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Regulation No 209

Rīga, 13 June 2022

Regulation on Compiling and Submitting the Statistical Data on the Credit Institutions' Credit Exposures and the Persons Involved

Issued pursuant to
Paragraph 2 of Section 63
of the Law on Latvijas Banka

I General Provisions

1. The Regulation establishes:

1.1 the requirements and procedure pursuant to which a credit institution registered in Latvia and a Latvian branch of a credit institution registered in a foreign country (hereinafter referred to as the "credit institution") compile and submit to Latvijas Banka the statistical data on the following:

1.1.1 interbank credit exposures;

1.1.2 credit exposures to the legal persons, who are factoring debtors, unauthorised overdraft debtors or debtors of other types of claims for funds;

1.1.3 legal persons involved in interbank credit exposures, in credit exposures to the legal persons referred to in Paragraph 1.1.2 of this Regulation or in transactions involving the provision of financial services within the meaning of the Credit Register Law (hereinafter referred to as the "financial services") as collateral providers, creditors, service providers or originators;

1.2 deadlines for submitting the statistical data referred to in Paragraphs 1.1.1.–1.1.3 of this Regulation (hereinafter referred to as the "statistical data");

1.3 the duration for storing the statistical data.

2. Terms used in the Regulation:

2.1 credit exposure: a transaction corresponding to one of the types of credit exposures set out in Appendix 1 to the Regulation;

2.2 interbank credit exposure: a credit exposure to a central bank, a credit institution registered in Latvia or an equivalent economic operator registered in another country;

2.3 the term "other type of claim for funds" is used in the Regulation within the meaning of the term "deposit other than reverse repurchase agreement" used in Annex IV to Regulation of the European Central Bank of 18 May 2016 (EU) 2016/867 on the collection of granular credit and credit risk data (ECB/2016/13) (hereinafter referred to as the "ECB Regulation 2016/867");

2.4 the term "collateral provider" is used in the Regulation within the meaning of the term "protection provider" referred to in Paragraph 13 of Article 1 of ECB Regulation 2016/867;

2.5 the term "creditor" is used in the Regulation within the meaning of Paragraph 11 of Article 1 of ECB Regulation 2016/867;

2.6 the term "service provider" is used in the Regulation within the meaning of the term "servicer" referred to in Paragraph 14 of Article 1 of ECB Regulation 2016/867;

2.7 the term "originator" is used in the Regulation within the meaning of Paragraph 13 of Article 4 of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012;

2.8 factoring debtor: a legal person other than a central bank, a credit institution registered in Latvia or an equivalent economic operator registered in another country, whose unconditional obligations to perform payments to the credit institution arise from the invoices issued by the customer of the credit institution pursuant to the factoring customer's agreement concluded between the credit institution and its customer, where the credit institution, acting as a factoring provider, does not have the right of recourse against the customer;

2.9 unauthorised overdraft debtor: a legal person other than a central bank, a credit institution registered in Latvia or an equivalent economic operator registered in another country which, with respect to the credit institution, has a debit balance on a settlement account having no credit limit;

2.10 debtor of other type of claim for funds: a legal person other than a central bank, a credit institution registered in Latvia or an equivalent economic operator registered in another country, against whom the credit institution has a right to claim the repayment of funds transferred thereto.

3. Other terms are used in compliance with the glossary provided in Latvijas Banka's Regulation stipulating the procedure for the data entry in the Credit Register.

4. The statistical data to be provided shall correspond to the data to be entered in the Credit Register laid down in Latvijas Banka's regulation stipulating the procedure for the data entry in the Credit Register, except where otherwise provided for by the Regulation.

5. The statistical data are necessary to perform the tasks of Latvijas Banka, including the compliance with the requirements of ECB Regulation 2016/867.

6. Latvijas Banka may disclose the statistical data to the institutions referred to in Paragraph 1 of Section 69 and Paragraphs 2 and 3 of Section 71 of the Law on Latvijas Banka, subject to the provisions stipulated in the above Law.

