

Resolution No 25/2020
of the Management Board of Narodowy Bank Polski
of 19 May 2020
concerning the approval of the “Rules and Regulations of the Payment System
Council activity”

Pursuant to Article 17(3)(2) of the Act on Narodowy Bank Polski of 29 August 1997 (Journal of Laws of 2019, item 1810 and of 2020, item 568) and in conjunction with § 5 of Resolution No 14/98 of the Management Board of Narodowy Bank Polski of 10 June 1998 concerning the establishment of an opinion-making and advisory body called Payment System Council at the Management Board of Narodowy Bank Polski (as amended¹⁾), it is hereby resolved as follows:

§ 1. The Rules and Regulations of the Payment System Council activity, introduced by Resolution No 1/2020 of the Payment System Council of 24 April 2020 concerning the introduction of the “Rules and Regulations of the Payment System Council activity”, are hereby approved.

§ 2. Resolution No 15/2018 of the Management Board of Narodowy Bank Polski of 10 May 2018 concerning the approval of the “Rules and Regulations of the Payment System Council activity” is repealed.

§ 3. The Resolution shall enter into force as of the day of its adoption.

President of the Management Board
of Narodowy Bank Polski

Adam Glapiński

¹⁾ The aforementioned resolution was amended by resolutions Nos.: 44/2001, 21/2003, 28/2004, 57/2005, 28/2006, 24/2008, 71/2009, 43/2016 and 14/2018.

**Resolution No 1/2020
of the Payment System Council
of 24 April 2020
concerning the introduction of the “Rules and Regulations of the Payment System Council
activity”**

Pursuant to § 5 of Resolution No 14/98 of the Management Board of Narodowy Bank Polski of 10 June 1998 concerning establishment of an opinion-making and advisory body called the Payment System Council, it is hereby resolved as follows:

§ 1.

The “Rules and Regulations of the Payment System Council activity” are introduced, hereinafter referred to as the “Regulations”, constituting an Annex to the Resolution.

§ 2.

Resolution No 1/2018 of the Payment System Council of 17 April 2018 concerning the approval of the “Rules and Regulations of the Payment System Council activity” is repealed.

§ 3.

The Resolution shall enter into force on the day of its approval by the Management Board of Narodowy Bank Polski.

Chairperson
of the Payment System Council

Anna Trzecińska

Rules and Regulations of the Payment System Council activity

§ 1.

The Rules and Regulations define the procedure of activity of the Payment System Council, hereinafter referred to as the "Council".

§ 2.

The Council is an opinion-making and advisory body operating at the Management Board of Narodowy Bank Polski, hereinafter referred to as the "NBP Management Board".

§ 3.

1. The Council shall adopt resolutions, formulate opinions and issue decisions.
2. The Council shall adopt resolutions on all matters in the scope of the Council's activity defined in Resolution No 14/98 of the NBP Management Board, subject to subparagraphs 3 and 4.
3. The Council shall formulate opinions on matters submitted for consideration by the NBP Management Board or Council members.
4. The Council shall issue decisions concerning practical and organisational issues.
5. Resolutions, opinions and decisions are adopted by unanimous acceptance and in the absence of unanimity – by a simple majority of votes of the Council members participating in the voting. In the case of an equal number of votes, the Chairperson of the Council shall have a casting vote. If the voting takes place in the absence of the Chairperson of the Council, the person chairing the Council meeting referred to in §12(1) shall have a casting vote. A Council Member who was outvoted may submit a dissenting opinion on the resolution, opinion or decision.
6. The resolutions adopted by the Council and the opinions formulated by it shall be signed by the Chairperson of the Council.
7. The Council's resolutions and opinions are numbered separately, according to the sequence of their adoption and formulation within a given calendar year.
8. At the request of the Chairperson of the Council, the Council may adopt resolutions on the basis of voting by circulation, with the use of direct remote communication means. In particularly justified cases, at the request of the Chairperson of the Council, the Council may also formulate opinions and issue decisions with the use of direct remote communication

means. The opinions and decisions shall be binding and the resolutions shall be effective if all the members of the Council have been notified of the contents of the draft opinion, decision or resolution. The provisions of paragraphs 5-7 shall apply respectively.

