DIRECT DEBIT

Nadzorni odbor za implementaciju i realizaciju projekta direktnog zaduženja računa

Šta je to SEPA?

Na inicijativu Euro Banking Association (**EBA**) uz punu podršku European Central Bank (**ECB**) i European Commission (**EC**) je formiran European Payment Council (**EPC**) koji već duži niz godina sprema pravila za formiranje jedinstvene infrastrukture za plaćanja u euro regiji (**SEPA - Single Euro Payment Area).**

Osnovni ciljevi SEPA projekta su:

- jedna valuta (EURO)
- zajednički standardi i poslovna praksa
- jedinstveni set platnih instrumenata
- efikasna infrastruktura
- zajednički pravni okvir sa jasnom regulativom
- povoljna cena transakcije

Kakve bi benefite Srbija imala od prihvatanja zajedničkih pravila definisanih SEPA projektom?

- Proširenje bankarskog tržišta svake zemlje članice SEPA, što dovodi do povećanja konkurencije, boljeg kvaliteta usluga i servisa i niže cene
- Mogućnost upotrebe jednog računa (bez obzira na zemlju rezidencije)
- Upotreba jedinstvenog seta platnih instrumenata
- Standardizovan tehnološki put realizacije transakcija
- Mogućnost korišćenja iste platne kartice u SEPA okruženju
- Potpuna upotreba SEPA instrumenata u elektronskom obliku

Kakvo je stanje kompatibilnosti platnog sistema Srbije sa SEPA instrumentima plaćanja?

1. Instrumenti platnog prometa (nalog za plaćanje i nalog za naplatu) sadrže sve neophodne podatke definisane SEPA pravilima;
2. Osnovi naplate su zakonski ograničeni po vrsti (ovlašćenja i menice) i primeni (na privredne subjekte i preduzetnike ali ne i fizička lica);
3. Direct Debit na međubankarskom nivou tehnološki nije implementiran u platnom sistemu Srbije, već se primenjuje poseban vid prinudne naplate putem državne institucije pri Narodnoj banci Srbije;

Koji su osnovni principi sistema direktnih zaduženja?

1. Klijenti banaka mogu poslove naplate sa računa svojih dužnika inicirati u svojoj banci
2. Način realizacije naloga zaduženja je standardizovan u skladu sa SEPA pravilima
3. Na osnovu jedinstvenog registra mandata, povećava se sigurnost u realizaciji osnova naplate
4. Pravni subjekti mogu uspostavljati kvalitetnije poslovne odnose
5. Fazna implementacija sistema uz povezivanje sa drugim servisima platnog sistema (prinudnom naplatom)
6. Mogućnost priključenja državnih organa u sistem kliringa
7. Jeftinija realizacija transfera zaduženja

questions and answers

DIRECT DEBIT

Supervisory Board for Direct Debit Project Implementation

What is SEPA?

At the initiative of the Euro Banking Association **(EBA)**, with the full support of the European Central Bank **(ECB)** and the European Commission **(EC),** the European Payment Council **(EPC)** was formed, which has, for a long time now, been preparing the rules for the formation of a single payment infrastructure in the Euro area **(SEPA - Single Euro Payment Area).**

The main SEPA objectives are the following:

- Single currency (EURO)
- Common standards and business practice
- Uniform set of payment instruments
- Efficient infrastructure
- Common legal framework with clear regulations
- Favourable transaction price

What would the benefits be for Serbia in case it adopts the common rules defined by the SEPA project?

