

Report on the activity carried out in Portuguese territory by financial entities with their head office in another Member State of the European Union, operating in Portugal under the freedom to provide services

Reporting template

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Revision policy

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Table of Contents

1.	Overview	4
2.	Submitting the report to the Banco de Portugal	5
3.	Information to be reported	5
4.	Instructions	5
5.	Additional rules	7
6.	Deadlines for sending information	8
7.	Submission of files	8
8.	Nomenclature of the file to be submitted	8
9.	Response	8
10.	FAQs	9
	10.1 How do I ensure that the file displays the correct decimal separator when using MS Excel© to create/edit the file?	9
	10.2 How do I resolve the error “The field ‘CodEntidade’ is the wrong size (other than 4 digits)”?	10
	10.3 How do I get my Entity Code, to fill in the ‘CodEntidade’ field?	11
	10.4 Despite being authorised to operate in Portugal under the freedom to provide services, my entity has not yet provided services in Portugal that are subject to this reporting. How do I fill in the report?	11

1. Overview

In accordance with Article 3(2)(d) of Law No 83/2017 of 18 August 2017 (“Law No 83/2017”), the financial entities operating in Portugal under the freedom to provide services are subject to the obligations laid down in Article 73 of that Law.

Accordingly, Article 73(1)(b) of Law No 83/2017 states that, in order to understand the risks of money laundering and terrorist financing in their sector, the sectoral authorities may, where deemed appropriate, request that the financial entities operating in Portugal under the freedom to provide services submit information related to the carrying out of their activity in Portuguese territory. For this purpose, Article 64 of Notice of the Banco de Portugal No 2/2018 of 26 September 2018 (“Notice No 2/2018”) provides that the financial entities with their head office in another Member State of the European Union operating in Portugal under the freedom to provide services are required to submit annually to the Banco de Portugal a report on the activity they carry out under the freedom to provide services in Portuguese territory.

Under the terms and time limits set in Instruction of the Banco de Portugal No 5/2020, the financial entities are required to comply with the periodic reporting obligation laid down in this Instruction, otherwise they will be considered non-compliant as provided for and punishable under Chapter XII of Law No 83/2017.

Submitting the report must comply with the following formalities: filling in of an MS Excel file to be sent by email to reportelps.bcf@bportugal.pt.

To this end, a template with the structure of the file to be submitted is available in the Banco de Portugal documentation associated with this report. This template must be used by the reporting entity so that it can be processed by the Banco de Portugal.

2. Submitting the report to the Banco de Portugal

Reporting to the Banco de Portugal must be carried out by filling in an MS Excel file in accordance with the template available on the Banco de Portugal's institutional website¹ and sending it as an email attachment to reportelps.bcft@bportugal.pt

The files received as email attachments will be technically validated by the Banco de Portugal.

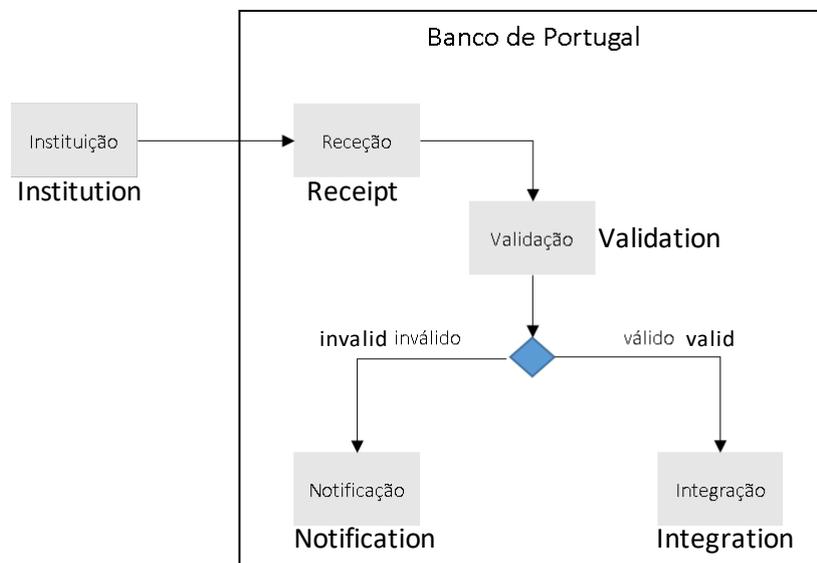


Figure 1 - Information Flow

3. Information to be reported

Annual report: must be submitted on or before 28 February of each year taking as reference the period from 1 January to 31 December of the previous year.