7. Latvijas Banka stores the statistical data for an unlimited duration.

II General Requirements and Procedure for Compiling and Submitting the Statistical Data and the Submission Deadlines

8. The credit institution prepares the statistical data stipulated in the Regulation on the position as at the end of the calendar month and as at the time of transaction expiry where the credit exposure expires during the calendar month and the relevant statistical data has been provided in the previous months. The compiled statistical data shall be submitted to Latvijas Banka electronically via the advanced security system within 10 business days following the end of the respective calendar month in accordance with Latvijas Banka's regulation governing electronic information exchange with Latvijas Banka.

9. When discovering erroneous or unsubstantiated statistical data, the credit institution shall correct or cancel this statistical data immediately, but no later than within three business days after it has been discovered.

III Contents of the Statistical Data on Customers and Credit Exposures, and Provisions for the Submission of These Statistical Data

10. The statistical data on a customer:

- 10.1 uniform registration number;
- 10.2 code of the country of registration;
- 10.3 registration number;
- 10.4 type of registration number;
- 10.5 registration date;
- 10.6 name;
- 10.7 legal form;
- 10.8 registered address;
- 10.9 sector of the economy;
- 10.10 category;
- 10.11 status of legal proceedings;
- 10.12 date of the legal proceedings status;
- 10.13 default status of the customer;
- 10.14 date of default status of the customer;

11. The statistical data on a credit exposure:

- 11.1 customer contract identifier;
- 11.2 customer's obligations identifier;
- 11.3 type of the customer's obligations;
- 11.4 purpose of the customer's obligations;
- 11.5 date of the customer's obligations taking effect;
- 11.6 date of taking over the customer's obligations;
- 11.7 settlement date;
- 11.8 end date of the customer's obligations as per customer contract;
- 11.9 actual end date of the customer's obligations;
- 11.10 amount of the customer's obligations as per customer contract;
- 11.11 reference to a syndicated loan;
- 11.12 syndicated loan contract identifier;
- 11.13 reference to the right of recourse;
- 11.14 reference to fiduciary instrument;
- 11.15 reference to a project finance loan;
- 11.16 reference to subordinated debt;
- 11.17 reference to repayment rights;
- 11.18 actual outstanding amount of the customer's obligations;
- 11.19 off-balance sheet amount of customer's obligations;
- 11.20 reference to the accounting;
- 11.21 interest rate;
- 11.22 interest rate cap;
- 11.23 interest rate floor;
- 11.24 reference rate;
- 11.25 interest rate spread;
- 11.26 interest rate type;
- 11.27 interest rate reset frequency;
- 11.28 next interest rate reset date;
- 11.29 end date of interest-only period;

11.30 collateral identifier;
11.31 type of collateral;
11.32 real estate collateral location;
11.33 collateral value;
11.34 type of collateral value;
11.35 date of collateral value;
11.36 collateral valuation approach;
11.37 original collateral value;
11.38 date of original collateral value;
11.39 value of third party priority claims against the collateral;
11.40 collateral allocated value;
11.41 collateral end date;
11.42 accrued interest;
11.43 accumulated impairment amount;
11.44 impairment assessment method;
11.45 type of impairment;
11.46 provisions associated with off-balance-sheet exposures;
11.47 number of days past due;
11.48 principal past due;
11.49 interest past due;
11.50 other payments past due;
11.51 probability of the customer's default on its obligations;
11.52 potential losses in the event of the customer's default on its obligations;
11.53 reference to the assessment method;
11.54 default status of the instrument;
11.55 date of the default status of the instrument;
11.56 performing status of the instrument;
11.57 date of the performing status of the instrument;
11.58 reference to balance sheet and off-balance sheet recognition;
11.59 accounting classification of customer's obligations;
11.60 amortisation type;
11.61 payment frequency;
11.62 fair value changes due to changes in credit risk before purchase;
11.63 transferred amount;
11.64 reason for the country risk transfer;
11.65 country where the risk is transferred from;
11.66 country where the risk is transferred to;
11.67 type of securitisation;
11.68 amount of losses;
11.69 source of encumbrance;
11.70 status of the customer's obligations;
11.71 status feature of the customer's obligations;
11.72 date of the status feature of the customer's obligations;
11.73 accumulated changes in fair value due to credit risk;
11.74 cumulative recoveries since the date of default;
11.75 reference to the classification of customer's obligations in the trading book;
11.76 carrying amount;
11.77 calendar month;
11.78 observed agent;
11.79 reporting agent.

