

G4S Lietuva komentarai viešajai diskusijai dėl grynujų pinigų pasiūlos sistemos pertvarkos

Atsakydami į Jūsų užklausą dėl grynujų pinigų pasiūlos sistemos pertvarkos galimybių, siunčiame komentarus į Jūsų pateiktus klausimus. Tikimės, kad mūsų komentarai bus naudingi Jūsų paskelbtoje viešojoje diskusijoje.

K1 Ar esama grynujų pinigų pasiūlos sistema visiškai atitinka rinkos poreikius? Jeigu ne, kuriuos procesus siūlytumėte keisti? Kurių grynujų pinigų pasiūlos sistemos dalyvių vaidmuo galėtų būti efektyvesnis?

Esama grynujų pinigų pasiūlos sistema Lietuvoje veikė dešimtmečius, todėl negalima sakyti, kad ji neatitiko rinkos poreikių, bet kaip ir bet kurias sistemas galima tobulinti. Žemiau pateiktuose komentaruose rasite pasiūlymus ir įžvalgas kaip būtų galima efektyvinti grynujų pinigų pasiūlos sistemą atsižvelgiant/panaudojant G4S tarptautinę praktiką.

K2 Ar Lietuvos teisėje tinkamai įgyvendinti grynujų pinigų tvarkymo veiklą reglamentuojantys Europos Sąjungos ir Europos Centrinio Banko teisės aktai? Gal kai kuriuos grynujų pinigų pasiūlos sistemos proceso dalyvius ir pačią veiklą reikėtų reglamentuoti išsamiau, kiek tai neprieštarauja Europos Sąjungos ir Europos Centrinio Banko teisės nuostatomis?

Siūlytina apsvarstyti galimybę, licencijuoti grynujų pinigų tvarkymo veiklą, paslaugų tiekėjams nustatant tam tikrus reikalavimus (įstatyminio kapitalo dydis, privalomi kokybiniai parametrai perskaičiavimo technikai, naudojamo transporto priemonių atitikimas žmonių ir pervežamo piniginių krovinių saugumo standartams ir kt.), kurie garantuotų saugų, sklandų ir kokybišką paslaugos teikimą.

K3 Ar Lietuvos teisėje nustatytos poveikio priemonės grynujų pinigų tvarkytojams yra pakankamos ir ši teisė atitinka Reglamentą (EB) Nr. 1338/2001, Reglamentą (ES) Nr. 1210/2010 ir Sprendimą ECB/2010/14, kiek tai susiję su įvairove poveikio priemonių, kurios gali būti taikomos už pareigos atlikti eurų autentiškumo ir tinkamumo apyvartai tikrinimą prieš jų pakartotinį išleidimą į apyvartą nevykdymą?

Šios priemonės tik pradeda galioti, todėl komentuoti jas dar yra per anksti.

K4 Ar Lietuvoje galiojantis pinigų pervežimo įmonių veiklos teisinis reglamentavimas pakankamas? Kokių matote rizikų pinigų pervežimo įmonės bankroto atveju pagal galiojantį Lietuvos teisinį reglamentavimą?

Lietuvoje pinigų pervežimo įmonių veiklą reglamentuoja tik „Lietuvos Respublikos Asmens ir Turto Saugos Įstatymas“. Viena iš rizikų, pervežimo įmonės bankroto atveju, būtų prisiimtų įsipareigojimų prieš bankus ir kitus klientus nebevykdymas, tai sukeltų didelius nepatogumus grynujų pinigų tvarkymo paslaugomis besinaudojantiems rinkos dalyviams ir net galimą grynujų pinigų pasiūlos sistemos sutrikdymą.

Į žemiau pateiktus klausimus atsako G4S plc. tarptautiniai ekspertai:

K5 Ar mokėjimo paslaugų teikėjo (pvz., mokėjimo įstaigos) licencijos suteikimas Lietuvoje veikiančioms pinigų pervežimo įmonėms šalies grynųjų pinigų pasiūlos sistemą padarytų saugesnę, skaidresnę ir efektyvesnę?

G4S recognizes the importance of providing secure, safe, reliable and efficient services to our customers.

