

EESTI PANK
Governor's Decree No. 11
1 October 2007

**Establishment of the report on deposits guaranteed by the Guarantee Fund and
the report on quarterly contributions paid to the Guarantee Fund**

This decree is established on the basis of Clause 92(2)1) of the Guarantee Fund Act.

Chapter 1
GENERAL PROVISIONS

§ 1. Scope of decree

This decree establishes the requirements as regards the content and structure of the reports listed in Section 3 of this decree (hereinafter referred to as *reports*) as well as the terms and procedure for submitting the reports to the Financial Supervision Authority.

§ 2. Application of decree

The reports established by this Decree shall be submitted by all credit institutions operating in Estonia and the branches of such credit institutions whose home country's deposit guarantee scheme prescribes smaller guarantees for deposits than provided in the Guarantee Fund Act (hereinafter *credit institution*).

Chapter 2
REPORTS, PRINCIPLES OF PREPARATION AND SUBMISSION THEREOF

§ 3. Reports

Credit institutions shall prepare and submit the following reports:

- 1) "Report on deposits guaranteed by the Guarantee Fund" with code 236 (Appendix 1);
- 2) "Report on quarterly contributions paid to the Guarantee Fund" with code 237 (Appendix 2);

§ 4. Reporting period and terms of submission of reports

- (1) The reporting period for the reports listed in Section 3 of this Decree is a quarter.
- (2) The reports listed in Section 3 are submitted by the tenth banking day after the end of the reporting period.

§ 5. Submission of reports

(1) The reports shall be submitted to the Financial Supervision Authority electronically in the XML (eXtensible Markup Language) format as provided in the Eesti Pank Governor's Decree No 15 of 20 September 2002 "Electronic Format of Reports".

(2) In case mistakes are identified in the reports or calculation principles are changed, new, rectified reports shall be submitted to the Financial Supervision Authority.

(3) In the absence of data concerning the respective report, an empty report is submitted.

Chapter 3 SECURITY OF DATA EXCHANGE

§ 6. Organisation of data exchange

(1) The management body of the accounting entity shall appoint a representative (hereinafter *responsible representative*) of the accounting entity who is responsible for fulfilling the reporting obligations and whose task is to ensure the availability of the accounting entity's key pair and the data exchanged upon the submission of reports.

(2) The accountable person shall, on the fifth day at the latest following the decision made by the governing body of the accountable person indicated under Subsection 1, submit to the Financial Supervision Authority a certified copy of the decision made by the governing body of the accountable person to appoint a responsible representative together with a copy of the identity document held by the responsible representative or of pages with entries of such a document.

(3) If the responsible representative is replaced or the data concerning the responsible representative change, the accountable person shall inform the Financial Supervision Authority of the changes within five banking days following the change or receipt of information about thereof and shall submit the documents indicated under Subsection 2.

(4) The responsible representative shall generate the key pair referred to in Section 7 and necessary for the submission of reports by the accounting entity (hereinafter *the key pair*), arranges the usage thereof by the employee that transmits the reports of the accounting entity (hereinafter *the authorised employee*) and forward the public key to the Financial Supervision Authority.

(5) The Financial Supervision Authority shall appoint a staff member for the purpose of holding the public key forwarded by the accountable person and in order to perform the tasks laid down in Section 8 (hereinafter referred to as *key manager*).

(6) Only the authorised employee or the responsible representative may disclose the password phrase protecting the private key of the key pair to the Financial Supervision Authority.

(7) The accounting entity shall sign the data subject to electronic transmission by the private key, encrypt the data by the public key and transmit the data to the Financial Supervision Authority.

(8) For the purposes of this Decree, “encryption” means electronic conversion of data whereby the meaningful content of the resulting data is made unavailable to unauthorised persons.

§ 7. Key pair

(1) The key pair consists of a public key and a private key as defined in Subsection 2(2) of the Digital Signatures Act, subject to the specifications provided by this Decree.

(2) The size of a public key is 1,024 bits.

(3) The user identifier of a key pair shall contain the code of the accounting entity, the word “*aruandlus*”, the name of the authorised employee, and the date of expiry of the key pair.

