



REPUBLIC OF ALBANIA
BANK OF ALBANIA
SUPERVISORY COUNCIL

DECISION

No.33, dated 06.07.2022

ON

**AMENDMENTS TO THE REGULATION “ON THE FUNCTIONING OF THE
CENTRAL ALBANIAN FINANCIAL INSTRUMENT SETTLEMENT AND
REGISTRATION (AFISAR) SYSTEM”**

Pursuant to Article 43 (c) of the Law No. 8269, dated 23/12/1997 “On the Bank of Albania”, as amended, having regard to the proposal from the Monetary Operations Department, the Supervisory Council of the Bank of Albania,

DECIDED:

1. In the Regulation “On the functioning of the central Albanian Financial Instrument Settlement and Registration (AFISaR) system”, approved with the Decision of the Supervisory Council of the Bank of Albania, No. 76, dated 18.12.2014, as amended, to make the following amendments:

a) Article 16, paragraph 2 (a), is repealed.

b) Article 20, is amended as follows:

i. paragraph 3 (b), is amended with the following content:

“must have signed the standard contract of indirect participation of legal persons as provided in Appendix 2 when the security account is opened by the Bank of Albania or must have signed a custodian contract with another direct participant”.

ii. paragraph 4, is repealed;

c) Article 26, paragraph 2 (b), is amended as follows:

"Omnibus account (1) –means the account opened on the behalf of the participant and where securities owned by the participant’s clients are

deposited. Omnibus accounts are categorised by the type of client as defined in Appendix 21”.

d) Article 28, paragraph 3/1, is added after paragraph 3, as follows:

“3/1. Registration day for payment events is:

- a) 1 (one) business day prior to the payment date in the national currency;*
- b) 3 (three) business days prior to the payment date in the foreign currency.”*

e) Article 50, is amended as follows:

i. Paragraph 3, first sentences is re-formulated to be read:

“The relevant Ministry for Finance will be exempted from fees.”

ii. Paragraph 5/1 is amended as follows:

“Fees charged on:

- a) “specific transactions, shall be settled on a daily basis, on the next business day.*
- b) direct participants under paragraph 4, shall be automatically settled within the first quarter of the year or of the membership;*
- c) indirect participants under paragraph 4, shall be settled after the notification from the Administrator within the first quarter of the year or of the membership.*

The Administrator may submit to participants, in the first business day of the calendar month, a summarised bill on the fees paid in the preceding month.

f) Appendix 1, Article 7 (b) is amended to be read:

Omnibus accounts pursuant to the selection from the list in Appendix 21 of the Regulation. The list of omnibus accounts is an integral part of the contract, subject to change upon the notification in writing from the representative of the participant in this contract and the confirmation from the Administrator's representative.”

g) Appendixes 3 and 4, are repealed.

h) Appendix 6, paragraph 2 (b), is amended to be read as to the content in the Annex attached to this Decision.

i) Appendix 7, one paragraph is added after the table, as follows:

“In the last day of the required reserve holding period pursuant to the stipulations in the Regulation “On the minimum required reserve held from banks at the Bank of Albania”, DVP cut-off will take place at 16:15.”

- j) Appendix 8 is amended to be read as to the content in the Annex attached to this Decision.
 - k) Appendix 11, paragraph II, is repealed.
 - l) Appendix 21 is added after Appendix 20, to be read as to the content in Annex attached to this Decision.
 - m) *“Relevant Ministry for Finance”* replaces *“Ministry of Finance”* throughout the text in this Regulation.
2. Paragraph 1 (a), (b) sub-paragraph ii, and (e) sub-paragraph i, (g) and (k), of this Decision shall enter into Force on 1st January 2023.
 3. All the composing letters in paragraph 1, except for those stipulated in paragraph 2 of this Decision, shall enter into force 15(fifteen) days after its publication in the Official Journal of the Republic of Albania.
 4. Participants in AFISaR system, for the implementation of paragraph 1 (c) of this Decision should conduct the transactions within 1 (one) month from the entry into force of the amendments in accordance with paragraph 3 of this Decision. The Administrator of the AFISaR system shall reimburse the costs on all these transactions.
 5. The Monetary Operations Department and participants in AFISaR system shall be responsible for the implementation of this Decision.
 6. 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.

This Decision shall enter into force 15 (fifteen) days after its publication in the Official Journal of the Republic of Albania.

