



**BULGARIAN
NATIONAL BANK**

GUIDELINES

**FOR BANKS ON WORKING WITH THE INFORMATION SYSTEM
OF THE REGISTER OF BANK ACCOUNTS AND SAFE DEPOSIT BOXES**

**(CONSOLIDATED VERSION WITH AMENDMENTS UNDER ORDER
No BNB-61166/04.06.2018)**

Sofia, June 2018

I. GENERAL PROVISIONS

Art. 1. (1) These ‘Guidelines for banks on working with the information system of the Register of bank accounts and safe deposit boxes’ (‘the Guidelines’) shall govern the information system (‘IS’) administration processes, the scope, procedure and timeframes of reporting data to the IS and receiving information from the Register by banks, as well as the control over their compliance with Ordinance No 12 on the Register of Bank Accounts and Safe Deposit Boxes (Ordinance No 12 on RBASDB).

(2) The Register of bank accounts and safe deposit boxes’ (‘RBASDB’ or ‘the Register’) aggregates information on bank account numbers, account holders and persons authorised to operate the accounts, as well as persons renting safe deposit boxes with banks and their proxy holders, and sends it electronically to the banks and the Bulgarian National Bank (‘BNB’).

(3) Banks shall report information to the Register also with regard to bank account attachments according to paragraph 1 of the Transitional and Final Provisions of Ordinance No 12 on RBASDB (published, State Gazette, issue 49 of 2017).

Art. 2. According to Ordinance No 12 on RBASDB, the entities reporting information to the Register of bank accounts and safe deposit boxes shall be banks and foreign bank branches operating on the territory of the country (‘the banks), as well as the BNB.

Art. 3. (1) The banks referred to in art. 2 shall report data to the Register weekly as per art. 7 of Ordinance No 12 on RBASDB and in accordance with these Guidelines and with the document ‘User Manual for Banks’ (Appendix No 7).

(2) Electronic access to the information in the Register is provided to the banks referred to in art. 2.

II. CONNECTING TO AND ADMINISRATING THE INFORMATION SYSTEM OF THE REGISTER OF BANK ACCOUNTS AND SAFE DEPOSIT BOXES

Art. 4. (1) The banks under art. 2 shall file a written application to the Deputy Governor heading BNB Banking Department for getting connected to the IS of RBASDB (Appendix No 1). The application shall enclose the following documents:

1. Registration Form for Connection to the Register of Bank Accounts and Safe Deposit Boxes (Appendix No. 2);
2. Notification of Technical and Software Readiness for Connection to the information system of RBASDB (Appendix No. 3);

3. Internal Rules for working with the IS of RBASDB pursuant to art. 18, par. 1, item 3 and par. 2 of Ordinance No 12 on RBASDB.

(2) The structure of the Internal Rules shall comprise:

1. Preamble – General Provisions – Purpose and Scope of the Rules;

2. System administration rules – designating authorised officials from the bank who will be registered as users with the role of ‘Administrator’ of the IS of RBASDB. Determining their rights and obligations in working with the information system of the Register;

3. Terms and procedures for reporting data to the IS of RBASDB – regulating the procedure for reporting data to the IS of RBASDB pursuant to Chapter 2 of Ordinance No 12 on RBASDB, including:

a) description of measures and procedures to control the integrity of the data reported to the Register. The control of data integrity shall be carried out by creating internal mechanisms secured through verifying the data with the bank’s information systems;

b) description of a procedure related to applications filed by customers of the relevant bank in case of incorrectly reported data to the IS of RBASDB in accordance with art. 8 and art. 14 of Ordinance No 12 on RBASDB.

