DECIZIA (UE) 2025/1970 A BĂNCII CENTRALE EUROPENE

din 23 septembrie 2025

de modificare a Deciziei (UE) 2022/911 privind termenii și condițiile TARGET-ECB (BCE/2022/22) *(BCE/2025/32)*

COMITETUL EXECUTIV AL BĂNCII CENTRALE EUROPENE,

având în vedere Tratatul privind funcționarea Uniunii Europene, în special articolul 127 alineatul (2) a patra liniuță,

având în vedere Statutul Sistemului European al Băncilor Centrale și al Băncii Centrale Europene, în special articolul 3.1 a patra liniuță și articolul 22 coroborate cu articolul 17 din statut,

întrucât:

(1) La data de 11 iunie 2021, Consiliul guvernatorilor a aprobat o funcționalitate de decontare intervalutară în serviciul TARGET de decontare a plăților instant (TIPS). Ulterior, la data de 31 iulie 2025, Consiliul guvernatorilor a adoptat Orientarea (UE) 2025/1889 a Băncii Centrale Europene (BCE/2025/28) ([1]) care introduce o facilitate dedicată de transfer credit intervalutar, cunoscută drept facilitatea de transfer credit de tip „one-leg out" (OLO) din TIPS. Această facilitate permite trimiterea și primirea de plăți către și de la alte sisteme de plăți comparabile din alte jurisdicții sau zone monetare utilizând funcționalitatea existentă pentru pasul în euro al tranzacțiilor respective

(2) Orientarea (UE) 2025/1889 (BCE/2025/28) reflectă și disponibilitatea acestei funcționalități de decontare intervalutară din TIPS în descrierea generală a serviciilor TARGET și clarifică și actualizează anumite alte aspecte ale Orientării (UE) 2022/912 a Băncii Centrale Europene (BCE/2022/8) ([2]).

(3) Titularii de conturi de fonduri dedicate (DCA) în TIPS și de conturi tehnice TIPS AS (ale sistemului auxiliar) vor avea opțiunea de a se folosi de funcționalitatea de decontare intervalutară și de a accepta, astfel, ordine de transfer credit TIPS OLO.

(4) Modificările aduse Orientării (UE) 2022/912 (BCE/2022/8) care afectează termenii și condițiile TARGET-ECB ar trebui reflectate în Decizia (UE) 2022/911 a Băncii Centrale Europene (BCE/2022/22) ([3]).

(5) Prin urmare, Decizia (UE) 2022/911 (BCE/2022/22) ar trebui modificată în mod corespunzător,

ADOPTĂ PREZENTA DECIZIE:

Articolul 1

Modificări

Anexa I la Decizia (UE) 2022/911 (BCE/2022/22) se modifică în conformitate cu anexa la prezenta decizie.

([1]) Orientarea (UE) 2025/1889 a Băncii Centrale Europene din 31 iulie 2025 de modificare a Orientării (UE) 2022/912 privind sistemul transeuropean automat de transfer rapid cu decontare pe bază brută în timp real (TARGET) de nouă generație (BCE/2022/8) (BCE/2025/28) (JO L, 2025/1889, 19.9.2025, ELI: http://data.europa.eu/eli/guideline/2025/1889/oj)].

([2]) Orientarea (UE) 2022/912 a Băncii Centrale Europene din 24 februarie 2022 privind sistemul transeuropean automat de transfer rapid cu decontare pe bază brută în timp real (TARGET) de nouă generație și de abrogare a Orientării BCE/2012/27 (BCE/2022/8) (JO L 163, 17.6.2022, p. 84, ELI: http://data.europa.eu/eli/guideline/2022/912/oj).

([3]) Decizia (UE) 2022/911 a Băncii Centrale Europene din 19 aprilie 2022 privind termenii și condițiile TARGET-ECB și de abrogare a Deciziei BCE/2007/7 (BCE/2022/22) (JO L 163, 17.6.2022, p. 1, ELI: http://data.europa.eu/eli/dec/2022/911/oj).

Articolul 2

Intrare în vigoare

(1) Prezenta decizie intră în vigoare în a patra zi de la data publicării în *Jurnalul Oficial al Uniunii Europene*.

(2) Se aplică de la 6 octombrie 2025.

Adoptată la Frankfurt pe Main, 23 septembrie 2025.

Președinta BCE
Christine LAGARDE

ANEXĂ

Anexa I la Decizia (UE) 2022/911 (BCE/2022/22) se modifică după cum urmează:

1. Partea I se modifică după cum urmează:

(a) la articolul 3 se introduce următorul alineat (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.";

(b) la articolul 17 alineatul (1), litera (b) se înlocuiește cu următorul text:

„(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) Articolul 20 se înlocuiește cu următorul text:

„*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. Partea V se modifică după cum urmează:

(a) la articolul 1 se adaugă următorul alineat (3):

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

(b) la articolul 3, alineatul (1) se înlocuiește cu următorul text:

„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) la articolul 4 alineatul (1), se adaugă următoarea literă (aa):

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

(d) la articolul 6, alineatul (3) se înlocuiește cu următorul text:

„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) la articolul 6, alineatul (5) se înlocuiește cu următorul text:

„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) la articolul 8, alineatul (1) se înlocuiește cu următorul text:

„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) la articolul 10, alineatul (4) se înlocuiește cu următorul text:

„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) se adaugă următorul articol 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. Partea VII se modifică după cum urmează:

(a) articolul 1 se înlocuiește cu următorul text:

„*Article 1*

Opening and management of a TIPS AS technical account

1. Th 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) la articolul 4, alineatul (3) se înlocuiește cu următorul text:

„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) la articolul 4, alineatul (5) se înlocuiește cu următorul text:

„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) la articolul 5, alineatul (2) se înlocuiește cu următorul text:

„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) la articolul 8 alineatul (1), se adaugă următoarea literă (d):

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

(f) la articolul 9, alineatul (1) se înlocuiește cu următorul text:

„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) la articolul 11, alineatul (4) se înlocuiește cu următorul text:

„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) se adaugă următorul articol 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. Apendicele I se modifică după cum urmează:

(a) în secțiunea 4 („Message types processed in TARGET”), se adaugă următoarea literă (e):

„(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) secțiunea 6 se înlocuiește cu următorul text:

„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. Apendicele IV se modifică după cum urmează:

în secțiunea 2.3 („Contingency processing”), la litera (c) se adaugă următorul subpunct (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. Apendicele VI se modifică după cum urmează:

(a) secțiunea 6 se înlocuiește cu următorul text:

„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) în secțiunea 7 la punctul 2, litera (c) se înlocuiește cu următorul text:

„(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."