(4) Key pairs shall be changed regularly at least once every two years.

(5) Used key pairs shall be preserved in order to ensure the availability of the data exchanged.

§ 8. Exchange of keys

(1) In case of the first exchange of keys, the responsible representative of the accounting entity shall meet the key manager and they shall exchange public keys.

(2) In case of subsequent regular exchange of keys, the new public keys shall be transmitted electronically after being signed by the currently valid private key and encrypted using the public key of the counterparty.

(3) The exchanges of keys shall be documented in a corresponding report where the key names and user identifiers, the personal data and fingerprints of the authorised employee and the personal data of the persons participating in the exchange are recorded. For the purposes of this Decree, “fingerprint” means a symbol imprint which is derived from a key pair and which identifies the user of the key pair.

(4) In cases of emergency (a private key has been disclosed, lost or destroyed), the counterparties shall be immediately notified of the situation, new key pairs shall be generated, and the responsible representative of the accounting entity shall meet the key manager and they shall exchange public keys.

(5) Key pairs which have become unusable shall be removed from further use.

§ 9. Identification upon submitting reports

(1) The Financial Supervision Authority shall identify the person that submits a report every time a report is submitted.

(2) Identification of the person that submits a report is based on the public key and the fingerprint.

(3) When performing the obligations specified in Subsection 1, the Financial Supervision Authority shall register the following:

- 1) name of the authorised employee;
- 2) fingerprint of the authorised employee;
- 3) name of the accounting entity;
- 4) time of submission of the report;
- 5) code of the report.

Chapter 4

IMPLEMENTING PROVISIONS

§ 10. Repeal of decree

Eesti Pank Governor's Decree No 8 of 18 June 2002 "Credit institutions' reports on deposits guaranteed by the Guarantee Fund and on quarterly contributions paid to the Guarantee Fund" (RTL 2002, 69, 1087; 2004, 69, 1140) is repealed.

§ 11. Entry into force of decree

This Decree shall enter into force on 1 January 2008.

Andres Lipstok
Governor

Appendix 1
to Eesti Pank Governor's Decree No 11 of 1 October 2007
"Establishment of the report on deposits guaranteed by the Guarantee Fund and the
report on quarterly contributions paid to the Guarantee Fund"

Report on deposits guaranteed by the Guarantee Fund

1. Area of report

This report comprises all the balances of deposits and of interim accounts related to deposits attracted by the credit institution as at the end of the reporting period.

For the purposes of this report, a deposit is a claim arising from the settlement contract of the depositor against the credit institution which is the account manager, a claim arising from the depositor's settlement or loan contract against the credit institution which is the receiver of the loan or a non-alienable deposit certificate issued by the credit institution.

For the purposes of this report, an interim account related to a deposit is an amount for the transfer of which the depositor or an authorised person has issued a respective payment order but which the credit institution has not executed as at the last banking day of the reporting period.

2. General requirements for data summarising

The amount of the balances of such deposits and interim accounts related to deposits that have coinciding identifiers, has to be shown as one row.

3. Reporting row structure

- 1) deposit
- 2) customer
- 3) division according to deposited amount
- 4) stock of deposits at the end of the reporting period
- 5) number of deposits
- 6) stock of USD-denominated deposits at the end of the reporting period
- 7) number of USD-denominated deposits
- 8) size of corporate customer
- 9) stock of deposits on which calculation of quarterly contribution is based

1) Deposit type identifiers

Deposit	1
Interim accounts related to deposits	2

2) Customer identifiers

Commercial undertaking of state or local government	7
Commercial undertaking belonging to consolidation group	14
Other commercial undertaking	8
Non-profit institution	9
Private person	10
Unspecified	11

Identifier 14 *Commercial undertaking belonging to consolidation group* covers only commercial undertakings belonging to the same consolidation group with the reporting credit institution and to the area of the report. Identifier 8 *Other commercial undertaking* does not cover the commercial undertakings recognised under item 14.

Identifier 11 *Unspecified* is used only for intermediate accounts related to deposits if the customer is unidentifiable.

