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EBA Regular Use

**INSTRUCTIONS FOR REPORTING OF DEPOSITS UNDER ARTICLE 5G OF
COUNCIL REGULATION (EU) NO 833/2014 AND ARTICLE 1Z OF COUNCIL
REGULATION (EC) NO 765/2006**

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PART I: GENERAL INSTRUCTIONS

1. This framework consists of the reporting requirements under Article 5g of Council Regulation (EU) No 833/2014 (Russia Economic Sanction Regulation – ‘RSR’)¹ and under reporting requirements under Article 1z of Council Regulation (EC) 756/2006 (Belarus Sanction Regulation - BSR)². As part of the obligations established in the RSR and BSR, credit institutions that are subject to these regulations shall provide information specified in this reporting framework.

Addresses of the reporting obligation

2. The framework is in accordance with the clarification on the application of RSR and BSR provided by the European Commission in responses to frequently asked questions³. The reporting obligation applies to credit institutions incorporated or constituted under the law of a Member State, including their branches in the EU or third countries, or doing business in the EU territory.

Scope of the reporting obligation

3. Credit institutions shall provide to the national competent authority of the Member State where they are located or to the Commission information regarding deposits as specified in Article 5g(1) of RSR and Article 1z of BSR.
4. In the Member States where the official currency is other than EUR, the limit set out in Article 5g(1) of RSR and Article 1z of BSR applies in the national currency using the official EUR exchange rate at the reference dates.
5. Information shall be provided on account-by-account basis for all individual and joint accounts where deposits in the meaning of RSR and BSR are held for account holders whose total carrying amount of all deposits with the credit institution exceed EUR 100,000 or EUR 200,000 (e.g. where the joint account is held by two persons within the scope of the prohibition).
6. Where the accounts are denominated in currencies other than the reporting currency, the credit institutions shall use official exchange rates at reference date to convert the account balanced into the reporting currency.
7. Information regarding the deposits shall allow for the monitoring of the credit institutions’ adherence to the prohibition set out in Article 5b of RSR and Article 1u of BSR and allow to identify and analyse deposits, as defined in the RSR and BSR, held by the persons subject to the prohibition, and their comparison and analysis across the institutions.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02014R0833-20220413>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02006R0765-20220310>

³ https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions/sanctions-adopted-following-russias-military-aggression-against-ukraine_en#faq

8. Information provided shall also allow to identify exemptions from the prohibition as allowed by Article 5b(4), and derogations under Articles 5c or 5d of RSR and exemptions under Articles 1u(3), and derogations under Articles 1v and 1w of BSR, where such exemptions and derogations shall be reported (as explained in Part II of these Instructions).
9. Information shall be provided following the same logic as the prohibition set out in Article 5b of RSR and 1u of BSR and in line with the responses and the explanations provided by the European Commission in responses to frequently asked questions regarding the application of sanctions.

Reporting reference and remittance dates

10. Credit institutions shall provide the information specified in Article 5g(1) point (a) of RSR and Article 1z point (a) of BSR no later than 27 May 2022, and provide updates every 12 months.
11. Where there is no deadline, the information specified in Article 5g(1) point (b) of RSR and Article 1z point (b) of BSR shall be provided as soon as possible. This means that credit institutions should take proper action to swiftly collect the information. The deadline of 27 May 2022 envisaged in Article 5g(1) point (a) of RSR and Article 1z point (a) of BSR provides, by analogy, a reasonable timeframe for the transmission of this information as well. Where credit institutions are not able to provide this information by the set deadline for the reasons the information still being collected, they shall inform the respective competent authorities regarding the delay and its reasons and agree reasonable deadline with the competent authorities.
12. Credit institutions shall consider the balance of the deposits on the 26 February 2022 in the case of the RSR and 10 March 2022 in the case of the BSR as the reference dates for the first reporting.

Metadata

13. Credit institutions shall include in the submitted data the following information:
 - (i) name of the reporting credit institution;
 - (ii) Legal Entity Identifier (LEI) of the reporting credit institution;
 - (iii) reporting reference date for Reporting basis I and II (relevant to data field 0110 of the main template);
 - (iv) reporting reference date for Reporting basis III and IV (relevant to data field 0110 of the main template);
 - (v) reporting currency.