4. Terms and procedures for receiving information from the IS of RBASDB - regulating the procedure for receiving data from the Register, including rights and obligations of the authorised officials from the bank in connection with the performance of their duties. According to art. 56a, par. 5 of the Law on Credit Institutions (LCI), banks shall maintain a special register containing data on the date of the check, identification data unequivocally identifying the natural and/or legal person/other non-legal person that is the object of the check, and the supporting grounds (such as a check in case of a request for opening a payment account for basic transactions, for granting a loan, etc.), on the basis of which the check was carried out. The information kept in the special register of each bank must comply with the specified grounds for consulting the IS of RBASDB by using nomenclature ‘Grounds for consulting the Register of bank accounts and safe deposit boxes’ and the methodological clarifications for using it (Appendix No 11).

5. Measures for safekeeping, protection and control in relation to receiving and using information from the IS of RBASDB, and for preventing unauthorised access to the information system.

6. Final Provisions – determining requirements in line with art. 18, par. 1, item 3, paragraphs 2 and 3 of BNB Ordinance No 12 on RBASDB; specifying a document (such as a

protocol, order, resolution, etc.) whereby the rules were adopted. The document specified shall be an integral part of the rules.

(3) The documents under par. 1 in relation to a bank connecting to the IS of RBASDB shall be signed by the managing and representing persons, and shall be stamped.

(4) Banks already connected to the IS of RBASDB as at 01.01.2017 shall adopt and submit to the BNB only internal rules under par. 1, item 3 by 31.03.2017.

(5) Banks shall notify the BNB within a 15-day period, as per art. 18, par. 3 of Ordinance No 12 on RBASDB, of any change in the information and documents occurring after inclusion in the IS of RBASDB by enclosing certified copies of the documents supporting the change.

Art. 5. Connecting to the IS of RBASDB, as of a certain initial day, shall be made by order of the Deputy Governor heading BNB Banking Department.

Art. 6. Users of the IS of RBASDB from the BNB shall be the following persons:

1. system administrators at Information Systems Directorate;
2. users with the role 'Administrator' of the IS of RBASDB;
3. users with the role of transmitting input data to the IS of RBASDB.

Art. 7. (1) The banks under art. 2 shall designate their users with the role 'Administrator' of the IS of RBASDB in accordance with 'Registration Form for Connection to the information system of the Register of Bank Accounts and Safe Deposit Boxes' (Appendix No. 2), who will receive at their electronic addresses user names, passwords and an access address to the IS of RBASDB.

(2) In the event of a change of user with an 'Administrator' role, pursuant to Appendix No 2, the bank shall fill in and submit a 'Registration form upon change of administrator in the IS of RBASDB' (Appendix No 9).

(3) Twice a year, during the periods 01.04. – 15.04 and 01.10. – 15.10, the banks under art. 2 shall submit to the BNB a 'List of RBASDB Active Users' (Appendix No 10). Upon establishing a mismatch between the content of the list and the outcome of the check in the system of the Register, the administrator at the BNB may terminate the access of users from a bank who are not on the list in Appendix No 10.

(4) Banks may use the test environment of the Register of Bank Accounts and Safe Deposit Boxes to check the performance of the software instruments developed by them in relation to the IS of RBASDB. For that purpose, they shall file with the BNB an 'Application for access to the test environment of the Register of Bank Accounts and Safe Deposit Boxes' (Appendix No. 8). The timeframe for using the test environment of the IS of RBASDB may not exceed 3 months. If this time limit needs to be extended, banks shall file a new application.

Art. 8. (1) The registered users from the banks under art. 2 with an Administrator role shall be responsible for assigning other users from the bank, as well as their roles.

(2) Users shall be assigned one or several roles in accessing the system's functionality. Each role shall have specific access rights as per the 'User Manual for banks' (Appendix No 7).

(3) The authorised users from the banks referred to in art. 2 shall have the duty to upload files and check the results from uploading input data, and where errors occur, they shall re-transmit the data after correction.

(4) Transmission of corrections of already uploaded data under par. 3 shall be carried out via the user interface of the IS of RBASDB by uploading a file or filling in a screen form.

III. TRANSMITTING AND LOADING DATA INTO THE INFORMATION SYSTEM OF RBASDB

Art. 9. (1) Data on persons authorised by account holders and safe deposit box holders concerning newly opened accounts and safe deposit box rental contracts shall be reported to the Register after 01.07.2017. The banks referred to in art. 2, which are ready to upload this information before 01.07.2017, may transmit it pursuant to art. 11, par. 1.