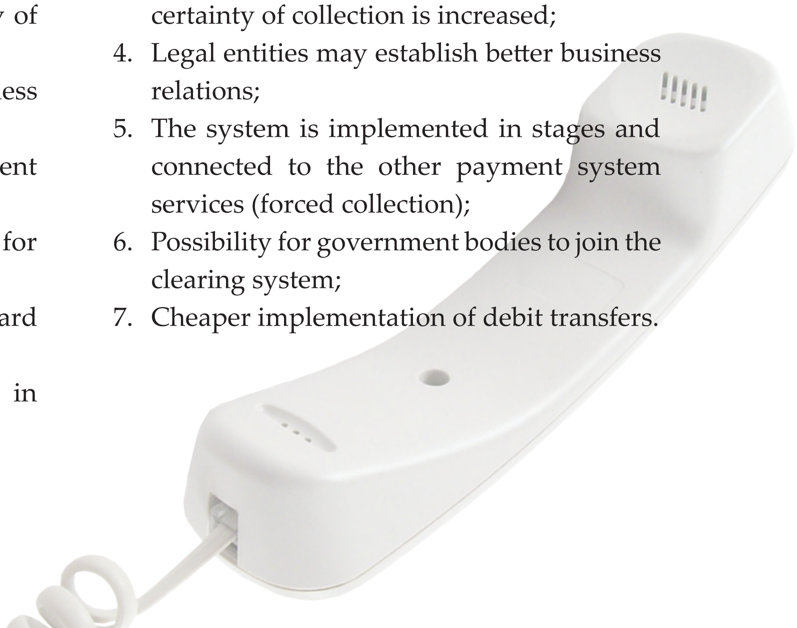
- Expansion of the banking market of each of the SEPA member countries, resulting in increased competition, better quality of services, and lower prices
- Possibility of using one account (regardless of the country of residence)
- Use of a uniform set of payment instruments
- Standardized technological method for conducting transactions
- Possibility of using the same payment card in the SEPA environment
- Use of SEPA instruments exclusively in electronic form

What is the level of compatibility between the Serbian payment system and SEPA payment instruments?

1. Payment system instruments (payment order and collection order) contain all the necessary data defined by the SEPA rules;
2. Collection bases are legally restricted by type (authorizations and bills of exchange) and by applicants (to legal entities and entrepreneurs, but not to natural persons);
3. At the interbank level Direct Debit is not technologically implemented into the Serbian payment system, but there is a special form of forced collection, applied through a government institution within the National Bank of Serbia.

What are the basic principles of direct debit?

1. Bank clients may initiate collection from their debtors' accounts in their own bank;
2. The method of processing debit orders is standardized in accordance with the SEPA rules;
3. Due to the uniform register of mandates, the certainty of collection is increased;
4. Legal entities may establish better business relations;
5. The system is implemented in stages and connected to the other payment system services (forced collection);
6. Possibility for government bodies to join the clearing system;
7. Cheaper implementation of debit transfers.



Koje su faze implementacije sistema direktnih zaduženja u platnom sistemu Srbije?

I faza

Naplata po osnovima predviđenim članom 4. Zakona o platnom prometu, odnosno tačkom 1. Odluke o obavljanju platnog prometa po osnovu direktnih zaduženja (ovlašćenja i menice).

U prvom delu ove faze predviđena je realizacija naloga direktnog zaduženja po osnovu ovlašćenja definisanih članom 4. Zakona o platnom prometu, u terminima usaglašenim sa drugim servisima za realizaciju osnova (prinudnom naplatom).

U drugom delu ove faze predviđena je realizacija dodatnih servisa na formiranje jedinstvenog Registra mandata (osnova naplate) koji će omogućiti nezavisnu potvrdu postojanja osnova (neporecivost izdavanja osnova) kao i primenu i na menice.

Za ovu fazu nije potrebna izmena zakonskih propisa.

II faza

Stvaranje uslova da poreski, carinski, sudski i drugi nadležni organi i institucije svoja potraživanja naplaćuju putem direktnih zaduženja a ne samo kroz proces prinudne naplate.

Za ovu fazu je potrebna izmena zakonske regulative.

III faza

Proširenje osnova direktnog zaduženja i njihovo usklađivanje sa evropskim osnovima (bilo kakvo ugovorno ovlašćenje koje mogu imati javna preduzeća i drugi privredni subjekti) kao i uključenje fizičkih lica.