PART II: TEMPLATE RELATED INSTRUCTIONS

1. Scope and level of the reporting

14. The underlying data shall be reported by credit institutions on an individual basis, including data for their branches in the EU or third countries (data for branches to be included in the institution's report).
15. Underlying data shall be reported on account-by-account basis for all accounts holding deposits within the scope of RSR and BSR are held for each account holder.
16. If an account holder benefits from the exemption under Article 5b(3) of RSR or Article 1u(2) of BSR (i.e., being or having a joint account with an EU/EEA/Swiss national), deposits shall not be reported as the exemption is based on the status of the account holder.
17. Joint accounts held in the name of more than one person within the scope of the prohibition under RSR and BSR that do not benefit from the exemption under Article 5b(3) of RSR or Article 1u(2) of BSR (e.g., all account holders are Russian or Belarusian nationals) shall be reported for each account as multiple entries depending on the number of joint account holders (e.g. two entries for the joint account held by two persons within the scope of the prohibition) with the same account identifiers but different account holders and other details that are relevant to identify the account holders.
18. For joint accounts columns 0120 and 0130 shall provide full deposit amount, including the exempted part of the deposit in each of the multiple entries reported. Columns 0140 to 0200 shall include full exemption or derogation amounts in each of the multiple entries reported. No allocation of the deposits, or exemptions/derogation to account holders shall be applied.
19. If an account holder benefits from any of the other exemptions or derogations (e.g. under Articles 5b(4), 5c or 5d of RSR or Articles 1u(3), 1v and 1w of BSR), deposits held by the account holder shall be reported as these exemptions/derogations are based on the type of deposit/transaction but do not exempt the account holder from the prohibition for all their transactions.
20. Columns 0120 and 0130 shall provide full deposit amount, including the exempted part of the deposits as well. Columns 0140 to 0200 shall include full exemption or derogation amounts.
21. To understand a change in the total amount of deposits as a result of transactions under the exemptions and granted derogations within the scope of RSR and BSR, credit institutions shall report total amount of the exemptions and derogations granted in the reporting period and provide their breakdown by the eligible exemption/derogation type.

2. Instructions concerning specific columns

Column	Legal references and instructions
<p>0010</p>	<p><u>Account number</u></p> <p>Where, IBAN is available, the account number shall be reported as IBAN, otherwise as the internal account number.</p> <p>The code shall be always have a value.</p> <p>The combination of columns 0010 and 0020 are the row identifiers and must be unique.</p>
<p>0020</p>	<p><u>Account holder identification code</u></p> <p>For institutions and insurance undertakings, the code shall be the LEI code.</p> <p>For other entities the code shall be the LEI code, or if not available, a national code used for registration/identification of corporates in a Member State.</p> <p>If column 0060 is reported as ‘Households’, this code shall be either national ID number, or passport number or national identity card number.</p> <p>The code shall always have a value.</p> <p>The combination of columns 0010 and 0020 are the row identifiers and must be unique.</p>
<p>0030</p>	<p><u>Type of the identification code</u></p> <p>The institutions shall identify the type of the identification code reported in column 0020 as a</p> <ul style="list-style-type: none"> ‘LEI code’ ‘National Code’ ‘Russian Passport Number’ ‘Russian Identity Card number’ ‘Russian national ID number’ ‘Belarusian Passport Number’ ‘Belarussian Identity Card number’

	<p>‘Belarussian national ID number’</p>
<p>0040</p>	<p><u>Joint account</u></p> <p>For the joint accounts, where all account holders are subject to the sanctions (e.g. account holders are Russian or Belarussian nationals) the field shall be reported as ‘Yes’. Where the account is in the sole name of the person under sanctions, the field shall be reported as ‘ No’.</p>
<p>0050</p>	<p><u>Name</u></p> <p>The name of the account holder, whether a legal entity or a natural person or a legal person, entity or body, shall be reported.</p> <p>Where the account holder is a legal person, entity or body, the account holder name recorded shall be the full name of the legal entity in the name of which the funds are deposited including any references to the company type in accordance with the national company law.</p> <p>Where the account holder is a natural person, the name should be provided as ‘last name, first name’ using Latin transcription of the names in Cyrillic as recorded in the credit institutions customer records. If credit institutions’ customer records identify also middle or patronymic, then the name should be provided as ‘last name, first name, patronymic’.</p>
<p>0060</p>	<p><u>Sector of the account holder</u></p> <p>One sector shall be allocated to every account holder on the basis of FINREP, Annex V, Part 1, paragraph 42, economic sector classes and splitting other financial corporations into investment firms and other financial corporations as follows:</p> <p>‘Central Banks’;</p> <p>‘General Governments’;</p> <p>‘Credit institutions’;</p> <p>‘Investment firms as defined in Article 4(1)(2) CRR’;</p> <p>‘Other financial corporations (excluding investment firms)’;</p> <p>‘Non-financial corporations’;</p> <p>‘Households’.</p>

