



**REPUBLIC OF ALBANIA
BANK OF ALBANIA
SUPERVISORY COUNCIL**

**DECISION
No. 7, dated 2.2.2022**

**ON
APPROVAL OF THE REGULATION “ON THE PUBLIC REGISTER OF PAYMENT SERVICE
PROVIDERS”**

In accordance with and pursuant to article 43, letters “c” and “f” of Law no. 8269, dated 23.12.1997 “On the Bank of Albania”, as amended; article 16, paragraph 4, article 21, paragraph 2 and article 31, paragraph 4 of the Law no. 55/2020, dated 30.4.2020, “On payment services”; the Supervisory Council of the Bank of Albania, having regard to the proposal from the Supervision Department,

DECIDED:

1. To approve the regulation “On the public register of payment service providers”, according to the text attached to this decision.
2. The Supervision Department at the Bank of Albania shall be responsible for the creation, maintenance and publication of the public register, as well as the entities defined in Article 3 of this regulation for submitting the necessary information to be included in the register.
3. The Governor's Office and the Research Department shall be responsible for the publication of this Decision in the Official Journal of the Republic of Albania and in the Official Bulletin of the Bank of Albania, respectively.

This Decision shall enter into force on 1 March 2022, and be published in the Official Journal.

SECRETARY

CHAIR

Elvis ÇIBUKU

Gent SEJKO

Article 1

Purpose

The purpose of this regulation is to determine the subjects and data that will be contained in the public register of payment service providers and their agents.

Article 2

Legal basis

In accordance with article 43, letter “c” and “f” of the Law no. 8269, dated 23.12.1997 “On the Bank of Albania”, as amended; article 16, paragraph 4, article 21, paragraph 2 and article 31, paragraph 4 of the Law no. 55/2020, dated 30.4.2020, “On payment services” (which, hereinafter in this regulation, will be referred as the law “On payment services”).

Article 3

Entities of the register of payment service providers

1. The Bank of Albania shall create the public register of payment service providers, which contains data on:
 - a) payment institutions, according to the definition of article 5, paragraph 13 of the law “On payment services”;
 - b) electronic money institutions;
 - c) account information service providers, as defined in article 28 of the law “On payment services”;
 - d) agents of the entities provided for in letters “a”, “b” and “c” of this article;
 - e) service providers, who benefit from the exemptions, according to the provisions of article 4, letter “gj”, sub-paragraph “i” and “ii” of the law “On payment services”, in case the Bank of Albania takes a decision on the discontinuance of the exemption by law, in accordance with the requirements of article 31, paragraph 2 of this law;
 - f) service providers, excluded from the scope of implementation of the law “On payment services”, according to article 4, letter “h” of the law “On payment services”.

Article 4

Registration of licensed institutions and their agents

1. Payment institutions, electronic money institutions, as well as their agents shall be registered in a separate list from the other entities provided for in letters “c”, “e” and “f” of article 3 of this regulation.
2. For licensed payment institutions and electronic money institutions, the register contains the following data:
 - a) the name of the entity (as defined in the license);
 - b) unique business identification number (NUIS);
 - c) the address of the entity's headquarters;
 - d) initial paid-in capital;

- e) the identity (name) of the shareholders/partners with qualifying holding and the percentages of participation in the capital of the entity;
 - f) the identity of the administrator/s and persons in charge of the administration of the entity;
 - g) the number and date of the license granted by the Bank of Albania;
 - h) branches address (if any);
 - i) the list of permissible activities/services performed by the entity;
 - j) the number and date of the decision to revoke the license by the Bank of Albania;
 - k) the number and date of the decision for the suspension of one or several activities, by the Bank of Albania.
3. The Bank of Albania registers the data specified in paragraph 2, letters “a” to “i” of this article, within 15 days from the date of licensing, as well as data on the revocation of the license or the suspension of one or several activities, provided for in the letters “j” and “k” of paragraph 2 of this article, within 15 days from the date of the relevant decision.
 4. The Bank of Albania, for each change of the data defined in paragraph 2, letters “a” to “i” of this article, carried out by the entity, updates this data in the public register, within 15 working days from the date of the notice.
 5. For agents of payment institutions and electronic money institutions, the register contains the following data:
 - a) the name, unique business identification number (NUIS) and address of the agent;
 - b) the identity of the administrator and the persons responsible for the administration of the activity of payment services and/or electronic money services that the agent will perform in the name and on behalf of the entity;
 - c) payment services or electronic money services to be performed by the agent.
 6. The Bank of Albania shall register the agent and the data specified in paragraph 5 of this article, within 2 months from the date of submission of the documentation provided for in paragraph 1 of article 21 of the law “On payment services”, by the payment institution and the electronic money institution.
Only after registration according to this paragraph, the agent can start providing payment service and/or electronic money services.

