РЕШЕНИЕ (ЕС) 2025/1970 НА ЕВРОПЕЙСКАТА ЦЕНТРАЛНА БАНКА

от 23 септември 2025 година

за изменение на Решение (ЕС) 2022/911 относно условията на TARGET-ЕЦБ (ЕЦБ/2022/22)
(ЕЦБ/2025/32)

УПРАВИТЕЛНИЯТ СЪВЕТ НА ЕВРОПЕЙСКАТА ЦЕНТРАЛНА БАНКА,

като взе предвид Договора за функционирането на Европейския съюз, и по-специално член 127, параграф 2, четвърто тире от него,

като взе предвид Устава на Европейската система на централните банки и на Европейската централна банка, и по-специално член 3.1, четвърто тире, и член 22 във връзка с член 17 от него,

като има предвид, че:

(1) На 11 юни 2021 г. Управителният съвет одобри въвеждането на функционалността за сетълмент между различни валути в платформата на TARGET за сетълмент на незабавни плащания (TIPS). Впоследствие на 31 юли 2025 г. Управителният съвет прие Насоки (ЕС) 2025/1889 на Европейската централна банка (ЕЦБ/2025/28) ([1]), с които в TIPS се въвежда специална междувалутна функционалност за кредитен превод, известна като функционалност за кредитен превод, при който поне едната част на превода се извършва в евро и поне единият доставчик на платежни услуги е установен в SEPA (one-leg out, OLO). Тази функционалност позволява да се изпращат и получават плащания до и от други съвместими платежни системи в други юрисдикции или валутни зони чрез използването на съществуващата функционалност за евро частта на тези трансакции.

(2) Насоки (ЕС) 2025/1889 (ЕЦБ/2025/28) също отразяват наличността на функционалността за сетълмент между различни валути в TIPS в общото описание на услугите в TARGET и разясняват и актуализират някои други аспекти от Насоки (ЕС) 2022/912 на Европейската централна банка (ЕЦБ/2022/8). ([2])

(3) Титулярите на TIPS специални парични сметки (DCA) и TIPS технически сметки на спомагателни системи ще имат възможността да използват функционалността за сетълмент между различни валути и да приемат TIPS OLO нареждания за кредитен превод.

(4) Измененията на Насоки (ЕС) 2022/912 (ЕЦБ/2022/8), които засягат условията на TARGET-ЕЦБ, следва да се отразят в Решение (ЕС) 2022/911 на Европейската централна банка (ЕЦБ/2022/22). ([3])

(5) Поради това Решение (ЕС) 2022/911 (ЕЦБ/2022/22) следва да бъде съответно изменено,

ПРИЕ НАСТОЯЩОТО РЕШЕНИЕ:

Член 1

Изменения

Приложение I към Решение (ЕС) 2022/911 (ЕЦБ/2022/22) се изменя в съответствие с приложението към настоящото решение.

([1]) Насоки (ЕС) 2025/1889 на Европейската централна банка от 31 юли 2025 г. за изменение на Насоки (ЕС) 2022/912 относно Трансевропейската автоматизирана система за брутен сетълмент на експресни преводи в реално време от ново поколение (TARGET) (ЕЦБ/2022/8) (ЕЦБ/2025/28) (ОВ L, 2025/1889, 19.9.2025 г., ELI: http://data.europa.eu/eli/guideline/2025/1889/oj).

([2]) Насоки (ЕС) 2022/912 на Европейската централна банка от 24 февруари 2022 г. относно Трансевропейската автоматизирана система за брутен сетълмент на експресни преводи в реално време от ново поколение (TARGET) и за отмяна на Насоки ЕЦБ/2012/27 (ЕЦБ/2022/8) (ОВ L 163, 17.6.2022 г., стр. 84, ELI: http://data.europa.eu/eli/guideline/2022/912/oj).

([3]) Решение (ЕС) 2022/911 на Европейската централна банка от 19 април 2022 г. относно условията на TARGET–ЕЦБ и за отмяна на Решение ЕЦБ/2007/7 (ЕЦБ/2022/22) (ОВ L 163, 17.6.2022 г., стр. 1, ELI: http://data.europa.eu/eli/dec/2022/911/oj).

Член 2

Влизане в сила

1. Настоящото решение влиза в сила на четвъртия ден след публикуването му в *Официален вестник на Европейския съюз*.

