

Regulation (EU) No 1409/2013 of the European Central Bank  
of 28 November 2013 on payments statistics (ECB/2013/43)

*Article 4*

**Derogations**

- 1 NCBs may grant derogations to reporting agents in respect of part or all of the reporting requirements set out in this Regulation:
  - a in the case of payment institutions, if they fulfil the conditions laid down in Article 26(1) and (2) of Directive 2007/64/EC;
  - b in the case of electronic money institutions, if they fulfil the conditions laid down in Article 9(1) and (2) of Directive 2009/110/EC;
  - c in the case of other payment service providers not mentioned in points (a) and (b), if they fulfil either the conditions laid down in Article 9(1) and (2) of Directive 2009/110/EC or in Article 26(1) and (2) of Directive 2007/64/EC.
- 2 NCBs may only grant derogations to reporting agents under paragraph 1 if these reporting agents do not contribute to a statistically significant coverage, at national level, of payment transactions for each type of payment service.
- 3 NCBs may grant derogations to reporting agents in respect of reporting transactions with non-MFIs, where: (a) the combined value of services specified in Table 4 of Annex III contributed by reporting agents benefiting from such derogation does not exceed 5 % at national level for each of such services; and (b) the reporting burden would otherwise be disproportionate in view of the size of such reporting agents.
- 4 If an NCB grants a derogation pursuant to paragraph 1 or 3, it shall notify the ECB thereof at the same time as it reports information pursuant to Article 6(1).
- 5 The ECB shall publish a list of entities granted derogations by the NCBs.

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) No 1409/2013 of the European Central Bank. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- [Regulation revoked by S.I. 2021/1300 Sch. 1 para. 72](#)