12. In the context of providing the statistical data referred to in Paragraphs 10 and 11 of the Regulation, the counterparty with whom the relevant transaction has been carried out is the customer:

12.1 in case of an interbank credit exposure, the customer is a central bank, a credit institution registered in Latvia or an equivalent economic operator registered in another country;

12.2 in case of a credit exposure to a legal person referred to in Paragraph 1.1.2 of the Regulation, the customer is a factoring debtor, unauthorised overdraft debtor or a debtor of other types of claims for funds.

13. In the field *Registration number* the statistical data shall be provided on a customer which is a non-resident legal person by stating the customer's registration number in the country of registration. Where the customer is an investment management company involving in a credit exposure on account of an investment fund, excluding a money market fund, or on account of an alternative investment fund, the identification code of the relevant investment fund or alternative investment fund shall be stated additionally according to the list (maintained by the European Central Bank) of investment funds or alternative investment funds or the identification code in the country of registration when entering the statistical data in the field *Registration number*.

14. In the field *Category* the statistical data shall be provided on a non-resident legal person with whom the relevant credit exposure has been concluded, according to the *Code list of categories* of Appendix 2 to the Regulation.

15. In the field *Customer contract identifier* the statistical data shall be provided where the unique and constant identifier assigned to the customer's contract differs from the identifier provided in the field *Customer's obligations identifier*. Where the customer contract stipulates conditions for several credit exposures, in the field *Customer contract identifier* the statistical data shall be provided by stating the same customer contract identifier for the respective credit exposures.

16. In the field *Type of the customer's obligations* the statistical data shall be provided by stating the type of credit exposure according to *Code list of the types of credit exposures* of Appendix 1 to the Regulation.

17. In the field *Customer's obligations identifier* the statistical data shall be provided by stating the unique string of symbols (no more than 35 symbols) assigned by the credit institution which allows identifying the respective credit exposure among other credit institution's credit exposures.

18. Special conditions for providing the statistical data on a credit exposure to a customer who is a factoring debtor:

18.1 in the fields *Sector of the economy*, *Category*, *Status of legal proceedings*, *Date of the legal proceedings status*, *Amount of the customer's obligations as per customer contract*, *Off-balance sheet amount of the customer's obligations*, *Reason for the country risk transfer*, *Country where the risk is transferred from* and *Country where the risk is transferred to* the statistical data shall not be provided;

18.2 in the field *End date of the customer's obligations as per customer contract* the end date of the factoring customer's contract shall be stated;

18.3 in the field *Actual end date of the customer's obligations* the date on which the factoring debtor has actually performed the full payment of invoices shall be stated;

18.4 in the field *Actual outstanding amount of the customer's obligations* the factoring debtor's outstanding amount and currency of the invoice at the end of the month shall be stated. If there are several invoices, the outstanding amount and currency of each individual invoice or the total outstanding amount and currency of all invoices shall be stated;

18.5 in the field *Number of days past due* the number of days past due shall be stated where the factoring debtor has fallen behind the invoice payment deadline at the end of the month. If there are several invoices, the dates when the factoring debtor has to make payments differ and the factoring debtor falls behind the deadlines specified in the invoices, the maximum number of days past due shall be stated;

18.6 in the field *Other payments past due* the amount and currency of payments past due at the end of the calendar month specified in the invoice issued to the factoring debtor shall be stated. If there are several invoices with payments past due, the amount and currency of the payments past due specified in each individual invoice or the total amount and currency of all payments past due shall be stated;

18.7 in the field *Date of the customer's obligations taking effect* the effective date of the factoring customer's contract shall be stated;

18.8 in the field *Settlement date* the date when, pursuant to the factoring customer's contract, the funds were paid out for the first time to a person having concluded a factoring customer's contract with the credit institution or the date when the funds have become available to the factoring customer shall be stated;