Za ovu fazu je potrebna izmena zakonske regulative.

Koji su pozitivni efekti implementacije sistema direktnih zaduženja u platnom sistemu Srbije?

1. Realizacija naloga zaduženja kroz mehanizam međubankarskog kliringa omogućava privrednim subjektima da na drugačiji način urede svoje međusobne odnose, kojim se može znatno umanjiti cena realizacije finansijskih transakcija i povećati sigurnost u izvesnost njihove realizacije.
2. Uvođenje jedinstvenog registra mandata (registra osnova naplate - ovlašćenja,

What are the stages of direct debit implementation into the Serbian payment system?

First stage

Collection on the bases prescribed by Article 4 of the Law on Payment Operations, and Article 1 of the Decision on Payment Operations in Respect of Direct Debit (authorizations and bills of exchange).

The first part of this stage is planned to cover implementation of direct debit orders in respect of authorizations defined by Article 4 of the Law on Payment Operations, within the deadlines agreed and coordinated with the other services for collection bases processing (forced collection).

The second part of this stage is planned to cover implementation of additional services for the formation of a single Register of Mandates (collection bases), which will enable independent confirmation of bases existence (irrevocability of issued bases), as well as the application to bills of exchange.

This stage does not require changes in legal regulations.

Second stage

Creation of such conditions for tax, customs, court, and other relevant bodies and institutions to be able to collect their claims by means of direct debit, and not only by means of forced collection.

This stage requires changes in legal regulations.

Third stage

Extension of direct debit bases and their coordination with the European bases (any kind of contractual authorization that public companies and other legal entities may have), as well as incorporation of natural persons.

This stage requires changes in legal regulations.

What are the positive effects of direct debit implementation into the Serbian payment system?

1. Processing of debit orders through the interbank clearing mechanism enables legal entities to organize their mutual relations in a different way, which may significantly reduce the price of processing financial transactions and increase the safety and reliability of their completion.
2. Introduction of a single register of mandates (register of collection bases - authorizations, bills of exchange) represents a significant precondition for monitoring the financial discipline of each legal entity, which, in turn, provides important information prior to the establishment of business relations.
3. Application of methodology and standards of the EU international payments, along with the development of habits and creation of conditions for faster access and admission to the international systems for financial transactions processing (preparation of banks in terms of organization, technology and IT).
4. Development of market infrastructure for conducting payment system operations, as one of the main principles applied in the EU countries. Direct Debit transactions, conducted in accordance with the SEPA rules, are a precondition for the integration of the Serbian banking system into the single European payment area.
5. Relocation of commercial operations from the National Bank of Serbia, but keeping the supervisory function over their conducting. Full application of this new service, apart from the gradual transfer of forced collection operations to commercial banks (once the Second stage implementation is completed), will enable forced collection system to be aborted and the full coordination with the EU regulations to be effected.

Who are the processors entitled to conduct direct debit operations?

1. Decision on Payment Operations in Respect of Direct Debit ("Official Gazette of the RS", No. 31/2007) was published on March 28th, 2007. This Decision appointed the Association of Serbian Banks as a processor to conduct these operations (Association of Serbian Banks initiated this Decision back in December 2005).
2. At its Fifth Session, held on May 8th, 2007,