2. Прилага се от 6 октомври 2025 г.

Съставено във Франкфурт на Майн на 23 септември 2025 година.

Председател на ЕЦБ
Christine LAGARDE

ПРИЛОЖЕНИЕ

Приложение I към Решение (ЕС) 2022/911 (ЕЦБ/2022/22) се изменя, както следва:

1. Част I се изменя, както следва:

   а) в член 3 се вмъква следният параграф 2a:

   „2a. TARGET allows cross-currency instant payments to be sent to or received from interoperable eligible payment systems in other currencies operating in central bank money and using the TIPS platform. Eligible payment systems in other currencies are those owned and/or operated by central banks that have signed a currency participation agreement with the Eurosystem CBs, allowing them to use the TIPS platform as a technical basis to settle instant payments.“;

   б) в член 17, параграф 1 буква б) се заменя със следното:

   „(b) instant payment orders and TIPS OLO credit transfer orders shall be deemed entered into TARGET-ECB and irrevocable at the moment that the relevant funds on the TIPS DCA of the participant or on its TIPS AS technical account are reserved;“;

   в) член 20 се заменя със следното:

   „*Article 20*

   Compensation Scheme

   If, due to a technical malfunction of TARGET, a cash transfer order cannot be settled on the same business day on which it was accepted, or could not be submitted, the ECB shall offer to compensate the participant concerned in accordance with the special procedure laid down in Appendix II.“;

2. Част V се изменя, както следва:

   а) в член 1 се добавя следният параграф 3:

   „3. If the TIPS DCA holder exercises its option to accept TIPS OLO credit transfer orders, it shall inform the ECB accordingly.“;

   б) в член 3 параграф 1 се заменя със следното:

   „1. A TIPS DCA holder may designate one or more reachable parties and shall inform the ECB if any of these reachable parties accept TIPS OLO credit transfer orders. Reachable parties shall have adhered to the SCT Inst scheme by signing the SEPA Instant Credit Transfer Adherence Agreement.“;

   в) в член 4, параграф 1 се вмъква следната буква aa):

   „(aa) TIPS OLO credit transfer orders;“;

   г) в член 6 параграф 3 се заменя със следното:

   „3. After an instant payment order or TIPS OLO credit transfer order has been accepted as set out in Part I, Article 16, TARGET-ECB shall check if sufficient funds are available on the payer's TIPS DCA to effect settlement and the following shall apply:

   (a) if sufficient funds are not available, the instant payment order or TIPS OLO credit transfer order shall be rejected;

   (b) if sufficient funds are available, the corresponding amount shall be reserved while awaiting the payee's response. In the event of acceptance by the payee of an instant payment order or a TIPS OLO credit transfer order, the order shall be settled and the reservation shall be simultaneously lifted. In the event of rejection by the payee of an instant payment order or a TIPS OLO credit transfer order, or the absence of a timely response, within the meaning of the SCT Inst scheme for the former and the TIPS User Detailed Functional Specifications (UDFS) for the latter, the instant payment order or the TIPS OLO credit transfer order shall be rejected and the reservation shall be simultaneously lifted.“;

   д) в член 6 параграф 5 се заменя със следното:

   „5. Without prejudice to paragraph 3, point (b), the ECB shall reject an instant payment order or TIPS OLO credit transfer order if the amount of the instant payment order or TIPS OLO credit transfer order exceeds any applicable credit memorandum balance (CMB).“;

е) в член 8 параграф 1 се заменя със следното:

„1. The TIPS directory is a list of BICs used for the purpose of routing information and comprises the BICs of:

(a) TIPS DCA holders;

(b) reachable parties.

The TIPS directory shall include information for each BIC as to whether the TIPS DCA holder or reachable party accepts TIPS OLO credit transfer orders.“;

ж) в член 10 параграф 4 се заменя със следното:

„4. The ECB shall process instant payment orders and TIPS OLO credit transfer orders of a TIPS DCA holder whose participation in TARGET-ECB has been suspended or terminated under Part I, Article 24(1) or (2) and in relation to which the ECB has reserved funds on a TIPS DCA pursuant to Part V, Article 6(3), point (b), prior to the suspension or termination.“;

з) добавя се следният член 11:

„*Article 11*

Broadcast messages

1. TIPS DCA holders may use the broadcast message function offered by TIPS, which allows a TIPS DCA holder or a TIPS AS technical account holder to send a message to all other TIPS DCA holders and TIPS AS technical account holders, to send broadcast messages in the following categories:

(a) „Immediate downtime start“;

(b) „Immediate downtime end“;

(c) „Planned downtime“.