(2) Data on country of birth, date of birth, gender and address of the account holders and the persons authorised by them in relation to newly opened accounts and safe deposit box rental contracts shall be reported to the Register as from 01.07.2017. The banks referred to in art. 2, which are ready to submit this information before 01.07.2017, may proceed using the procedure of art. 11, par. 1.

(3) Data on tax number of legal persons from the EU member states shall be reported to the Register with regard to newly opened accounts after 01.07.2017.

(4) Data on bank account attachments for claims against debtors shall be reported to the Register after 01.03.2018 and the banks that have the possibility shall report this information with data after 01.01.2018.

Art. 10. A bank with a seat in the Republic of Bulgaria, which is declared insolvent prior to the entry into force of Ordinance No 12 on RBASDB, shall report data via the user interface of the IS of RBASDB, described in the 'User Manual for Banks' (Appendix No 7) as per § 13 and § 14 of the Transitional and Final Provisions of the Ordinance amending and supplementing Ordinance No 12 of 2016 on the Register of Bank Accounts and Safe Deposit Boxes (SG, issue 103 of 2016).

Art. 11. (1) After the initial reporting of data under paragraph 2 of the Transitional and Final Provisions of Ordinance No 12 on RBASDB, the banks under art. 2 shall report weekly

information to the Register pursuant to art. 7 of Ordinance No 12 via the use interface of the IS of RBASDB as described in the User Manual for Banks (Appendix No 7).

(2) In the weekly reporting of data the banks under art. 2 shall not generate again the whole data set. They shall only report the information relating to changes in the data on registered bank accounts or safe deposit box rental contracts, as well as information on newly opened accounts and safe deposit box rental contracts.

(3) In their weekly reporting of data, if no changes have occurred in the information about registered bank accounts, attachments thereon or safe deposit box rental contracts, the bank should submit an empty file containing only a header entry following a procedure described in the Bank User Manual (Appendix No 7).

(4) Pursuant to art. 6, item 3 of Ordinance No 12 on RBASDB, for identification of foreign natural persons without Bulgarian personalised identification number, the data reported shall be: country of birth, date of birth, gender, address, type of ID document, number and date of the ID document, ID number from the identification document issued by the relevant country. The names of foreign natural persons holding Bulgarian ID numbers (UPIN, FPIN, or PN) shall be in Cyrillic capital letters (ЕГН, ЛНЧ, or ЛН) according to ‘Specification of the format of data reporting files‘ (Appendix No 4).

(5) Data related to identification of foreign natural persons under par. 4 shall be reported in connection with art. 4, par. 1, item 8 and par. 2, item 8 ‘other supplementary information’ and art. 6, items 3 and 6 ‘other identification data’ of Ordinance No 12 on RBASDB.

(6) Names of legal persons shall be reported according to their registration in Bulgaria and may also contain Latin letters.

Art. 12. (1) The banks shall report information under art. 5, par. 1, item 5 and par. 2, item 5 of Ordinance No 12 on RBASDB about the branches serving safe deposit box rental contracts, contract number and date, number of safe deposit boxes rented under a particular contract.

(2) The BNB shall report information under art. 5, par. 1, item 5 and par. 2, item 5 of Ordinance No 12 on RBASDB about safe deposit box rental contracts, contract number and date, number of rented safe deposit boxes.

Art. 13. (1) The input data for uploading into the RBASDB and the mode of transmission are described in ‘Specification of the Format of Data Reporting Files’ (Appendix No 4) and ‘User Manual for Banks’ (Appendix No 7).

(2) Users at banks can report data to the IS of RBASDB both via a screen format and by uploading a file.

(3) Banks may use B2B services enabling integration of their information systems with the IS of RBASDB in relation to the data reporting processes described in the B2B Services User Manual for Banks (Appendix No 12).

