

Regulation (EC) No 1781/2006 of the European Parliament and
of the Council of 15 November 2006 on information on the payer
accompanying transfers of funds (Text with EEA relevance)

CHAPTER VI

DEROGATIONS

Article 17

**Agreements with territories or countries which do
not form part of the territory of the Community**

1 The Commission may authorise any Member State to conclude agreements, under national arrangements, with a country or territory which does not form part of the territory of the Community as determined in accordance with Article 299 of the Treaty, which contain derogations from this Regulation, in order to allow for transfers of funds between that country or territory and the Member State concerned to be treated as transfers of funds within that Member State.

Such agreements may be authorised only if:

- a the country or territory concerned shares a monetary union with the Member State concerned, forms part of the currency area of that Member State or has signed a Monetary Convention with the European Community represented by a Member State;
 - b payment service providers in the country or territory concerned participate directly or indirectly in payment and settlement systems in that Member State;
- and
- c the country or territory concerned requires payment service providers under its jurisdiction to apply the same rules as those established under this Regulation.

2 Any Member State wishing to conclude an agreement as referred to in paragraph 1 shall send an application to the Commission and provide it with all the necessary information.

Upon receipt by the Commission of an application from a Member State, transfers of funds between that Member State and the country or territory concerned shall be provisionally treated as transfers of funds within that Member State, until a decision is reached in accordance with the procedure set out in this Article.

If the Commission considers that it does not have all the necessary information, it shall contact the Member State concerned within two months of receipt of the application and specify the additional information required.

Once the Commission has all the information it considers necessary for appraisal of the request, it shall within one month notify the requesting Member State accordingly and shall transmit the request to the other Member States.

3 Within three months of the notification referred to in the fourth subparagraph of paragraph 2, the Commission shall decide, in accordance with the procedure referred to in Article 16(2), whether to authorise the Member State concerned to conclude the agreement referred to in paragraph 1 of this Article.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1781/2006 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

In any event, a decision as referred to in the first subparagraph shall be adopted within eighteen months of receipt of the application by the Commission.

Article 18

Transfers of funds to non-profit organisations within a Member State

1 Member States may exempt payment service providers situated in their territory from the obligations set out in Article 5, as regards transfers of funds to organisations carrying out activities for non-profit charitable, religious, cultural, educational, social, scientific or fraternal purposes, provided that those organisations are subject to reporting and external audit requirements or supervision by a public authority or self-regulatory body recognised under national law and that those transfers of funds are limited to a maximum amount of EUR 150 per transfer and take place exclusively within the territory of that Member State.

2 Member States making use of this Article shall communicate to the Commission the measures that they have adopted for applying the option provided for in paragraph 1, including a list of organisations covered by the exemption, the names of the natural persons who ultimately control those organisations and an explanation of how the list will be updated. That information shall also be made available to the authorities responsible for combating money laundering and terrorist financing.

3 An up-to-date list of organisations covered by the exemption shall be communicated by the Member State concerned to the payment service providers operating in that Member State.

Article 19

Review clause

1 By 28 December 2011 the Commission shall present a report to the European Parliament and to the Council giving a full economic and legal assessment of the application of this Regulation, accompanied, if appropriate, by a proposal for its modification or repeal.

2 That report shall in particular review:

- a the application of Article 3 with regard to further experience of the possible misuse of electronic money, as defined in Article 1(3) of Directive 2000/46/EC, and other newly-developed means of payment, for the purposes of money laundering and terrorist financing. Should there be a risk of such misuse, the Commission shall submit a proposal to amend this Regulation;
- b the application of Article 13 with regard to the technical limitations which may prevent complete information on the payer from being transmitted to the payment service provider of the payee. Should it be possible to overcome such technical limitations in the light of new developments in the payments area, and taking into account related costs for payment service providers, the Commission shall submit a proposal to amend this Regulation.

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulation repeal by [EUR 2015/847](#) Regulation