

Pursuant to Article 44 paragraph 2 item 3 of the Central Bank of Montenegro Law (OGM 40/10, 06/13, 70/17) and Article 89 paragraph 5 and Article 124 paragraph 1 of the Payment System Law (OGM 62/13, 111/22), the Central Bank of Montenegro Council, at its meeting held on 12 May 2023, passed the following

DECISION
ON THE MANNER OF KEEPING THE REGISTRY OF PAYMENT INSTITUTIONS AND THE
REGISTRY OF ELECTRONIC MONEY INSTITUTIONS

I. BASIC PROVISION

Article 1

This decision shall prescribe the manner of keeping the registry of payment institutions and the registry of electronic money institutions, including their branches and agents, maintained by the Central Bank of Montenegro (hereinafter: the Central Bank) and the publication of data from these registries.

II. REGISTRY OF PAYMENT INSTITUTIONS

Article 2

The following shall be entered into the registry of payment institutions:

- 1) payment institutions to which the Central Bank has granted the authorisation to provide payment services;
- 2) branches of payment institutions through which payment institutions provide payment services;
- 3) agents to which payment institutions entrust the provision of payment services;
- 4) registered account information service providers;
- 5) providers of activities not deemed to be payment services:
 - a) that have sent the notification referred to in Article 3a paragraph (1) and that meet the conditions referred to in Article 3 paragraph (1) item 11) sub-item a) and/or b) of the Payment System Law (hereinafter: the Law),
 - b) that operate in accordance with the limitations referred to in Article 3 paragraph (1) item 12) of the Law.

In the registry of payment institutions, registration entities referred to in paragraph (1) of this Article shall be maintained separately by the following groups:

- 1) payment institutions, their branches and agents;
- 2) registered account information service providers;
- 3) providers of activities not deemed to be payment services.

Article 3

The registry of payment institutions shall contain the following information about a payment institution:

- 1) registry entry number of a payment institution;
- 2) name, head office, telephone number, e-mail address, and internet address of a payment institution;
- 3) registration number of a payment institution;

- 4) date and number of the decision of the Central Bank by which a payment institution is granted an authorisation to provide payment services;
- 5) list of payment services, which a payment institution is authorised to provide in accordance with the granted authorisation;
- 6) in reference to a hybrid payment institution, information on the activity other than the activity of providing payment services, and/or information on the payment system it operates;
- 7) information on persons who are members of the bodies of the payment institution, or who are responsible for managing the operations of the payment institution (name and surname, date and place of birth, address of permanent or temporary place of residence);
- 8) name and head office, or name and surname, address of permanent or temporary place of residence of persons with qualifying holding in the payment institution and information on the size of that holding expressed as percentage;
- 9) name, head office, telephone number and e-mail address of the payment institution branch;
- 10) name and head office, or name, surname and address of the payment institution agent;
- 11) issuance and expiration date of any measure imposed by the Central Bank on the payment institution;
- 12) date and number of the administrative decision of the Central Bank on the withdrawal of the authorisation to provide payment services from the payment institution;
- 13) number and date of the administrative decision on the opening of bankruptcy or liquidation proceedings against the payment institution.

Article 4

The registry of payment institutions shall contain the following information on the branches of the payment institutions through which payment institutions provide payment services:

- 1) name, head office, address, and e-mail address of the payment institution branch;
- 2) registry entry number, name and head office of the payment institution which founded the branch;
- 3) type of payment services that the payment institution provides through the branch;
- 4) information on persons responsible for managing the branch's operations (name and surname, date and place of birth, address of permanent or temporary place of residence);
- 5) date and number of the administrative decision of the Central Bank by which the payment institution was granted the authorisation to establish a branch for the purpose of providing payment services in a third country;
- 6) date and number of the administrative decision of the Central Bank on the withdrawal of authorisation to provide payment services through a branch in a third country.

Article 5

The registry of payment institutions shall contain the following information about agents to which payment institutions entrust the provision of payment services:

- 1) name, head office, address and e-mail address of the legal person - agent, and/or name and surname, address and e-mail address of the entrepreneur - agent;
- 2) registry entry number, name and head office of the payment institution that has entrusted the provision of payment services to an agent;
- 3) registration number of the legal person - agent and/or registration number and unique master number of the entrepreneur - agent;
- 4) list of payment services that an agent performs for the payment institution;
- 5) date and number of the administrative decision of the Central Bank on entering the agent into the registry of payment institutions;

- 6) date and number of the administrative decision of the Central Bank on the removal of the agent from the registry of payment institutions.

