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Registration
number: 3654-
2/2023
Subject: application of measure

Resolution number: H-PIF-I-1/2023

Based on the conclusion of the control procedure number.....held at OTP Bank Plc. (company registration number: 01 10 041585) ("the Credit Institution"), the National Bank of Hungary (registered office: 1013 Budapest, Krisztina krt. 55.) ("MNB") passes the following

Resolution

- I. it obligates the Credit Institution that from April 30, 2023, it shall - taking into account the European Parliament and Council Directive (EU) 2015/2366 on the addition of regulatory technical standards for strong customer authentication and common and secure open communication standards (hereinafter referred to as SCAR.) in Section 32 (3) for the prohibition of occupied obstruction as delegated Regulation (EU) 2018/389 of 27 November 2017 - provide - based on the SCAR Article 32 - through the interface established by the Credit Institution (hereinafter: dedicated interface) and ensure that the same authentication procedures are available to its customers when using the payment service of the third-party provider as they are when you directly access your payment account or directly initiate a payment operation.
- II. in the context of extraordinary data provision, it obliges the Credit Institution to report on the measures taken in a manner supported by documents until May 15, 2023, in order to prove the full fulfillment of the provisions of point I of the operative part of the decision.

As part of its extraordinary data provision obligation, the Credit Institution is obliged to send the data/documents electronically to the MNB in the form called "General form" available under the "Cash flow and settlement" service / "Cash flow control" menu item in the MNB's electronic administration support information system (ERA system). The condition for submission is that the Credit Institution has an approved registration for the "Cash flow control", "Data provision" and "Cash flow and settlement" services. The compressed size of files attached to a form must not exceed 12 MB, but the form can be submitted an unlimited number of times.

If the Credit Institution wishes to send a large data file [greater than 12 Mbytes, up to five Gigabytes in size, compressed (.zip, extension)], it must do so via the Large Data Management (hereinafter: NAK) service available in the ERA system, which requires the installation of the associated client application. To use the application that supports the uploading and submission of data files in compressed form, in the ERA system, under the menu item Management of Large Records, there is a help and a process description for registered users who are logged in to the ERA system at the following address: <https://era.mnb.hu/ERA.WEB/Services/Current?code=NAK>.

The MNB draws the attention of the Credit Institution that uploading and submitting files using the NAK service is a two-step process: the first step is to upload the large file(s) via the NAK client, then the package/file uploaded in the NAK client application must be attached in the above-mentioned form named "General form" using the NAK package/file selection menu item. The file to be uploaded, selected from the list of files uploaded via the NAK client that pops up in the window, must be attached by pressing the "Attach selected" button. The form completed in this way must be submitted in order to provide data to the MNB.

The ERA system can be accessed via the link on the MNB's internet portal: <https://era.mnb.hu/>. User aids related to the ERA system can be found under ERA Help: <https://era.mnb.hu/ERA.WEB/contents/sugo>.

In the event of failure to meet the obligations stipulated in point I. and II., or in the case of repeated violations of legislation falling under the control authority of the MNB and official decisions of the MNB, the MNB could based on CXXXIX of 2013 on the Magyar Nemzeti Bank. Act (hereinafter: MNB Act) Article 75, and based on CCXXXVII of 2013 on Credit institutions and financial enterprises Act (hereinafter: Hpt.) Article 183-198., impose additional measures, as well as exceptional measures

and fines. The amount of the fine pursuant to § 76, paragraphs (1) and (2) of MNB Act, may range from one hundred thousand Hungarian forints to two billion Hungarian forints, or up to two hundred percent of the annual supervision fee (sum of basic fee and variable fee) established for the Credit Institution, if the latter amount exceeds two billion Hungarian forints.

- III. states that the Credit Institution from January 1, 2021, in the case of account information services until August 18, 2021, and in the case of payment initiation services until March 22, 2022, with regard to the interface assigned to the target, it did not ensure that its customers did not have to enter the payment reference number of their payment account manually when using the third-party service provider's payment service, thereby violating the SCAr. the requirements contained in Article 32 (3).
- IV. obligates the Credit Institution to pay 2.160.000.- Hungarian Forint, i.e. two million one hundred and sixty thousand Hungarian Forint procedural costs incurred during the procedure.

The imposed procedural costs has to be paid to the account number 19017004-01678000-30900002 of the MNB within 30 days after the resolution becoming enforceable by indicating "procedural cost" as a comment and the number of the resolution.

In the event the deadline for the payment of the procedural cost is missed, default interest will be charged after the unpaid cost, the extent of which will be calculated at the rate of 365th of the double of the central bank rate in effect on the date of imposition after every calendar day following the date of imposition. After the late payment of default interest, no further default payment can be charged.

The default interest has to be paid to the cited account of the MNB by indicating the number of the resolution and the comment "default interest". The MNB collects the overdue debt by means of direct payment against the payment account it maintains for the Credit Institution.

No appeal can be made against the resolution, at the same time, the Credit Institution, may initiate administrative proceeding against the resolution within 30 days of the publication of the decision citing violation of law.

Legal representation is mandatory. The application shall be submitted to the MNB addressed to the Budapest-Capital Regional Court. (The assistance service of form's submission: <https://www.mnb.hu/letoltes/mnb-k01.jar>).

The submission of the application has no suspensory effect on the entry into force of the decision, but the Credit Institution can request immediate legal protection.

The court will, as a general rule, decide the trial out of court. A hearing shall be held, if so requested in the application by the Credit Institution. Failure to request a hearing cannot be justified.

Dated: Budapest, 24th January, 2023

ELECTRONICALLY SIGNED DOCUMENT