The information to be reported is set out in Instruction of the Banco de Portugal No 25/2020 and must adhere to the template made available on the Banco de Portugal's institutional website.²

4. Instructions

The reporting template is organised as follows.

1. The information to be reported is entered in the fields with a white background on the sheets **Type**, **Identity** and **Activity**. All information with a grey background is filled in according to the options selected in the sheet "Type";
2. The first sheet, headed "**Type**", allows you to select the language (Portuguese or English), as well as the type of reporting institution and the services effectively provided in Portugal under

¹ <https://www.bportugal.pt/en/page/report-activity-carried-out-portugal-under-freedom-provide-services>

² <https://www.bportugal.pt/en/page/report-activity-carried-out-portugal-under-freedom-provide-services>

the freedom to provide services (FPS). For this purpose, the reporting entity must follow the following steps:

- (a) Begin by selecting the language:

	A	B	
1	Idioma	2-ENG	English
2	LPS (FPS) Type	1-PRT 2-ENG	Free Provision of Services by EU

- (b) Select the type of reporting entity,³ according to the following options:

- Payment_Institution_Services – FPS of a Payment Institution;
- E_money_Institutions_Services – FPS of an Electronic Money Institution;
- Credit_Institution_Services – FPS of a Credit Institution or FPS of a Financial Institution.

1	Idioma	2-ENG	English
2	LPS (FPS) Type	Credit_Institution_Services	Free P
3	Id Srv	Credit_Institution_Services E_money_Institutions_Services Payment_Institution_Services	

- (c) Select the services provided in Portugal during the reporting period, selecting the value “TRUE” in column D (“Services to report”). This information is used to (i) automatically fill in the information in the sheet **Identity**, referring to row 9 (I9 – Activity in Portuguese territory during the reference period) and to (ii) select the information to be reported in the sheet Activity.

Idioma	2-ENG	English		
LPS (FPS)	Credit_Institution_Services	Free Provision of Services by EU Credit Institutions		
Id Service	Value	Service	Services to Report	# Activity
1.	17	1. Taking deposits and other repayable funds;	TRUE	-
2.	18	2. Lending including, inter alia: consumer credit, credit agreements relating to immovable property, factoring, with or without recourse, financing of commercial transactions (including forfeiting);	FALSE	-
3.	19	3. Financial leasing;	FALSE	-

(Example template for FPS of a Credit Institution)

- (d) If the entity has not provided services in Portugal that are subject to this reporting, signal it using the value “FALSE” in all rows of column D “Services to report” in the sheet “Type”.
- (e) If the background colour of Column E, headed “**Activity**”, turns yellow, the entity indicated that it provided the corresponding service in Portugal, but no information was reported on this service in the sheet “Activity”. Consequently, the information reported must be revised before submission (see example template above).

³ Selecting the type of entity determines the list of potential services it may provide in Portugal.

3. The second sheet, headed “**Identity**”, must be filled in with the information to be reported in column B (“Value”) on the questions in column C (“Designation”). **Some questions are mandatory, even when indicated that no activity was carried out during the reporting period.** On this sheet, the following should be considered:
 - (a) The “Institution code number” referred to in the question in row 4 (I3) is a 4-digit code that can be found on the Banco de Portugal's institutional website.⁴ If the code is not available, please contact the Banco de Portugal via email to reportelps.bcft@bportugal.pt;
 - (b) Row 9 (I9) is automatically filled in with “0” or “1”, based on the information selected in column D on the sheet “Type”, which refers to the existence of services provided by the entity in Portugal.
4. The third sheet, headed “**Activity**”, allows you to report the activity carried out in Portugal, the jurisdictions related to this activity, the channels available and any reporting to the authorities, in compliance with the reporting obligation.