§ 4.

1. For the purpose of accurate performance of its tasks, the Council may establish standing working groups of an advisory and opinion-making nature. The tasks, the composition and the rules of operation of standing working groups shall be defined in the Council resolution.
2. The Council may establish task forces for the purpose of implementation of particular tasks. The appointment of a task force shall take place on a case by case basis by way of a Council resolution defining the scope of tasks of the task force, its composition and the period for which it is established.

§ 5.

1. The Council shall act at meetings, subject to § 3(8), § 6(2), § 7(3) and § 14(1).
2. The meetings shall be convened by the Chairperson of the Council by sending written invitations to the Council members at least 21 days prior to the date of the meeting, subject to § 9(4) and (5).
3. A draft agenda, indicating the venue, hour of commencement and expected duration of the meeting shall be attached to the written invitations referred to in subparagraph 2.
4. Materials regarding individual topics on the agenda of the meeting shall be made available in advance, however, not later than 3 business days prior to the meeting of the Council, by means of a secured website dedicated to the Council, subject to § 8(4).

§ 6.

1. Subject to subparagraph 2 and § 9, the Council meetings take place at least four times a year, on days determined by the Council in annual work plans of the Council referred to in § 7(3) or on dates determined by the Council at its previous meeting.
2. In particularly justified cases, the Chairperson of the Council may decide to convey and chair a meeting with the use of direct remote communication means.

§ 7.

1. Subject to § 9(1), the issues to be discussed at the Council meeting are submitted by:
 - 1/ the NBP Management Board through the Office of the President of Narodowy Bank Polski, hereinafter referred to as the "Office of the President",
 - 2/ the Council members.

2. Subject to § 13(2), issues proposed by the Council members are submitted in writing to the Council Secretary:
 - 1/ at least 14 days prior to the scheduled date of the meeting,
 - 2/ by the end of January – for the purpose of preparing the annual Council work plan in the particular year.
3. The Council Secretary shall prepare the annual Council work plan, taking into account issues submitted by the NBP Management Board and Council members, broken down into issues for discussion and issues of an informative nature. The plan shall be adopted by way of a Council decision at its first meeting in a given year. In particularly justified cases, at the request of the Chairperson of the Council, the Council may adopt the Council work plan by way of a Council decision issued in the manner provided for in § 3(8).
4. The Council Secretary shall prepare the draft agenda of the nearest Council meeting, taking into account:
 - 1/ the annual Council work plan accepted by the Council,
 - 2/ issues submitted by the NBP Management Board referred to in subparagraph 1(1) and in § 9(1)(1),
 - 3/ submissions by the Council members referred to in subparagraph 2(1), § 9(1)(2)-(4) and § 17.
5. The draft agenda of the Council meeting shall comprise issues for discussion and issues of an informative nature.
6. Prior to its submission to the Council members, the draft agenda of the Council meeting requires the approval of the Chairperson of the Council.

§ 8.

1. Each topic submitted to the Council meeting should be accompanied by materials containing, in particular, the description of the issue and possible motions to be considered by the Council.
2. Materials for the Council meetings shall be prepared by:
 - 1/ the Council Secretary – with respect to issues submitted by the NBP Management Board or the Chairperson of the Council.
 - 2/ the Council members – with respect to issues submitted by themselves.
3. Materials regarding the issues referred to in subparagraph 2(2) shall be provided to the Council Secretary at least 8 days prior to the scheduled date of the meeting.
4. In particularly justified cases, subject to the consent of the Chairperson of the Council, materials related to issues to be considered at a Council meeting may be provided to the Council members without observing the time limit defined in § 5(4), including on the day of the Council meeting, prior to its commencement.

§ 9.