We would emphasize that G4S' general strategy globally is to offer cash support services to the retail and banking sectors and not to try and offer substitute services for those provided by our (potential) customers. We believe this is particularly important in many markets where cash remains the predominant means of payment, since in such environments cash can form an important "gatekeeper" service offered by commercial banks to their retail customers, providing the underpinning to deeper banking relationships with a broader range of services. In our view disintermediating a customer is rarely the basis for a long term profitable relationship. We believe this is an important point in regulatory terms because it means that G4S does not take direct ownership of any cash it transports or processes.

G4S believe that it is important that any regulatory requirement is proportionate to the potential risk posed if efficiency is not to be eroded through unnecessary complexity and cost. In this context we believe it is relevant to consider the differences between logistics and processing.

LOGISTICS (CIT)

Pure CIT is the transportation of cash in some form of container. In its purest form the employees of the CIT Company may never come into direct contact with physical cash. While CIT can be affected by individual loss through robbery or theft we do not believe such issues present systemic risk to the payments system and we would suggest that any regulation of logistics should be based upon encouraging best practice in the area of security and the provision of appropriate insurance. In smaller countries the CIT market is likely to only sustain a limited number of competitors. In these circumstances the commercial failure of a business may have a short term impact upon cash availability if the market is unable to immediately substitute for the capacity lost. However, given the limited exposure to physical cash, the failure of such a company will almost certainly arise from normal commercial factors and so the development of this risk should be discernible in advance through a requirement to submit annual accounts and independent audit reports.

CASH PROCESSING

Cash Processing involves the validation, counting and fitness sorting of cash by opening sealed containers received (usually) by CIT. It may involve the storage of cash on site, the provision of crediting data and the transfer of physical cash between institutions.

Consequently there is a greater opportunity for reconciliation failure through lack of control and an increased potential for systematic fraud. While a cash center may be attacked, even a major robbery is unlikely to create systemic risk.

G4S believes that four principles are central to the integrity of our cash processing operations:

- G4S takes no ownership of cash and does not trade cash in its own right.*
- Cash is not co-mingled; the physical distribution of cash in the cash center at any point in time mimics precisely the financial ownership.*
- Physical cash balances are reconciled daily.*

- *Customers are encouraged to undertake physical cash audits.*

Given that G4S takes no ownership of cash we do not believe that the application of the Payment Services Directive is either appropriate or helpful to the Central Bank's desire for efficiency since we believe its obligations are disproportionate for an entity that simply provides services to the owners of the cash rather than offering settlement itself. We believe it is important to recognize that in particular the "own funds" capital requirements of the PSD that is related to payment volume could damage the business model of any operation that simply acts as a provider of physical services rather than offering high margin payment services or credit provision. Ultimately we believe that such impairment would be to the detriment of the Central Bank's objectives of increasing efficiency and lowering costs for cash users.

However we do believe that proportionate licensing obligations and increased independent supervision of cash processors, could increase confidence in the industry and stimulate greater outsourcing with consequent efficiency improvements to the whole cash cycle. We would like to draw the Bank's attention to the licensing regime operating in Hungary since 2013 that we describe in more detail in our response to question 6.

K6 Ar yra kokių nors kitokių esamų ar būsimų modelių, kurie turėtų būti analizuojami? Jeigu taip, prašom apibūdinti tokį modelį ir pagrįsti, kodėl jis turėtų būti analizuojamas.

G4S believe there are other models that should be considered but before describing these we would like to comment upon the advantages and disadvantages of some of the alternatives:

1 JOINT VENTURE BASED "UTILITY" SOLUTIONS.

If the provision of cash services is not considered a market differentiator for commercial banks then the creation of a single common platform with shared ownership may seem attractive. However as noted in response to Q5, in G4S' experience there are many markets where cash remains a "gatekeeper" service for banking relationships and thus a differentiator. This situation need not be static: as new solutions emerge the market attractiveness of cash may change.

Where shareholders in the JV require new and different services this can create significant tensions within the operation as to how services are offered with issues in the areas of investment; overhead allocation and IPR. There is a very real danger that the JV stifles innovation and 'fossilises" the status quo applicable at start-up. Given the dominance of the JV, new entrants are unlikely to materially change this situation.

The greatest challenge to JV utilities is however the ownership structure itself. Shareholdings are usually considered an investment but the market for any individual company's shares is very limited. Exit for any individual shareholder is difficult while a collective exit may simply create a very dominant supplier. The creation of the JV may be subject to competition challenge particularly if new banks enter the market. All directors of the JV have fiduciary responsibilities which can sometimes create conflicts with the objectives of their employing banks. The fiduciary responsibilities are particularly relevant if the Central Bank is a shareholder and such a shareholding may lead to perceived conflicts of interest if the Central Bank is also the prudential authority for banking.