This information is reported for each of the services marked as “TRUE” in the sheet “Type”, and that for this reason appear in column F (“Service designation”) in the sheet “Activity”. This information must be typed in column C (“Value”) in relation to the questions asked in column E (“Item designation”).

5. Additional rules

1. Numeric information must use a comma as the decimal separator and must not use the thousands separator.
2. Information on the country, in ISO2 format, must be filled in using a valid value. If needed, see sheet “TA_Territorio”.
3. Columns with the name “Mandatory” indicate whether the fields must be filled in or not. If not and there is no information to be reported, the field must be left blank.
4. If information is copied to the reporting template, always use the option that only keeps the value information and does not keep the source formatting.
5. If a cell's background colour turns yellow, information was reported that is not considered, i.e. information that was reported on a service marked as “FALSE” in the sheet “Type” and consequently also marked as “FALSE” in the sheet “Activity”.

⁴ <https://www.bportugal.pt/en/entidades-autorizadas>

Id	Value	Designação da rubrica	Designação do serviço	Determinado serviços Portug.	Obrigado
2	2300	3. Atividade em território nacional durante o período de referência - a) Número total de operações realizadas com origem em Portugal;	2. Empréstimos incluindo, entre outros: crédito ao consumo, contratos de crédito relativos a bens imóveis, factoring, com ou sem recurso, financiamento de transações comerciais (incluindo a confissão);	FALSE	Sim

(Example template of a value in an activity indicated as "FALSE". In these cases, the value is highlighted in yellow to mark the error.)

6. Deadlines for sending information

As laid down in Article 3(1) of Instruction of the Banco de Portugal No 5/2020, the report must be submitted on or before 28 February of each year, referring to the period from 1 January to 31 December of the previous year.

In addition, the reporting model template will be made available by the Banco de Portugal up to two months before the end of the submission period.

7. Submission of files

The file will be sent to the Banco de Portugal via email to reportelps.bcf@bportugal.pt, made available for this purpose.

8. Nomenclature of the file to be submitted

The name of the file containing information on the activity carried out in Portuguese territory by financial entities under FPS must comply with the following rule:

- LPS_<CodEntidade>_<DatadeReporte>.xlsx
 - CodEntidade: 4-digit number identifying the institution (e.g. 0000), which can be found on the Banco de Portugal's website at <https://www.bportugal.pt/en/entidades-autorizadas>;
 - DatadeReporte: 8-digit numeric code to identify the date of the reporting period the information relates to (YYYYMMDD where YYYY is the year, MM is the month, and DD is the date);

Example of nomenclature: LPS_0000_20210212.xlsx

9. Response

If there are any problems with the format or content of the file reported, the person responsible for the reporting may be contacted by the Banco de Portugal via the email address identified in the file submitted by the entity, by receiving a reply whose filename will be the same as the file sent by the entity, plus "_RespBP". E.g.: LPS_0000_20210212_RespBP.xlsx with details of the problem.