Article 5

Registration of account information service providers

1. For account information service providers, the register shall contain the following data:
 - a) the name, unique business identification number (NUIS) and address of the provider;
 - b) the identity of the administrator and the persons responsible for the administration of the entity;
 - c) the number and date of the decision for registration, given by the Bank of Albania;
 - d) branches address (if any);

- e) the list of permissible services performed by the entity;
 - f) the number and date of the decision to deregister the entity from the public register.
2. The Bank of Albania shall register the account information service provider and the data specified in paragraph 1, letters “a” to “e” of this article, within 3 (three) months from the date of the acceptance of the request for registration, as provided in article 50, paragraph 6 of the regulation “On the licensing of payment institutions and electronic money institutions and the registration of payment service providers”, and for any changes of the data defined in paragraph 1, letters “a” to “e” of this article, carried out by the entity, updates these data in the public register within 15 working days from the date of the notification. The Bank of Albania includes in the register, the number and date of the decision to deregister the account information service provider from the public register, within 15 days from the date of taking this decision.
 3. For agents of account information service providers, the register shall contain the following data:
 - a) the name, unique business identification number (NUIS) and address of the agent;
 - b) the identity of the administrator and of the persons responsible for the administration of the activity of payment services that the agent will perform in the name and on behalf of the entity;
 - c) payment services to be performed by the agent.

The Bank of Albania shall register the agent and the data specified in this paragraph, within 2 months from the date of submission by the account information service provider, of the documentation provided for in paragraph 3 of Article 54 of the regulation “On the licensing of payment institutions and electronic money institutions and the registration of payment service providers”.

Only after registration under this paragraph, the agent can start providing the payment service.

Article 6

Registration of service providers benefiting from exemptions

1. For the entities provided for in letters “e” and “f” of article 3 of this regulation, the register shall contain the following data:
 - a) the name, unique business identification number (NUIS) and address of the provider;
 - b) the identity of the entity's administrator;
 - c) the number and date of the registration decision;
 - d) the activities performed by the entity;
 - e) the number and date of the decision to deregister the entity from the public register.
2. The Bank of Albania shall register the data specified in paragraph 1 of this article, within 15 days from the date of the decision on registration in the public register, as well as updates these data within 15 days from the date of notification of any changes that may occur in the above data. The Bank of Albania shall include in the register, the

number and date of the decision, for the deregistration of the entities provided for in paragraph 1 of this article, within 15 days from the date of taking this decision.

Article 7

Publication of the register of payment service providers

The register of payment service providers shall be published on the official website of the Bank of Albania according to annex 1 attached to this regulation and is updated and administered by the Supervision Department.

Article 8

Transitory provisions

Electronic money institutions, licensed in accordance to the law “On banks in the Republic of Albania”, as amended, shall continue to remain registered in the register of licensed entities provided for in article 128 of this law, until the moment of being equipped with the updated annex of the license for the payment services they exercise, as provided for in article 99, paragraph 6 of the law “On payment services” and then they shall be registered in the public register of payment service providers, as provided for in this regulation.