Art. 14. (1) The banks referred to in art. 2 shall report information about all customer accounts on the bank's liability side, with a generated IBAN or another identifier, as well as about the safe deposit box rental contracts. The initial transmission shall feed data on active bank accounts and safe deposit box rental contracts. The types of accounts are described in 'Nomenclatures' (Appendix No 5).

(2) The information under par. 1 shall be kept for 5 years from the date of closing of a bank account, respectively 5 years from the date of termination of the safe deposit box rental contract.

Art. 15. (1) When a bank has no information about a legal person identifier, it may report the data without identifier as per item 4.8 of 'Nomenclatures' (Appendix No 5).

(2) In case of invalid or incorrect identifiers, or if no updated data on a customer have been reported, or in case of transferred accounts as a result of company reorganisation, or in case of bank insolvency, the following codes can be used: 'Unavailable for natural person' or 'Unavailable for legal person' as per item 4.8 'Nomenclatures' (Appendix No 5).

(3) For newly opened accounts or new safe deposit box rental contracts after 01.01.2017, the codes 'Unavailable for natural person' or 'Unavailable for legal person' may not be used except for the cases under par. 4.

(4) When a bank has no information about the identifier of a holder of a bank account, opened in the name of a third person, the data about the account holder shall be reported to the IS of RBASDB with the codes 'Unavailable for natural person' or 'Unavailable for legal entity' as per item 4.8 of 'Nomenclatures' (Appendix No 5). For a group characteristic of the bank account, the code to be used shall be 'Account opened in the name of a third person in the absence of the titleholder'.

(5) Where, for opening of an account in favour of a third person, art. 15, par. 4 was applied, when the titleholder visits the bank, his/her personal data shall be updated in the information system and the codes 'Unavailable for natural person' or 'Unavailable for legal entity' shall be replaced with the respective codes as per item 4.8 'Types of identification of persons', and code 'Account opened in the name of a third person in the absence of the titleholder' shall be replaced with another code from nomenclature 'Group characteristics of a bank account'.

IV. SPECIFIC CASES IN REPORTING DATA

Art. 16. Information regarding the accounts described below shall be reported as follows:

1. *Accumulation account* – for safekeeping of money placed for setting up of a legal entity. In this case, the entry about the account holder may contain empty fields ‘Type of identifier’ and ‘Legal entity identifier’. The code reported is ‘Accumulation account’ (code 050 from nomenclature ‘Type of bank account’).

2. *An account held by an association of persons without a BULSTAT registration* – an account for residential flat property, an account of an initiative committee, etc. The entry about the account must contain the respective account type, such as ‘Payment account’ (code 010 from nomenclature ‘Type of Bank Account’), and for group characteristics – code 80 ‘Association of persons without BULSTAT identification’ from nomenclature ‘Group characteristics of a bank group’. The entry about the account holder must contain code 220 ‘Association of persons without BULSTAT identification’ from nomenclature ‘Types of identification of persons’.

3. *Special account of a person following a profession in a self-employment capacity*, which is opened for the purpose of collecting receivables or for keeping funds of third persons (private bailiff, notary, lawyer, etc.) or an account of an investment intermediary – the entry about the account must contain as a type of account ‘Other type of account’ (code 099 from nomenclature ‘Type of bank account’) and for group characteristics – ‘Accounts with third person’s funds’ (code 70 from nomenclature ‘Group characteristics of a bank account’).

4. *Accounts payable/receivable* – used for accounting purposes for servicing bank customers repaying debts related to extended bank products such as consumer or goods loans, which do not meet the criteria for payment account, savings account or a special purpose account, and are not intended for keeping money. These accounts need not be reported to IS of BASDB.

V. RECEIVING INFORMATION FROM THE RBASDB INFORMATION SYSTEM

Art. 17. (1) The banks under art. 2 shall receive information by consulting the IS of RBASDB as follows: about bank accounts of natural and legal persons, about safe deposit boxes of natural and legal persons, and about bank accounts and safe deposit boxes of natural and legal persons.