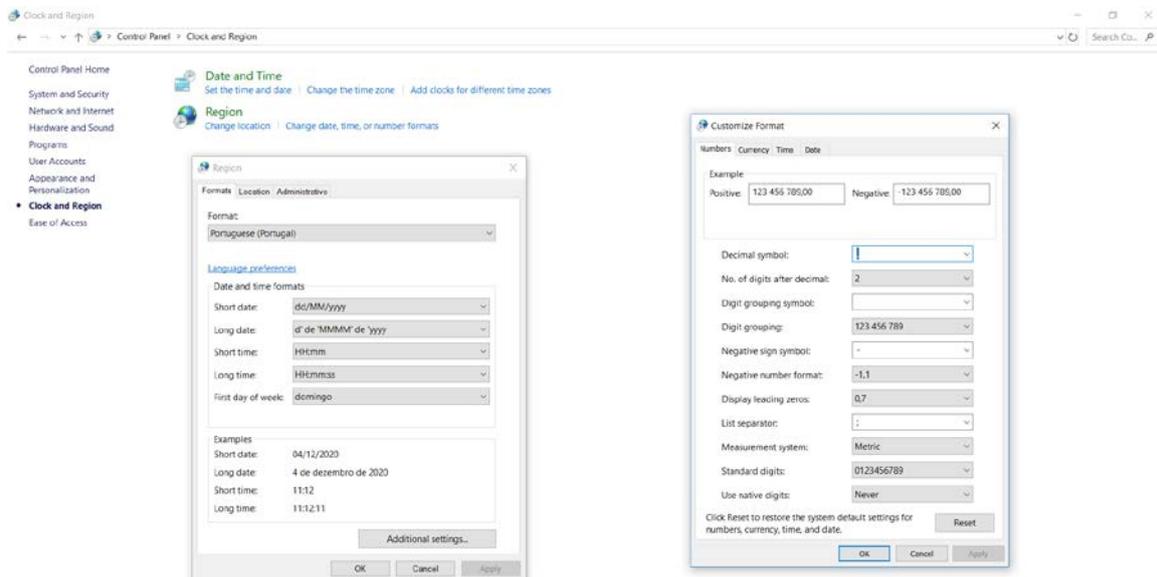
10. FAQs

10.1 How do I ensure that the file displays the correct decimal separator when using MS Excel© to create/edit the file?

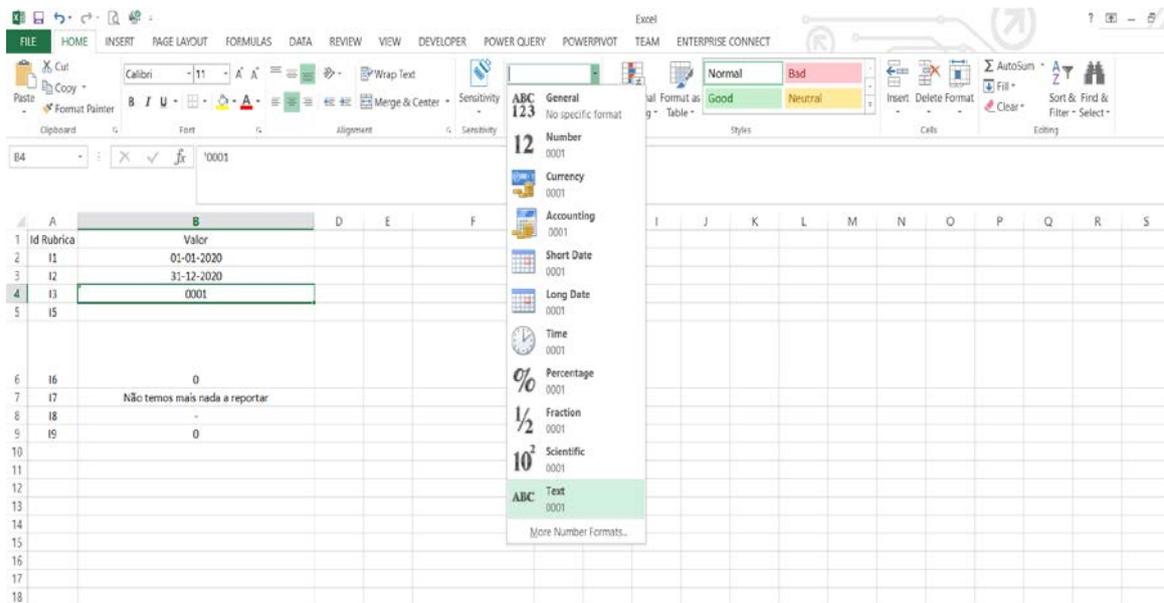
By using MS Excel, we can ensure that the file displays the decimal separator and that it is well defined.