18.9 in the field *Amortisation type* the amortisation type of the factoring customer's obligations shall be stated;

18.10 in the field *Interest rate* the interest rate on the factoring debtor's payments past due specified in the factoring customer's contract shall be stated;

18.11 in the fields *Status of the customer's obligations* and *Status feature of the customer's obligations* the statistical data shall be provided pursuant to the factoring customer's contract and its amendments;

18.12 in the field *Type of collateral*, in addition to the collateral specified in the customer contract, the difference between the total amount of the advance payment paid out to the factoring customer for the first time and that of the factoring debtor's invoices (reserve) shall be stated as a separate type of collateral;

18.13 in the fields *Probability of the customer's default on its obligations*, *Potential losses in the event of the customer's default on its obligations* and *Reference to the assessment method* the statistical data shall be stated by the credit institution which, at the end of the calendar month, has a valid authorisation to apply the internal ratings based approach for the calculation of risk-weighted values of credit risk exposures by stating the respective valuation with respect to the factoring debtor.

19. Special conditions for providing the statistical data on a credit exposure to a customer who is an unauthorised overdraft debtor:

19.1 in the fields *Date of the customer's obligations taking effect* and *Settlement date* the date when a debit balance has occurred on a settlement account having no credit limit shall be stated;

19.2 in the fields *Amount of the customer's obligations as per customer contract*, *Off-balance sheet amount of the customer's obligations*, *End date of the customer's obligations as per customer contract*, *Reason for the country risk transfer*, *Country where the risk is transferred from* and *Country where the risk is transferred to* the statistical data shall not be provided;

19.3 in the field *Amortisation type* the type *Other* shall be stated;

19.4 in the field *Other payments past due* the amount of the unauthorised overdraft shall be stated.

IV Contents of the Statistical Data on Collateral Providers, Creditors, Service Providers and Originators, and Provisions for its Submission

20. The statistical data on the collateral provider, creditor, service provider and originator:

- 20.1 customer contract identifier;
- 20.2 customer's obligations identifier;
- 20.3 collateral identifier;
- 20.4 reference to the function of a person involved;
- 20.5 the statistical data about a person involved:
 - 20.5.1 uniform registration number;
 - 20.5.2 code of the country of registration;
 - 20.5.3 registration number;
 - 20.5.4 type of registration number;
 - 20.5.5 registration date;
 - 20.5.6 name;
 - 20.5.7 legal form;
 - 20.5.8 registered address;
 - 20.5.9 sector of the economy;
 - 20.5.10 category;
 - 20.5.11 status of legal proceedings;
 - 20.5.12 date of the legal proceedings status;
 - 20.5.13 default status of the customer's guarantor;
 - 20.5.14 date of the default status of the customer's guarantor;
- 20.6 observed agent;
- 20.7 reporting agent.

21. The statistical data referred to in Paragraph 20 of the Regulation shall be provided on a collateral provider, creditor, service provider (except where the credit institution is simultaneously also the creditor or service provider) and originator involved in the following types of transactions:

- 21.1 interbank credit exposure;
- 21.2 credit exposure to a legal person referred to in Paragraph 1.1.2 of the Regulation;
- 21.3 a transaction involving the provision of financial services to a legal person whose data on its customer's obligations is included in the Credit Register.

22. In the field *Registration number* the statistical data shall be provided on a non-resident legal person by stating the customer's registration number in the country of registration. Where the collateral provider is an international organisation, the identifier of the respective international organisation shall be stated in the field *Registration number* according to the list maintained by the European Central Bank and used for the provision of the statistical data as required by ECB Regulation (EU) 2016/867.

23. In the field *Category* the statistical data shall be provided on a non-resident legal person by stating the category of the collateral provider, creditor, service provider and originator according to *Code list of categories* (Appendix 2). Where the collateral provider is an international organisation, in the field *Category* the statistical data shall not be provided.

24. In the field *Reference to the function of a person involved* the statistical data shall be provided by stating whether the respective person is a collateral provider, creditor, service provider or originator.