SECRETARY

CHAIR

ANNEX

Appendix 6, paragraph 2 (b)

Notification messages:

<i>Type of message</i>	<i>Description</i>
<i>MT 599</i>	<i>Descriptive message</i>
<i>MT 548</i>	<ul style="list-style-type: none">• <i>Notification for instruction compliance (generated automatically by the system, but one may select not to receive this message)</i>• <i>Notification for instruction rejection, including the reason for rejection</i>
<i>MT535</i>	<ul style="list-style-type: none">• <i>Notification for securities situation in the holder's account</i>
<i>MT564</i>	<ul style="list-style-type: none">• <i>Notification for payment events</i>
<i>MT566</i>	<ul style="list-style-type: none">• <i>Confirmation for payment event</i>

Appendix 8: Fees applied in AFISaR system

Type of commission	Unit value fee (in ALL)	in %
A. Commissions applied for membership and maintenance		
Entry fee (membership) for direct participants	250.000	
Entry fee (membership) for direct participants	0 (zero)	
Annual maintenance fee applied on every account to indirect participants (legal persons) having a securities account at the Bank of Albania	250.000	
Annual maintenance fee applied to direct participants on every omnibus account of categories A, B, C, and D.	250.000	
Annual maintenance fee applied to direct participants on every omnibus account of categories E, F, G, H, I.	a- 0 (zero) if the direct participant has an omnibus account that falls in the categories A, B, C, D. b- 250.000 (zero) if the direct participant has none of the omnibus account that falls in the categories A, B, C, D.	
Annual maintenance fee on Securities Exchange	100.000	
Annual maintenance commission/fee for indirect participants with securities account in the direct participant, except of the Bank of Albania*	150.000	
Exit fee	0 (zero)	

B. Fees applied on special operations include:		
Processing fee (1) for DVP operations (sale-purchase, intraday loan with the Bank of Albania and the reverse operation, repurchasing agreements and reverse repurchasing agreements with the Bank of Albania and the reverse operation)	350	
Processing fee (2) for DVP operations (repurchasing agreements and reverse repurchasing agreements and the reverse operation, different from those with the Bank of Albania)	200	
Processing fee for free-of-payment delivery operations (portfolio transfer, transactions between the own account of the direct participant and an indirect participant's account, transactions between two participants having the same settlement agent in AIPS, collateral execution, reverse operation substitution, transactions to meet the requirement to preserve the security value margin which is traded through repurchasing agreements)	350	
Primary market results processing fee (issue, maturity, reopening auction, reverse security auction)	200	
Netting fee for DVP2 primary market transactions	150	
Processing fee for interests payment received from investments in securities	1200	
Pledge processing fee (pledge registration, pledge release)	350	
Coupons return payment fee from the re-seller to re-purchaser in repo/reverse repo agreement	350	
Fee for recycling transactions in the primary market	0 (zero)	
Processing fee for transactions arising from the call of securities, from repurchase/reverse repurchase agreements of the respective Ministry of Finance, from securities taxing	0 (zero)	
C. Other fees		

Preparation of reports according to specific request	To be assessed according to specific request	
Fee for certifying system operators	0 (zero)	
Fee for certifying system operators	0 (zero)	
Fee for the access token to the AFISaR system	3 (three) participants for free, others with payment according to the token's cost. Institutions/authorities shall pay for the token.	
Fee applied for information requested from institution/authority	0 (zero)	
D. Discounts to encourage the processing		
For the processed volume	0 (zero)	
For the processing time	0 (zero)	

*This fee shall be billed/ and collected by the direct participants and then is transferred to the Bank of Albania.

Appendix 21: Categories of omnibus accounts

Category		Identification of main omnibus	Type of investor to be included in an omnibus
A	Natural person (individuals)	0001ii	Securities owned by natural persons (resident and non-resident) will be deposited in this account
B	Non-financial registered business (non-financial companies)	0001rb	Securities owned by companies which do not carry a financial activity will be deposited in this account
C	Pension funds	0001pf	Securities owned by pension funds will be deposited in this account
D	Non-resident registered business	0001nr	Securities owned by non-resident companies (being financial and non-financial) will be deposited in this account
E	Financial intermediaries	0001fa	Securities in personal ownership of non-banking financial institutions as well as brokerage companies carrying out intermediation in capital market , will be deposited in this account
F	Investment funds	0001if	Securities owned by the clients of the mutual investment funds will be deposited in this account
G	Insurance companies	0001ic	Securities owned by insurance, re-insurance and insurance intermediation companies, will be deposited in this account
H	Clients of financial intermediaries	0001bs	Securities owned by clients of financial intermediaries, will be deposited in this account
I	Non- profit Organizations, foundations	0001np	Securities owned by non-profit organizations, foundations, NGOs and others of similar nature, will be deposited in this account.