If MS Excel© does not use the character “,” as the decimal separator, the following steps must be followed to make this change:

1. Open the Start menu and select “Control Panel”;
2. Choose “Clock and Region”;
3. Select “Change date, time, or number formats”;
4. Select “Additional settings...”;
5. Check or change the “decimal symbol” to “,”.

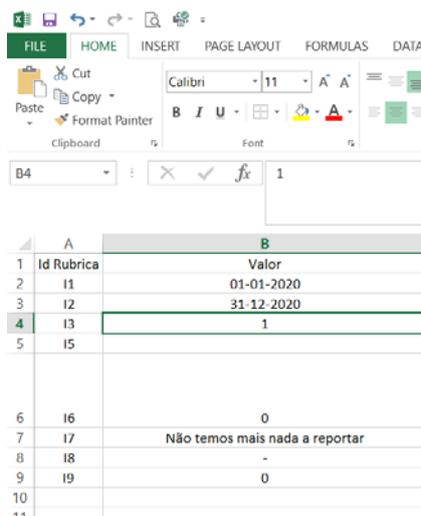


The format of the columns must be set to “text” to avoid unintended changes, such as automatic switching to a date format that does not match the default setting for the field and/or an automatic capitalisation of characters.



10.2 How do I resolve the error “The field ‘CodEntidade’ is the wrong size (other than 4 digits)”?

Excel automatically removes leading zeros. Therefore, entity codes beginning with zero will have the zeroes automatically removed. As the expected code must have 4 digits, the error “The field “CodEntidade” is the wrong size (other than 4 digits)” is returned.



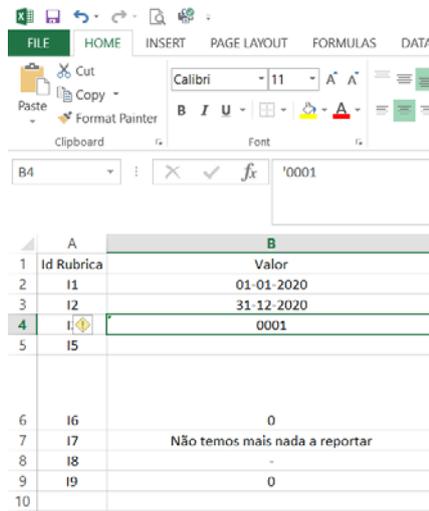
Wrong file – The “CodAF” file displays only 1 digit.

In order to solve this problem, it is necessary to indicate that a value must be interpreted as text. There are two solutions:

- Format the column as text
 - Select the entire column A and press Ctrl + 1 to open the dialogue box “Format > cells”. On the Number tab, click Text.
- Use the apostrophe character

- You can insert an apostrophe (') before the number and Excel will process it as text.

Example: '0001



Correct file – it displays 4 digits in “CodAF” using the apostrophe and text data type to ensure that the zero is preserved on the left.

For further information: <https://support.microsoft.com/en-gb/office/keeping-leading-zeros-and-large-numbers-1bf7b935-36e1-4985-842f-5dfa51f85fe7?ui=en-US&rs=en-GB&ad=GB>

10.3 How do I get my Entity Code, to fill in the ‘CodEntidade’ field?

You can find your Entity Code on the Banco de Portugal's institutional website at <https://www.bportugal.pt/en/entidades-autorizadas>

If you do not find your Entity Code, please contact reportelps.bcf@bportugal.pt.

10.4 Despite being authorised to operate in Portugal under the freedom to provide services, my entity has not yet provided services in Portugal that are subject to this reporting. How do I fill in the report?

Where the entity has not yet provided services in Portugal that are subject to this reporting, mark it as “FALSE” on all rows of column D “Services to report” in the sheet “Type”. However, the mandatory fields in the sheets “Type” and “Identity” must be filled in.