2. TIPS DCA holders shall not send „free text messages“ or „insolvency messages“. The TIPS DCA holder making use of the broadcast facility retains sole responsibility and liability for the content of any message.“;

3. Част VII се изменя, както следва:

а) член 1 се заменя със следното:

„*Article 1*

Opening and management of a TIPS AS technical account

1. The ECB may on the request of an AS that settles instant payments pursuant to the SCT Inst scheme, TIPS OLO credit transfer orders or near instant payments in its own books, open and operate one or more TIPS AS technical accounts. If the TIPS AS technical account holder exercises its option to accept TIPS OLO credit transfer orders, it shall inform the ECB accordingly.

2. There shall be no debit balance on a TIPS AS technical account.

3. The ancillary system shall use a TIPS AS technical account to collect the necessary liquidity set aside by its clearing members to fund their positions.

4. The ancillary system may opt to receive notifications of the crediting and debiting of its TIPS AS technical account. If the ancillary system opts for this service, notification is provided immediately upon the debit or credit of the TIPS AS technical account.

5. An ancillary system may send instant payment orders and positive recall answers to any TIPS DCA holder or TIPS AS technical account holder, and it may send TIPS OLO credit transfer orders to any TIPS DCA holder or TIPS AS technical account holder which has opted to receive them.

6. An ancillary system shall receive and process instant payment orders, recall requests and positive recall answers from any TIPS DCA holder or TIPS AS technical account holder. If it has informed the ECB of the exercise of its option in accordance with paragraph 1, it shall accept TIPS OLO credit transfer orders from any TIPS DCA holder or TIPS AS technical account hold which has opted to send them.“;

б) в член 4 параграф 3 се заменя със следното:

„3. After an instant payment order or TIPS OLO credit transfer order has been accepted as set out in Part I, Article 16(1), the ECB shall check if sufficient funds are available on the payer's TIPS AS technical account to effect settlement and the following shall apply:

(a) if sufficient funds are not available, the instant payment order or TIPS OLO credit transfer order shall be rejected;

(b) if sufficient funds are available, the corresponding amount shall be reserved while awaiting the payee's response. In the event of acceptance by the payee of an instant payment order or a TIPS OLO credit transfer order, the order shall be settled and the reservation shall be simultaneously lifted. In the event of rejection by the payee of an instant payment order or a TIPS OLO credit transfer order, or the absence of a timely response, within the meaning of the SCT Inst scheme for the former and the TIPS UDFS for the latter, the instant payment order or the TIPS OLO credit transfer order shall be rejected and the reservation shall be simultaneously lifted.“;

в) в член 4 параграф 5 се заменя със следното:

„5. Without prejudice to paragraph 3(b), the ECB shall reject an instant payment order or TIPS OLO credit transfer order if the amount of the instant payment order or TIPS OLO credit transfer order exceeds any applicable credit memorandum balance (CMB).“;

г) в член 5 параграф 2 се заменя със следното:

„2. The recall request shall be forwarded to the payee of the settled instant payment order or the TIPS OLO credit transfer order which may answer with a positive or negative recall answer.“;

д) в член 8, параграф 1 се добавя следната буква г):

„(d) TIPS OLO credit transfer orders.“;

е) в член 9 параграф 1 се заменя със следното:

„1. The TIPS directory is a list of BICs used for the purpose of routing information and comprises the BICS of:

(a) TIPS DCA holders;

(b) reachable parties.