Article 6

The registry of payment institutions shall contain the following information about a registered account information service provider:

- 1) registry entry number of the account information service provider;
- 2) name and head office, or name and surname, address, telephone number, e-mail address and internet address of a registered account information service provider;
- 3) registration number of the account information service provider;
- 4) date and number of the administrative decision of the Central Bank on entering the account information service provider into the registry of payment institutions;
- 5) type of a payment service, which, in accordance with the administrative decision on the entry into the registry, the account information service provider is authorised to provide;
- 6) information on persons who are members of the bodies of the registered account information service provider, or who are responsible for managing the operations of that person (name and surname, date and place of birth, address of permanent or temporary place of residence);
- 7) issuance and expiration date of any measure imposed by the Central Bank on the registered account information service provider;
- 8) date and number of the administrative decision of the Central Bank on the removal of the registered account information service provider from the registry;
- 9) date and number of the administrative decision on the opening of bankruptcy and/or liquidation proceedings against the registered account information service provider.

Article 7

The registry of payment institutions shall contain the following information about the providers of activities not deemed to be payment services:

- 1) name, head office, telephone number, e-mail address and internet address;
- 2) registration number;
- 3) type of service;
- 4) description of the service;
- 5) date of entry into the registry of payment institutions.

III. REGISTRY OF ELECTRONIC MONEY INSTITUTIONS

Article 8

The registry of electronic money institutions shall contain the following:

- 1) electronic money institutions to which the Central Bank granted the authorisation to issue electronic money;
- 2) branches through which electronic money institutions issue electronic money and/or provide payment services;
- 3) agents to which electronic money institutions entrust the provision of payment services

Article 9

The registry of electronic money institutions shall contain the following information on an electronic money institution:

- 1) registry entry number of the electronic money institution;
- 2) name, head office, telephone number, e-mail address and internet address of the electronic money institution;

- 3) registration number of electronic money institution;
- 4) date and number of the decision of the Central Bank, by which the electronic money institution was granted the authorisation to issue electronic money, and/or date and number of the administrative decision of the Central Bank, by which the electronic money institution was granted the authorisation to provide payment services;
- 5) type of payment services, which, in accordance with the granted authorisation, electronic money institution is authorised to provide;
- 6) when applicable, information on the activities of electronic money institution, other than the issuance of electronic money and/or information on the payment system it operates;
- 7) information on persons who are members of the bodies of the electronic money institution, or who are responsible for managing the operations of the electronic money institution (name and surname, date and place of birth, address of permanent or temporary place of residence);
- 8) name and head office, or name and surname, and address of permanent or temporary place of residence of persons with qualifying holding in the electronic money institution and information on the size of that holding given as percentage;
- 9) name, head office, and e-mail address of the electronic money institution branch in the third country;
- 10) name and head office, and/or name, surname and address, and e-mail address of the electronic money institution agent for the provision of payment services;
- 11) issuance and expiration date of any measure imposed by the Central Bank on the electronic money institution;
- 12) date and number of the administrative decision of the Central Bank on the withdrawal of authorisation to issue electronic money from the electronic money institution, and/or date and number of the administrative decision of the Central Bank on the withdrawal of authorisation to provide payment services from the electronic money institution;
- 13) number and date of the administrative decision to open bankruptcy and/or liquidation proceedings against the electronic money institution.

Article 10

The registry of electronic money institutions shall contain the following information on the branches through which electronic money institutions issue electronic money and/or provide payment services:

- 1) name, head office, address and e-mail address of the electronic money institution branch;
- 2) registry entry number, name and head office of the electronic money institution which founded the branch;
- 3) where applicable, the type of payment services that the electronic money institution provides through a branch;
- 4) information on persons who manage the branch's operations (name and surname, date and place of birth, address of permanent or temporary place of residence);
- 5) date and number of the administrative decision of the Central Bank by which the electronic money institution was granted the authorisation to establish a branch for the purpose of issuing electronic money and/or providing payment services in a third country;
- 6) date and number of the administrative decision of the Central Bank on the withdrawal of authorisation to issue electronic money and/or to provide payment services through a branch in a third country from the electronic money institution.

Article 11

The registry of electronic money institutions shall contain the following information on agents which the electronic money institutions have entrusted with the provision of payment services:

- 1) name, head office, address and e-mail address of the legal person - agent, and/or name and surname, address and e-mail address of the entrepreneur - agent;

- 2) registry entry number, name and head office of the electronic money institution that has entrusted the provision of payment services to an agent;
- 3) registration number of the legal person - agent and/or registration number and unique master number of the entrepreneur - agent;
- 4) list of payment services that the agent performs for the electronic money institution;
- 5) date and number of the administrative decision of the Central Bank on entering the agent into the registry of electronic money institutions;
- 6) date and number of the administrative decision of the Central Bank on the removal of the agent from the registry of electronic money institutions.