<p>0070</p>	<p><u>Residence of the account holder</u></p> <p>The ISO code 3166-1-alpha-2 of the country of incorporation of the account holder shall be used (including pseudo-ISO codes for international organisations, available in the last edition of the Eurostat’s “Balance of Payments Vademecum”)</p> <p>Where column 0060 is reported as ‘Households’, residence shall be reported based on the natural persons residence, as recorded in the credit institutions’ customer records using the most recent information value.</p>
<p>0080</p>	<p><u>Date of birth</u></p> <p>This column shall only be reported if column 0060 is reported as ‘Households’</p> <p>This shall be reported in the following format: ‘yyyy-mm-dd’.</p>
<p>0090</p>	<p><u>Place of birth</u></p> <p>This column shall only be reported if column 0060 is reported as ‘Households’</p> <p>The place of birth shall be reported as provided in the credit institutions’ customer records in the following form: ‘Town, Country’ using Latin transcription of the names in Cyrillic as recorded in the credit institutions customer records.</p>
<p>0100</p>	<p><u>Citizenship</u></p> <p>This column shall only be reported if column 0060 is reported as ‘Households’</p> <p>Citizenship shall be reported as recorded in the credit institutions’ customer records.</p>
<p>0110</p>	<p><u>Reporting basis</u></p> <p>The institutions shall identify which profile the depositor falls into:</p> <ul style="list-style-type: none"> ‘Reporting basis I’ for Article 5g(1) point (a) of RSR; ‘Reporting basis II’ for Article 5g(1) point (b) of RSR; ‘Reporting basis III’ for Article 1z point (a) of BSR; ‘Reporting basis IV’ for Article 1z point (b) of BSR.

0120	<p><u>Total deposit amount</u></p> <p>Credit balance of the account held by the account holder at the reference date.</p> <p>Deposits as defined in Article 1 point 21 of BSR and Article 1 point (k) of RSR.</p>
0130	<p><u>Maximum deposit amount</u></p> <p>Maximum credit balance of the account held by the account holder as reported in column 0120 reached at any day during the reporting period.</p> <p>This data field should be left empty for the first reporting with reference date of 26 February 2022 for RSR and 10 March for BSR.</p>
0140	<p><u>Exempted deposits during the reporting period</u></p> <p>Amount of the sum of all exemptions and granted derogations during the reporting period, as reported in columns 0150 to 0200.</p> <p>Exemptions and derogations as provided in Articles 5b(4), 5c or 5d of RSR or Articles 1u(3), 1v and 1w of BSR.</p> <p>This data field should be left empty for the first reporting with reference date of 26 February 2022 for RSR and 10 March 2022 for BSR.</p>
0150	<p><u>Article 5b(4) of RSR</u></p> <p>Where applicable, amount of exemptions in the reporting period in accordance with Article 5b(4) of RSR.</p> <p>This data field should be left empty for the first reporting with reference date of 26 February 2022.</p>
0160	<p><u>Article 5c of RSR</u></p> <p>Where applicable, amount of derogations granted in the reporting period in accordance with Article 5c of RSR.</p> <p>This data field should be left empty for the first reporting with reference date of 26 February 2022.</p>
0170	<p><u>Article 5d of RSR</u></p> <p>Where applicable, amount of derogations granted in the reporting period in accordance with Article 5d of RSR.</p>

	<p>This data field should be left empty for the first reporting with reference date of 26 February 2022.</p>
<p>0180</p>	<p><u>Article 1u(3) of BSR</u></p> <p>Where applicable, amount of exemptions in the reporting period in accordance with Article 1u(3) of BSR.</p> <p>This data field should be left empty for the first reporting with reference date of and 10 March 2022.</p>
<p>0190</p>	<p><u>Article 1v of BSR</u></p> <p>Where applicable, amount of derogations granted in the reporting period in accordance with Article 1w of BSR.</p> <p>This data field should be left empty for the first reporting with reference date of and 10 March 2022.</p>
<p>0200</p>	<p><u>Article 1w of BSR</u></p> <p>Where applicable, amount of derogations granted in the reporting period in accordance with Article 1w of BSR.</p> <p>This data field should be left empty for the first reporting with reference date of and 10 March 2022.</p>
<p>0210</p>	<p><u>Notes</u></p> <p>Please outline any additional information relevant to this report. For example:</p> <ul style="list-style-type: none"> • to indicate the reference number of a decision that granted an exemption or derogation that allows for an increase in the deposit balance; or • where applicable, to provide details of any transactions on the bank account since the adoption of the relevant EU Council Regulation.