2025/1970

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EUROPOS CENTRINIO BANKO SPRENDIMAS (ES) 2025/1970

2025 m. rugsėjo 23 d.

kuriuo iš dalies keičiamas Sprendimas (ES) 2022/911 dėl TARGET-ECB sąlygų (ECB/2022/22)
(ECB/2025/32)

EUROPOS CENTRINIO BANKO VYKDOMOJI VALDYBA,

atsižvelgdama į Sutartį dėl Europos Sąjungos veikimo, ypač į jos 127 straipsnio 2 dalies ketvirtą įtrauką,

atsižvelgdama į Europos centrinių bankų sistemos ir Europos Centrinio Banko statutą, ypač į jo 3 straipsnio 1 dalies ketvirtą įtrauką ir 22 straipsnį kartu su 17 straipsniu,

kadangi:

(1) 2021 m. birželio 11 d. Valdančioji taryba patvirtino galimybę vykdyti atsiskaitymų skirtingomis valiutomis funkciją TARGET momentinių mokėjimų atsiskaitymų (TIPS) sistemoje. 2025 m. liepos 31 d. Valdančioji taryba priėmė Europos Centrinio Banko gaires (ES) 2025/1889 (ECB/2025/28) ([1]), kuriose įtvirtinta speciali kredito pervedimo skirtingomis valiutomis galimybė, vadinama TIPS „one-leg out“ (OLO) kredito pervedimo nurodymo galimybė TIPS. Naudojantis šia galimybe galima siųsti mokėjimus tinkamoms mokėjimo sistemoms kitose jurisdikcijose ar valiutose zonose, naudojant dabartinę funkciją, skirtą šių operacijų euro daliai;

(2) Gairėse (ES) 2025/1889 (ECB/2025/28) taip pat atspindėta ši atsiskaitymo skirtingomis valiutomis funkcija TIPS bendrame TARGET paslaugų apraše ir patikslinti bei atnaujinti tam tikri kiti Europos Centrinio Banko gairių (ES) 2022/912 (ECB/2022/8) ([2]) aspektai;

(3) TIPS specialiųjų lėšų sąskaitų (SLS) ir TIPS IS (išorinės sistemos) techninių sąskaitų turėtojai turės galimybę pasinaudoti atsiskaitymo skirtingomis valiutomis funkcija ir taip priimti TIPS OLO kredito pervedimo nurodymus;

(4) Gairių (ES) 2022/912 (ECB/2022/8) daliniai pakeitimai, kurie turi įtakos TARGET-ECB sąlygoms, turėtų būti atspindėti Europos Centrinio Banko sprendime (ES) 2022/911 (ECB/2022/22) ([3]);

(5) todėl reikėtų atitinkamai iš dalies pakeisti Sprendimą (ES) 2022/911 (ECB/2022/22),

PRIĖMĖ ŠĮ SPRENDIMĄ:

1 straipsnis

Daliniai pakeitimai

Sprendimo (ES) 2022/911 (ECB/2022/22) I priedas iš dalies keičiamas pagal šio sprendimo priedą.

([1]) 2025 m. liepos 31 d. Europos Centrinio Banko gairės (ES) 2025/1889, kuriomis iš dalies keičiamos Gairės (ES) 2022/912 dėl naujos kartos Transeuropinės automatizuotos realaus laiko atskiruųjų atsiskaitymų skubių pervedimų sistemos (TARGET), (ECB/2022/8) (ECB/2025/28) (OL L, 2025/1889, 2025 9 19, ELI: http://data.europa.eu/eli/guideline/2025/1889/oj).

([2]) 2022 m. vasario 24 d. Europos Centrinio Banko gairės (ES) 2022/912 dėl naujos kartos Transeuropinės automatizuotos realaus laiko atskiruųjų atsiskaitymų skubių pervedimų sistemos (TARGET), kuriomis panaikinamos Gairės ECB/2012/27, (ECB/2022/8) (OL L 163, 2022 6 17, p. 84, ELI: http://data.europa.eu/eli/guideline/2022/912/oj).

([3]) 2022 m. balandžio 19 d. Europos Centrinio Banko sprendimas (ES) 2022/911 dėl TARGET-ECB sąlygų, kuriuo panaikinamas Sprendimas ECB/2007/7, (ECB/2022/22) (OL L 163, 2022 6 17, p. 1, ELI: http://data.europa.eu/eli/dec/2022/911/oj).

2 straipsnis

Įsigaliojimas

1. Šis sprendimas įsigalioja ketvirtą dieną po jo paskelbimo *Europos Sąjungos oficialiajame leidinyje*.

2. Jis taikomas nuo 2025 m. spalio 6 d.

Priimta Frankfurte prie Maino 2025 m. rugsėjo 23 d.

ECB Pirmininkė
Christine LAGARDE

PRIEDAS

Sprendimo (ES) 2022/911 (ECB/2022/22) I priedas iš dalies keičiamas taip:

1) I dalis iš dalies keičiama taip:

a) 3 straipsnyje įterpiama ši 2a dalis:

„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.“;

b) 17 straipsnio 1 dalies b punktas pakeičiamas taip:

„(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;“;

c) 20 straipsnis pakeičiamas taip:

„*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) V dalis iš dalies keičiama taip:

a) 1 straipsnis papildomas šia 3 dalimi:

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

b) 3 straipsnio 1 dalis pakeičiama taip:

„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.“;

c) 4 straipsnio 1 dalyje įterpiamas šis aa punktas:

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

d) 6 straipsnio 3 dalis pakeičiama taip:

„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.“;

e) 6 straipsnio 5 dalis pakeičiama taip:

„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).“;

f) 8 straipsnio 1 dalis pakeičiama taip:

„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.“;

g) 10 straipsnio 4 dalis pakeičiama taip:

„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.“;

h) papildoma šiuo 11 straipsniu:

„*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) VII dalis iš dalies keičiama taip:

a) 1 straipsnis pakeičiamas taip:

„*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.“;

b) 4 straipsnio 3 dalis pakeičiama taip:

„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.";

c) 4 straipsnio 5 dalis pakeičiama taip:

„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).";

d) 5 straipsnio 2 dalis pakeičiama taip:

„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.";

e) 8 straipsnio 1 dalis papildoma šiuo d punktu:

„d) TIPS OLO credit transfer orders.";

f) 9 straipsnio 1 dalis pakeičiama taip:

„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.";

g) 11 straipsnio 4 dalis pakeičiama taip:

„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.";

h) papildoma šiuo 12 straipsniu:

„*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) I priedėlis iš dalies keičiamas taip:

a) 4 skirsnis („Message types processed in TARGET“) papildomas šiuo e punktu:

„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.“;

b) 6 skirsnis pakeičiamas taip:

„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;

b) 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) IV priedėlis iš dalies keičiamas taip:

2.3 skirsnyje („Contingency processing“) įterpiamas šis c punkto iii papunktis:

„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) VI priedėlis iš dalies keičiamas taip:

a) 6 skirsnis pakeičiamas taip:

„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 EUR 800 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 EUR 20 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 EUR 0,001 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.“;

b) 7 skirsnio 2 dalies c punktas pakeičiamas taip:

„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 EUR 0,001 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.“