menica) predstavlja značajan preduslov za proveru finansijske discipline svakog privrednog subjekta što predstavlja značajnu informaciju pre uspostavljanja poslovnog odnosa.
3. Primena metodologije i standarda iz međunarodnih plaćanja Evropske unije uz sticanje navika i stvaranje uslova za brži pristup i priključenje međunarodnim sistemima za realizaciju finansijskih transakcija (organizaciona, tehničko - tehnološka i informatička priprema banaka).
4. Razvoj tržišne infrastrukture za obavljanje poslova platnog prometa, kao jedan od osnovnih principa primenjenog u zemljama Evropske unije. Direct Debit transakcije, realizovane u skladu sa SEPA pravilima, predstavljaju preduslov za uključenje bankarskog sistema Srbije u jedinstveno evropsko područje plaćanja.
5. Izmeštanje komercijalnih poslova iz Narodne banke Srbije uz zadržavanje kontrolne uloge nad njihovim obavljanjem. Potpunom primenom novog servisa, pored faznog prenosa poslova prinudne naplate na poslovne banke (nakon realizacije II faza implementacije), biće omogućeno ukidanje sistema prinudne naplate i potpuna usklađenost sa propisima Evopske unije.

Ko su procesori ovlašćeni da obavljaju poslove direktnih zaduženja računa?

1. Odluka o obavljanju poslova platnog prometa po osnovu direktnih zaduženja računa ("Službeni glasnik RS" br. 31/2007) objavljena je **28. marta 2007**. godine. Ovom Odlukom je omogućeno da Udruženje banaka Srbije, kao procesor obavlja ove poslove (Udruženje banaka Srbije je iniciralo donošenje ove Odluke još decembra 2005. godine).
2. Upravni odbor je na svojoj V sednici dana **08.05.2007**. godine doneo Odluku 0702 br. 9/3 - 2007 sa sledećim zaključcima :
   - Udruženje banaka Srbije je u potpunosti osposobljeno da kao procesor obavlja poslove kliringa i obračuna transakcija saglasno Odluci o obavljanju platnog prometa po osnovu direktnih zaduženja;
   - Ovlašćuje se Generalni sekretar da donese Operativna pravila u skladu sa Odlukom iz prethodne tačke ove Odluke, uz pribavljenu saglasnost Narodne banke Srbije;
3. Udruženje banaka Srbije je dostavilo Operativna pravila Narodnoj banci Srbije 18. decembra 2007. godine. Narodna banka Srbije je **29. januara 2008**. godine (K.V. br. 1/08) dala saglasnost Udruženju banaka Srbije kao operateru kliringa na primenu Operativnih pravila za obavljanje platnog prometa po osnovu direktnog zaduženja;

Šta je to Nacionalna šema sistema direktnih zaduženja?

Inicijativom Udruženja banaka Srbije Guverneru Narodne banke Srbije iz februara 2009. godine, formirana je Radna grupe za definisanje ovlašćenja (mandata) i Operativnih pravila za fizička lica u skladu sa našim propisima i SEPA standardima, u čiji sastav su ušli predstavnici Narodne banke Srbije, banke INTESA, Komercijalne banke i Udruženja banaka Srbije. Rezultat rada ove radne grupe biće Nacionalna šema za Direct Debit koja će biti obavezujuća za sve subjekte u platnom sistemu zemlje.

U toku poslednjeg sastanka Radne grupe (jun 2009) dat je konačan nacrt Nacionalne šeme i dogovoreni dalji postupci po pitanju njene implementacije u Platni sistem.

Nacrt će biti dostavljen Narodnoj banci Srbije - Sektoru za platne sisteme i generalnom sekretaru Udruženja banaka Srbije.

Odbori za informatiku i platni promet Udruženja banaka Srbije će takođe razmotriti Nacrt a sa njim će biti upoznati i veliki komunalni sistemi.

Kakav je trenutni status sistema za direktna zaduženja?

Poslednje sveobuhvatno testiranje sistema odrađeno je 31.07.2009. godine u Udruženju banaka Srbije, sa simulacijom realnog rada banke INTESA i Raiffeisen banke, sa praćenjem toka celokupnog klirinškog ciklusa i potpunim the Executive Board reached the Decision 0702 No. 9/3 - 2007, with the following conclusions:

- The Association of Serbian Banks is fully equipped to conduct clearing operations and transaction settlements as a processor, pursuant to the Decision on Payment Operations in Respect of Direct Debit;
- Secretary General is hereby empowered to pass Operative Rules in accordance with the Decision referred to in the previous article of this Decision, with the approval granted by the National Bank of Serbia.