The TIPS directory shall include information for each BIC as to whether the TIPS DCA holder or reachable party accepts TIPS OLO credit transfer orders.“;

ж) в член 11 параграф 4 се заменя със следното:

„4. The ECB shall process instant payment orders or TIPS OLO credit transfer orders of a TIPS AS technical account holder whose participation in TARGET-ECB has been suspended or terminated under Part I, Article 24(1) or (2) and in relation to which the ECB has reserved funds on a TIPS AS technical account pursuant to Part VII, Article 4(3), point (b), prior to the suspension or termination.“;

з) добавя се следният член 12:

„*Article 12*

Broadcast messages

1. TIPS DCA holders may use the broadcast message function offered by TIPS, which allows a TIPS DCA holder or a TIPS AS technical account holder to send a message to all other TIPS DCA holders and TIPS AS technical account holders, to send broadcast messages in the following categories:

(a) „Immediate downtime start“;

(b) „Immediate downtime end“;

(c) „Planned downtime“.

2. TIPS AS technical account holders shall not send „free text messages“ or „insolvency messages“. The TIPS AS technical account holder making use of the broadcast facility retains sole responsibility and liability for the content of any message.“;

4. Допълнение I се изменя, както следва:

а) в раздел 4 („Видове съобщения, обработвани в TARGET“) се добавя следната буква д):

„(e) The following additional message subtypes are used for TIPS OLO credit transfer orders:

Message Type	Description
pacs.002.001.03	FIToFIPayment Status Report
pacs.008.001.08	FIToFICustomerCreditTransfer
pacs.028.001.03	FIToFIPaymentStatusRequest

Messages related to TIPS OLO credit transfer orders will be identified with the suffix XCY in the message exchange protocol.“;

б) раздел 6 се заменя със следното:

„6. **Validation rules and error codes**

Validation of messages is carried out according to High Value Payments Plus (HVPS+) guidelines on message validations specified by the ISO 20022 standard, and TARGET-specific validations. The detailed validation rules and error codes are described in the respective parts of the UDFS as follows:

(a) for MCAs, in Chapter 14 of the CLM UDFS;

(б) for RTGS DCAs, in Chapter 13 of the RTGS UDFS;

(c) for T2S DCAs, in Chapter 4.1 of the T2S UDFS.

If an instant payment order, a TIPS OLO credit transfer order or a positive recall answer is rejected for any reason, the TIPS DCA holder shall receive a payment status report (pacs.002), as described in Chapter 4.2 of the TIPS UDFS. If a liquidity transfer order is rejected for any reason, the TIPS DCA holder shall receive a rejection (camt.025), as described in Chapter 1.6 of the TIPS UDFS.“;

5. Допълнение IV се изменя, както следва:

в буква в) от раздел 2.3 („Обработка при извънредни ситуации“) се вмъква следната подточка iii):

„iii) payments made by or to treasury departments of central or regional governments of Member States for the purpose of preventing the spill-over of intraday into overnight credit.“;

6. Допълнение VI се изменя, както следва:

а) раздел 6 се заменя със следното:

„6. FEES FOR TIPS DCA HOLDERS

Fees for the operation of TIPS DCAs shall be charged as follows:

(a) For each TIPS DCA, a monthly fixed fee of 800 EUR shall be charged to the holder of the TIPS DCA. This fixed fee shall include one BIC, which shall be a reachable party in TIPS and designated by the TIPS DCA holder to use this TIPS DCA;

(b) For each further reachable party, up to a maximum of 50, designated by the TIPS DCA holder, a monthly fixed fee of 20 EUR shall be charged to the designating TIPS DCA holder. No fee shall be charged for any subsequent reachable parties designated;

(c) For each instant payment order, TIPS OLO credit transfer order, or positive recall answer accepted by the ECB as set out in Part I, Article 16, a fee of 0 EUR,001 shall be charged to both the holder of the TIPS DCA to be debited and to the holder of the TIPS DCA or TIPS AS technical account to be credited, whether or not the instant payment order, TIPS OLO credit transfer order or positive recall answer settles;

(d) No fee shall be charged for liquidity transfer orders from TIPS DCAs to MCAs, RTGS DCAs, sub-accounts, overnight deposit accounts, TIPS AS technical accounts or T2S DCAs.“;

б) в раздел 7, параграф 2 буква в) се заменя със следното:

„(c) For each instant payment order, TIPS OLO credit transfer order or positive recall answer accepted by the ECB as set out in Part I, Article 16, a fee of 0 EUR,001 shall be charged to both the holder of the TIPS AS technical account to be debited and to the holder of the TIPS AS technical account or TIPS DCA to be credited, whether or not the instant payment order, TIPS OLO credit transfer order or positive recall answer settles.“.