Chair of the Supervisory Council

Gent SEJKO

ANNEX 1

Register of payment service providers and electronic money institutions

<u>List of Payment Services in accordance with Annex 1 of Law 55/2020 "On payment services"</u>
1. Services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account.
2. Services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account.
3. Execution of payment transactions, including transfers of funds on a payment account with the user's payment service provider or with another payment service provider:
a) execution of direct debits, including one-off direct debits;
b) execution of payment transactions through a payment card or a similar device;
c) execution of credit transfers, including standing orders.
4. Execution of payment transactions where the funds are covered by a credit line for a payment service user:
a) execution of direct debits, including one-off direct debits;
b) execution of payment transactions through a payment card or a similar device;
c) execution of credit transfers, including standing orders.
5. Issuing of payment instruments and/or acquiring of payment transactions.
6. Money remittance.
7. Payment initiation services.
8. Account information services.

<u>List of services, in accordance with article 4, letter "g)", subparagraphs "i" and "ii" of Law 55/2020 "On payment services"</u>
g) services based on specific payment instruments that can be used only in a limited way, that meet one of the following conditions:
i. instruments allowing the holder to acquire goods or services only in the premises of the issuer or within a limited network of service providers, under direct commercial agreement with a professional issuer;
ii. instruments which can be used only to acquire a very limited range of goods or services.

<u>List of services, in accordance with article 4, letter "h" of Law 55/2020 "On payment services"</u>
h) payment transactions by a provider of electronic communications networks or services provided in addition to electronic communications services for a subscriber to the network or service:
i. for purchase of digital content and voice-based services, regardless of the device used for the purchase or consumption of the digital content and charged to the related bill; or;
ii. performed from or via an electronic device and charged to the related bill within the framework of a charitable activity or for the purchase of tickets.

Payment institutions

Data on the entity										
Entity's name	NUIS	Number and date of license	Headquarters address	Paid-in capital	Name of shareholders/partners with qualifying holding and % of participation in capital	The name of the administrator and the persons responsible for the administration of the entity	Address of branches	List of permissible services that the entity performs (payment services, according to Annex 1 of Law No. 55/2020)	Number and date of the decision to revoke the license	The number and date of the decision to suspend one or several activities

Agents of payment institutions

Data on agents					
Name of the payment institution	Agent's name	NUIS	Agent's address	The name of the administrator and the persons responsible for the administration of payment services	List of payment services that the agent will perform

E-money institutions

Data on the entity											
Entity's name	NUIS	Number and date of license	Headquarters address	Paid-in capital	Name of shareholders/partners with qualifying holding and % of participation in capital	The name of the administrator and the persons responsible for the administration of the entity	Address of branches	List of permissible services that the entity performs (electronic money services)	List of permissible services that the entity performs (payment services, according to Annex 1 of Law No. 55/2020)	Number and date of the decision to revoke the license	The number and date of the decision to suspend one or several activities

Agents of electronic money institutions

Data on agents						
Name of electronic money institution	Agent's name	NUIS	Agent's address	The name of the administrator and persons responsible for the management of payment and/or electronic money services	List of electronic money services that the agent will perform	List of payment services that the agent will perform

Account information service providers

Data on the entity							
Entity's name	NUIS	Number and date of the registration decision	Headquarters address	The name of the administrator and the persons responsible for the administration of the entity	Address of branches	List of permissible services that the entity performs	Number and date of the decision to deregister the entity from the public register

Agents of account information service providers

Data on agents					
Name of the account information service provider	Agent's name	NUIS	Agent's address	The name of the administrator and the persons responsible for the administration of payment services	List of payment services that the agent will perform

Service providers benefiting from exemptions, according to article 4, letter “g”, sub-paragraphs “i” and “ii” of the law “On payment services”

Data on the entity						
Entity's name	NUIS	Number and date of the registration decision	Headquarters address	The name of the administrator of the entity	Activities performed by the provider	Number and date of the decision to deregister the entity from the public register

Service providers benefiting from exemptions, according to article 4, letter “h” of the law “On payment services”

Data on the entity						
Entity's name	NUIS	Number and date of the registration decision	Headquarters address	The name of the administrator of the entity	Activities performed by the provider	Number and date of the decision to deregister the entity from the public register