3. The Association of Serbian Banks submitted the Operative Rules to the National Bank of Serbia on December 18th, 2007. On January 29th, 2008 (K.V. No. 1/08) the National Bank of Serbia granted its approval to the Association of Serbian Banks, as a clearing operator, to apply the Operative Rules in the process of conducting payment operations in respect of direct debit.

What is the National Direct Debit Scheme?

At the initiative of the Association of Serbian Banks, sent to the Governor of the National Bank of Serbia in February 2009, a Working Group was formed, to define the authorizations (mandates) and the Operative Rules for natural persons according to our regulations and SEPA standards. The members of the Working Group are the representatives of the National Bank of Serbia, Banka INTESA, Komercijalna Banka, and the Association of Serbian Banks. The result of their work will be the National Direct Debit Scheme, legally binding for all entities in the national payment system.

At the last meeting of the Working Group (June 2009) the final Draft of the National Scheme was presented and further actions agreed in respect of its implementation into the Payment system.

This Draft will be sent to the National Bank of Serbia - Department for Payment Systems, and to the Secretary General of the Association of Serbian Banks.

monitoringom istog. Rezultati testiranja mogu se sažeti u nekoliko zaključaka

1. Transportni deo funkcioniše kako je i zamišljeno, bez zastoja i bilo kakvih problema
2. Aplikativni deo po pitanju poruka mandata (mdtn), finansijskih poruka (paos) i administrativnih poruka (admi) funkcioniše kako je i zamišljeno, bez zastoja i bilo kakvih problema.

Kakav zaključak možemo izvući o stanju i funkcionalnostima sistema za direktna zaduženja?

Potrebno je da banke (zajedno sa softverskim firmama) izdefinišu softver na svojoj strani (transportnu komponentu dobijaju od Udruženja banaka Srbije bez naknade), radi obavljanja poslova direktnog zaduženja računa.

Nacionalna šema sistema direktnih zaduženja biće obavezujuća za sve procesore i biće objavljena na sajtu Narodne banke Srbije. Ona omogućuje i definiše poslove direktnog zaduženja računa, kako za fizička, tako i za pravna lica.

Svi poslovi koji su do sada urađeni, urađeni su u skladu sa postojećom zakonskom regulativom, tako da u zavisnosti od spremnosti banaka (s obzirom da je Udruženje banaka Srbije kao procesor u potpunosti osposobljeno - tehnički, tehnološki i kadrovski), poslovi direktnog zaduženja računa mogu odmah da se realizuju.

The Draft will also be presented to the IT and Payment Operations Committees within the Association of Serbian Banks, and to the large public utilities systems.

What is the current status of direct debit?

The last comprehensive system testing was conducted on July 31st, 2009 at the Association of Serbian Banks, when the real operations of Banka INTESA and Raiffeisen Bank were simulated, and the overall clearing cycle fully monitored. The test results are summed up in the following conclusions:

1. Transport component functions as planned, without any delays or problems;
2. Applicative component in respect of mandate messages (mdtn), financial messages (paos), and administrative messages (admi), functions as planned, without any delays or problems.

Which conclusion can we make about the position and functionalities of direct debit?

It is necessary for banks (together with software companies) to design a software of their own (transport component will be provided by the Association of Serbian Banks free of charge), in order to be able to conduct direct debit operations.

The National Direct Debit Scheme will be legally binding for all processors, and will be published at the website of the National Bank of Serbia. It enables and defines direct debit operations both for natural persons and legal entities.

All actions taken so far have been taken in accordance with the existing legal regulations, so that, depending on the banks' readiness (given that the Association of Serbian Banks in its capacity of a processor is already fully equipped - in terms of technology and personnel), direct debit operations may be launched immediately.