25. In the fields *Default status of the customer's guarantor* and *Date of the default status of the customer's guarantor* the statistical data shall be provided on the collateral provider where the type of collateral stated in the field *Type of collateral* is a *Credit institution warranty or guarantee, Local government warranty or guarantee, Government warranty or Other warranty or guarantee*.

V Final Provisions

26. Latvijas Banka's Regulation No 161 "Regulation on the Provision of Information on the Credit Institutions' Credit Exposures and the Persons Involved" of 18 January 2018 (Latvijas Vēstnesis, 2018, No 17, 2019, No 64, 2022, No 63) shall be deemed invalid.

27. The statistical data as at 31 December 2022 shall be submitted to Latvijas Banka by 13 January 2023 and shall be subject to the provisions of Latvijas Banka's Regulation No 161 "Regulation on the Provision of Information on the Credit Institutions' Credit Exposures and the Persons Involved" of 18 January 2018.

28. The Regulation shall take effect on 1 January 2023.

Governor of Latvijas Banka

Mārtiņš Kazāks

Code list of the types of credit exposures

Type of credit exposure	Code
Other types of claims for funds against another credit institution or a central bank (including a financial transaction with credit risk on the assets side, cash balance at a central bank, margin payment where it is provided as collateral for funds, overdraft, as well as the balance of short-term money market transactions and the balance on the nostro account)	13
Other types of claims for funds against a debtor of other type of claim for funds (including margin payment where it is provided as collateral for funds, including for transactions in securities)	14
Unauthorised overdraft (unauthorised debit balance on a settlement account having no credit limit (unauthorised debit))	15
Reverse repo transaction with another credit institution (reverse repurchase agreement)	30
Factoring (factoring without the right of recourse)	90
Other loans (including claim for funds against a legal person whose credit institution licence has been cancelled)	95

Governor of Latvijas Banka

Mārtiņš Kazāks

Code list of categories

Category	Code
1	2
Public institutional unit (central government)	10
Central bank	11
Credit institution (except non-MFI credit institutions within the meaning of Article 2(4) of Regulation (EU) 2021/379 of the European Central Bank of 22 January 2021 on the balance sheet items of credit institutions and of the monetary financial institutions sector (recast) (ECB/2021/2))	12
Local government	20
State government	21
Corporation the business of which is to take deposits (except a credit institution)	22
Money market fund	23
Financial vehicle corporation engaged in securitisation transactions (according to Paragraphs 1 and 2 of Article 1 of Regulation (EU) No 1075/2013 of the European Central Bank of 18 October 2013 concerning statistics on the assets and liabilities of financial vehicle corporations engaged in securitisation transactions (ECB/2013/40))	24
Social security fund	25
Investment fund, excluding money market fund, and alternative investment fund	30
Other financial intermediary (except an insurance corporation, pension fund, financial vehicle corporation engaged in securitisation transactions and non-MFI credit institution)	31
Insurance corporation	32
Pension fund (according to Article 1(1) of Regulation (EU) 2018/231 of the European Central Bank of 26 January 2018 on statistical reporting requirements for pension funds (ECB/2018/2))	33
Financial auxiliary	34
Captive financial institution and money lender	35
Non-MFI credit institution	36
Non-financial corporation – a large enterprise which on average employs 250 or more persons annually and whose annual net turnover exceeds 50 million euro or whose annual balance sheet total assets exceed 43 million euro	41
Non-financial corporation – a medium-sized enterprise which on average employs 50–249 persons annually and whose annual net turnover does not exceed 50 million euro or whose annual balance sheet total assets do not exceed 43 million euro	42
Non-financial corporation – a small enterprise which on average employs 10–49 persons annually and whose annual net turnover does not exceed 10 million euro or whose annual balance sheet total assets do not exceed 10 million euro	43

1	2
Non-financial corporation – a micro-enterprise which on average employs fewer than 10 persons annually and whose annual net turnover does not exceed 2 million euro or whose annual balance sheet total assets do not exceed 2 million euro	44
Non-profit institution serving households	90
Other category	110

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