1. Besides meetings referred to in § 6, meetings of the Council can be convened for the purpose of considering urgent issues submitted by:
 - 1/ the NBP Management Board,
 - 2/ the Chairperson of the Council,
 - 3/ the Vice-Chairperson of the Council,
 - 4/ at least three Council members.
2. The persons applying for convening such a meeting specified in subparagraph 1(3) and (4) shall submit a written request to the Chairperson of the Council, justifying the need to convene the meeting and proposing the subject of its discussions. The request should be accompanied by materials regarding proposed topics to be the subject of the Council meeting.
3. The Chairperson of the Council shall take the decision concerning the request for convening the Council meeting in order to consider urgent issues within 3 business days from the day of receipt of the request.
4. Subject to subparagraph 3, the Council meetings convened at the request of the NBP Management Board or the Vice-Chairperson of the Council or at least three Council members are convened by the Chairperson of the Council within 14 days from the day of receipt of the request, without the requirement to comply with the condition defined in § 5(2).
5. The provisions of subparagraph 4 shall apply, accordingly, to the Chairperson of the Council convening the Council meeting on his/her own initiative.
6. In relation to invitations to meetings convened for the purpose defined in subparagraph 1, the provisions of § 5(3) shall apply accordingly.

§ 10.

1. Each Council member may be accompanied by one expert for each topic to be discussed at the Council meeting, subject to subparagraph 4.
2. The Chairperson of the Council may invite persons other than those specified in subparagraph 1 to participate in the Council meeting.
3. Participation of an expert invited by a Council member should be notified to the Council Secretary at least 3 days prior to the scheduled meeting. The notification should contain the expert's name, surname and position.
4. Apart from persons referred to in subparagraphs 1 and 2, NBP employees providing service to meetings may participate in the Council meetings.

§ 11.

The Chairperson of the Council may order confidentiality of the entire Council meeting or any part thereof, on his/her own initiative or at the request of a Council member.

§ 12.

1. The Council meeting shall be chaired by the Chairperson of the Council and, in the event of his/her absence, by the Vice-Chairperson of the Council or other Council member indicated by the Chairperson of the Council.
2. The person chairing the Council meeting shall open and close the meetings as well as give the floor to the Council members and invited persons referred to in § 10(1) and (2) and announce breaks in the meeting sessions.

§ 13.

1. The Council meeting shall start with the adoption of the agenda and the adoption of the minutes of the previous Council meeting.
2. In particularly urgent cases, additional proposals of topics, including relevant materials in an adequate number of copies, may be submitted by the Council members to the agenda proposed by the Chairperson of the Council, prior to its adoption.
3. At the end of the meeting, the Council shall accept the press release of the meeting which is subsequently published on the NBP website.

§ 14.

1. The minutes of the Council meeting shall be drawn up and adopted by the Council members by way of a Council decision at the next meeting. After their adoption, the minutes shall be signed by the Chairperson of the Council. In particularly justified cases, at the request of the Chairperson of the Council, the Council may adopt the minutes by way of a Council decision issued in the manner provided for in § 3(8).
2. The draft minutes of the last meeting shall be presented to the Council members within 30 days after the meeting, for the purpose of submission of comments. The draft minutes taking into account the submitted comments shall be provided together with the materials prepared for the next Council meeting.

§ 15.

The minutes of the Council meeting shall contain in particular:

- 1/ the date of the meeting,
- 2/ the minutes number,
- 3/ the names and surnames of persons participating in the meeting,

- 4/ the meeting agenda,
- 5/ the names and surnames of persons participating in the discussions,
- 6/ concise information concerning the key issues dealt with during the discussion,
- 7/ information concerning the adopted resolutions, opinions and decisions,
- 8/ information concerning the resolutions, opinions and decisions taken by circulation, as referred to in § 3(8), since the last Council meeting.
- 9/ the content of the submitted dissenting opinion, indicating the person who submitted it,
- 10/ resolutions, opinions and decisions attached as annexes, if adopted at the meeting,
- 11/ the press release of the meeting adopted by the Council.

§ 16.

1. The resolutions and opinions of the Council regarding issues submitted by the NBP Management Board or indicated by the Chairperson of the Council shall be presented by the Council Secretary to the NBP Management Board within 14 days after the day of their adoption by the Council.
2. At the first meeting in a given year, the Council shall adopt by way of a Council decision a report on the Council activities in the previous year, which is subsequently presented to the NBP Management Board for approval. In particularly justified cases, at the request of the Chairperson of the Council, the Council may adopt the report by way of a Council decision issued in the manner provided for in § 3(8).

§ 17.

A request for an amendment to the Regulations may be submitted by the Chairperson of the Council, the Vice-Chairperson of the Council or at least three members of the Council.