent authorities in a criminal procedure, organisational unit of the Ministry of the Interior in charge of financial investigation, Administration for the Prevention of Money Laundering, and organisational

units in the National Bank of Serbia whose remit includes the supervision of financial institutions may also be allowed direct access to data in the Single Register of Money Remittance Beneficiaries via a special applicative solution, in accordance with technical capabilities that do not threaten the security of the National Bank of Serbia's information system.

The National Bank of Serbia may issue technical guidelines to define in more detail the manner of gaining access to the data from the Single Register of Money Remittance Beneficiaries via the applicative solution referred to in paragraphs 2 and 3 of this Section.

The persons provided access to the data referred to in paragraph 1 of this Section may use these data exclusively for the purpose for which they were obtained and may not communicate or supply the data to third persons, nor may they give access to these data to third persons, except in the cases determined by law.

The data referred to in paragraph 1 of this Section, which relate to a particular money remittance, may be supplied to the money remittance beneficiary based on his request, which is submitted in written or another appropriate form, along with a copy and/or a reading of the ID card, or a copy of the passport.

Transitional provisions and the final provision

10. The payment service provider shall submit the data from Section 5 hereof by 15 June 2020, for all money remittance beneficiaries who made use of the money remittance payment service from the day this Decision entered into force until 1 June 2020.

11. This Decision shall enter into force on the eighth day from the day of its publication in the RS Official Gazette, and shall apply as of 1 June 2020.

D. No 3
10 February 2020
Belgrade

Governor
of the National Bank of Serbia

Dr Jorgovanka Tabaković