IV. MAINTENANCE OF REGISTRIES

Article 12

Registries referred to in Article 1 of this Decision shall be maintained in electronic form, in a manner that provides permanent storage of all data and their uninterrupted use.

Article 13

Registry entry numbers of payment institutions, electronic money institutions, registered account information service providers, and providers of activities not deemed to be payment services which are entered in the registries prescribed by this decision are unique, unchangeable and unrepeatable.

Registry entry numbers referred to in paragraph 1 of this Article shall be made by the Central Bank and shall be assigned upon entry into the registries.

Article 14

The Central Bank shall enter data into the registries referred to in Article 1 of this Decision, on the basis of documentation submitted by the payment institutions, electronic money institutions, registered account information service providers, and providers of activities not deemed to be payment services, and based on other available documentation.

Payment institutions, electronic money institutions, registered account information service providers, and providers of activities not deemed to be payment services shall immediately notify the Central Bank on any changes of data to be entered into the registry.

The Central Bank shall enter data changes into the registries no later than three days following that of the receipt of notification on the respective change.

Article 15

The Central Bank shall delete the following from the relevant registry:

- 1) a payment institution, and/or an electronic money institution in the case of withdrawal of the authorisation to provide payment services and/or the authorisation to issue electronic money;
- 2) a branch of a payment institution, and/or electronic money institution upon receiving a notification and the decision of the competent body of that institution on the termination of the branch;
- 3) a payment institution or electronic money institution agent, upon receiving a request from that institution or upon determining other circumstances in accordance with the Central Bank regulation prescribing detailed conditions for providing activities of the payment service agent;
- 4) a registered account information service provider upon adopting an administrative decision on the removal from the registry in the cases laid down by the Law;
- 5) a provider of activities not deemed to be payment services, upon adopting an administrative decision of the Central Bank on granting the authorisation to provide payment services or upon receiving evidence on discontinuation of services referred to in Article 3 paragraph (1) item 11) sub-items a and/or b and item 12) of the Law.

V. PUBLICATION OF DATA

Article 16

The Central Bank shall publish on its website the following data from the registries referred to in Article 1 of this Decision:

- 1) registry entry number of the registration entity referred to in Articles 2 and 8 of this Decision;
- 2) name, head office, and/or name, surname and address, telephone number, e-mail address and internet address of the registration entity referred to in Articles 2 and 8 of this Decision;
- 3) number and date of the administrative decision of the Central Bank, by which the authorisation to provide payment services and/or authorisation to issue electronic money was granted;
- 4) date and number of the administrative decision of the Central Bank on the entry of the registered account information service provider into the registry of account information service providers;
- 5) list of payment services, for which the authorisation was granted, and/or the administrative decision on the entry into the registry was adopted;
- 6) date of entry into the registry of payment institutions of the provider of activities not deemed to be payment services, type and description of activities;
- 7) names of the members of the bodies, or persons who are responsible for managing the operations of a payment or electronic money institution;
- 8) names of persons who are members of the bodies of a registered account information service provider, or persons who are responsible for managing the operations of a registered account information service provider;
- 9) number and date of the administrative decision of the Central Bank, by which the authorisation to provide payment services or the authorisation to issue electronic money was withdrawn;
- 10) number and date of the administrative decision of the Central Bank on the removal of the registered account information service provider from the registry of payment institutions;
- 11) number and date of the administrative decision to open bankruptcy or liquidation proceedings against a payment institution or an electronic money institution.

In addition to the information referred to in paragraph 1 of this Article, the Central Bank shall publish on its website the information on the internet address of the administrative body responsible for tax affairs where, in accordance with the law, the financial reports of a payment institution or electronic money institution are published, together with an audit report.

Article 17

Upon the written request of a stakeholder for historical data from the registry referred to in Article 1 of this Decision, the Central Bank shall issue a written or electronic extract from the registry, within three days following that of the receipt of such request.

The request referred to in paragraph 1 of this Article must contain the information about the applicant (name, surname, temporary or permanent place of residence of a natural person, and/or the name and head office of a legal person), or their agent, representative or proxy, and an indication of the requested information.

VI. FINAL PROVISIONS

Article 18

As from the date of entry into force of this Decision, the Decision on the Manner of Keeping the Register of Payment Institutions and the Register of Electronic Money Institutions (OGM 48/14, 74/21) shall be repealed.

Article 19

This Decision shall be published in the “Official Gazette of Montenegro”, and it shall enter into force on the day of entry into force of the Law amending the Payment System Law (OGM 111/22).

THE COUNCIL OF THE CENTRAL BANK OF MONTENEGRO

Decision number: 0101-3834-2/2023
Podgorica, 12 May 2023

**CHAIRPERSON
GOVERNOR,**

Radoje Žugić, m.p.