3) Identifiers for the division according to deposited amount

up to 9	1
10 - 40 000	2
40 001 - 70 000	3
70 001 - 100 000	4
100 001 - 150 000	5
150 001 - 200 000	6
200 001 - 313 000	7
Over 313 000	8
Unspecified	9

The divisions are in Estonian kroons.

Identifier 9 *Unspecified* is used only for intermediate accounts related to deposits if the divisions of amounts in the interim accounts are unidentifiable.

4) Stock of deposits as at the end of reporting period

The stock of deposits at the end of the reporting period is indicated on the reporting row as the stock of customers' deposits or interim accounts related to deposits at contractual value without accrued interest in Estonian kroons rounded up to integers. The stock of deposits denominated in foreign currency is converted into Estonian kroons according to Eesti Panks' daily exchange rate.

5) Number of deposits

Here is indicated the number of deposits in the stock of deposits recognised on the reporting row. If one customer has opened several deposits of the same or different type, these are treated as one deposit. If a deposit's end-of-period balance is 0 or can be rounded off to 0, it is not counted in deposits.

Interim accounts related to deposits are not counted in the number of deposits. Thus in case of interim accounts related to deposits, the number of deposits is 0 (zero).

6) Stock of USD-denominated deposits as at the end of reporting period

Here is indicated the stock of USD-denominated deposits or interim accounts related to USD-denominated deposits at contractual value without accrued interest in Estonian kroons rounded up to integers included in the fourth column of the reporting row. The stock of deposits denominated in USD is converted into Estonian kroons according to Eesti Panks' daily exchange rate.

If the fourth column of the report does not include the stock of UDS deposits or of interim accounts related to USD, the stock of USD-denominated deposits is indicated as 0 (zero).

7) Number of USD-denominated deposits

Here is indicated the number of deposits in the stock of USD-denominated deposits included in the fifth column and recognised in the sixth column of the reporting row. If one customer has opened several USD deposits of the same or different type, these are considered as one deposit. If a deposit's end-of-period balance is 0 or can be rounded off to 0, it is not counted as a deposit.

Interim accounts related to USD-denominated deposits are not counted in the number of deposits. Thus in case of interim accounts related to USD-denominated deposits, the number of deposits is 0 (zero). The current indicator's value is 0 (zero) also in the case when the fourth column of the reporting row does not include any USD-denominated deposits.

8) Identifiers for the size of corporate customer

Corporate key customer	1	
Other customer		2

A corporate key customer is a legal person as specified in Subsection 30(5) of the Guarantee Fund Act.

If it is impossible to specify the indicators used to determine the size of a corporate customer, the latter is recognised under the identifier 2 "Other customer".

9) Stock of deposits on which calculation of quarterly contribution is based

Here is shown the stock of the deposits and interim accounts related to deposits that form the basis for calculating the quarterly contribution payable to the Deposit Guarantee Sectoral Fund. The stock is indicated at contractual value without accrued interest in Estonian kroons rounded up to integers. The above deposits include all the deposits and interim accounts related to deposits of commercial undertakings of the state and local government, other commercial undertakings, private persons, and unspecified customers, except for the deposits and interim accounts related to deposits of corporate key customers. If the customer belongs to the same consolidation group as the credit institution or is a corporate key customer, the value of this field is 0 (zero).

Appendix 2

to Eesti Pank Governor's Decree No 11 of 1 October 2007
"Establishment of the report on deposits guaranteed by the Guarantee Fund and the
report on quarterly contributions paid to the Guarantee Fund"

Report on quarterly contributions paid to the Guarantee Fund

1. Area of report

The quarterly contribution calculated on the basis of the report on deposits guaranteed by the Guarantee Fund.

2. Reporting row structure

- 1) contribution rate
- 2) quarterly contribution

1) Contribution rate

The contribution rate established by the Supervisory Board of the Guarantee Fund presented in the format of contribution rate (m) divided by a hundred (m/100).

2) Quarterly contribution

The quarterly contribution is calculated on the basis of the report on deposits guaranteed by the Guarantee Fund and recognised in Estonian kroons rounded up to integers.