(2) Consulting the Register electronically can be automated by using B2B services as described in the ‘B2B services user manual for banks’ (Appendix No 2).

(3) According to art. 10, par. 3 of Ordinance No 12 on RBASDB, the access of a bank in insolvency or liquidation to the information in IS of RBASDB shall be limited only to the data reported by it to the Register.

Art. 18. (1) RBASDB provides access to reports from the information system of the banks under art. 2 via the following functionalities described in the 'User Manual for Banks' (Appendix No 7):

1. A report on a single person through a screen format – provided in an MS Word or MS Excel format;

2. A report on a list of persons through a file interface – the information is provided in an XML format. The file interface uses a text file to report on multiple persons, which includes their identifiers.

(2) A report on bank accounts and a report on safe deposit boxes are generated based on information kept in the IS of RBASDB as at the time of processing of the report request.

Art. 19. (1) For information from the IS of RBASDB, banks shall pay fees under art. 16 of Ordinance No 12 on RBASDB.

(2) The BNB issues an electronic invoice by the 5th of the month for the consultations with the Register for the previous month.

(3) Every bank shall authorise users with the role of reviewing and downloading invoices from the IS of RBASDB as per User Manual for Banks (Appendix No 7).

(4) The amount stated on the invoice shall be payable within 15 calendar days from the date of its issue.

VI. CONTROL, MEASURES AND SANCTIONS

Art. 20. (1) The banks referred to in art. 2 shall bear full responsibility for the integrity, completeness and timely reporting of data to the IS of RBASDB.

(2) Where a bank is found to be in violation of the terms and procedures of reporting data under Ordinance No 12 on RBASDB, the BNB may impose the penalties, sanctions and supervisory measures provided for under LCI.

VII. EXCLUSION FROM THE INFORMATION SYSTEM OF RBASDB

Art. 21. In the cases under art. 18, par. 5 of Ordinance No 12 on RBASDB, the exclusion of banks from the IS of RBASDB shall be made by order of the Deputy Governor heading BNB Banking Department, specifying the effective date of the exclusion.

VIII. FINAL PROVISIONS

§ 1. The following Appendices shall be an integral part hereof:

1. ‘Application for getting connected to the information system of the Register of Bank Accounts and Safe Deposit Boxes’ (Appendix No 1);
2. ‘Registration Form for Connection to the information system of the Register of Bank Accounts and Safe Deposit Boxes’ (Appendix No 2);
3. ‘Notification of the technical and software readiness for connection to the IS of RBASDB’ (Appendix No 3);
4. ‘Specification of the format of data reporting files’ (Appendix No 4);
5. ‘Nomenclatures’ (Appendix No 5);
6. ‘Samples of data reporting files’ (Appendix No 6);
7. ‘User Manual for Banks’ (Appendix No 7);
8. ‘Application for access to the test environment of the Register of Bank Accounts and Safe Deposit Boxes’ (Appendix No 8).
9. ‘Registration form upon change of administrator in the IS of RBASDB’ (Appendix No 9);
10. ‘List of RBASDB Active Users’ (Appendix No 10);
11. ‘Grounds for consulting the information system of the Register of Bank Accounts and Safe Deposit Boxes’ (Appendix No 11);
12. ‘B2B services user manual for banks’ (Appendix No 2).

§ 2. These Guidelines No BNB-16248/03.02.2017 have been issued by the Deputy Governor heading BNB Banking Department pursuant to §4 of the Transitional and Final Provisions of BNB Ordinance No 12 of 29 September 2016 on the Register of Bank Accounts and Safe Deposit Boxes (published, State Gazette, issue 81 of 2016), §12 of the Transitional and Final Provisions of the Ordinance amending and supplementing Ordinance No 12 (published, State Gazette, issue 103 of 2016), and amended by Orders No. No. BNB-22889/15.02.2017, BNB-109736/30.06.2017, BNB-18201/07.02.2018, and BNB-61166/04.06.2018.