2 DELEGATED V TRANSFERRED MODELS.

As the consultation document states delegated and transferred models can lead to an accelerated and thus less costly cash cycle and the two models have similarities. However we would draw attention to the fact that the Transferred model can often result in an intermediary organization between the Central Bank and the actual service provider. We believe this in itself is inefficient since the intermediary is essentially non value-adding and can in some circumstances actually obscure the visibility of operational issues from the Central Bank. One of the key challenges for both delegated and transferred models is to ensure that suitable mechanisms exist to facilitate the movement of cash between surplus and deficit operations. This limitation of Depo structures was identified in the recent Swedish Government inquiry report.

We would like to describe two specific models, both of which may be defined as delegated models but that we believe have features that should be considered in Lithuania.

HUNGARY

Cash Processing is defined as an auxiliary activity to financial services in Hungary under an act of Parliament which requires such processors to be licensed and regulated by the central bank. Licensed processors are obliged to fitness sort 90% of cash (100% if destined for an ATM) on equipment authorized by the central bank and to standards set and monitored by the central bank. To be awarded a license companies need a minimum capitalization, comply with employment vetting requirements, have certain key staff with relevant qualifications and conform appropriately with the requirements to prevent money laundering and terrorist financing. Operationally we would note the following features:

- *Licensed processors process retail deposits upon the day of receipt.*
- *Banks have authorized CIT processors to act upon a series of bilateral cash trading agreements made between them and have set priorities as to which types of trade take priority. The processor will each night exercise these agreements to trade cash between the various banks to minimize any excess or deficit. Excesses and deficits are then deposited / withdrawn with the central bank at its one cash center in Budapest.*
 - *The central bank is examining an NHTO system to supplement the above.*
 - *No banknotes are held upon the CIT processor's balance sheet.*
 - *CIT Processors own coin stocks in Hungary and process coin deposits / sell retail coin. The central bank has provided a coin-held-to order (CHTO) facility and will issue new coin to CITs only within limits defined by the national CHTO holding, thus preventing excessive issue of new coin into circulation.*

We believe the Hungarian system provides both proportionate regulation with a system that ensures both fast recirculation and a very limited number of central bank deposits/withdrawals. It is particularly effective where there is a high density of users with relatively short distances to the central bank center such as in Lithuania.

UK

The Bank of England replaced its Notes Held to Order Scheme (NHTO) in 2001 with the Note Circulation Scheme (NCS). While NCS has a number of features based upon its NHTO legacy there are 3 elements we would highlight:

- *BOND – Each NCS Member is obliged to have bonded storage of Central Bank owned funds. The bond is visible and accessible to ALL NCS Members creating a mechanism for cash flowing from surplus to deficit members.*
- *SPEED OF CIRCULATION INCENTIVISATION – the level of overnight off balance sheet treatment a Member can receive is directly proportionate to the amount of fitness sorted notes recirculated.*

- *CORRESPONDENCE – Non Banks, under strict obligations, can be direct cash correspondents with the Bank of England providing direct access to the Central Bank and direct regulation and audit by the Central Bank.*

G4S has been an NCS Member since 2001: the only organization without a bank or State shareholding to be granted NCS status. G4S corresponds as a trustee with the Bank of England. All on-site cash is held within a legal trust with G4S' partner banks as trust beneficiaries. We believe that direct correspondence has given the Bank of England clear insight into G4S' operations while enabling G4S to understand very clearly the issues facing our customers and innovate accordingly. Encouraged by the recirculation incentivisation mechanism, G4S has invested in lean manufacturing processes to accelerate the cash cycle and has more than doubled the speed of circulation for partner bank customers since commencing operation.

K7 Ar palaikote siūlymą peržiūrėti šalies grynųjų pinigų pasiūlos sistemos modelį? Jeigu taip, kurio modelio ar kelių modelių savybes, Jūsų manymu, tikslinga pritaikyti Lietuvai ir kodėl?

We are fully supportive of the Central Bank's initiative to improve the speed of cash circulation.

Generally G4S believes that provided appropriate but proportionate regulation is put in place then delegated cash supply models are the most effective vehicle for accelerating cash recirculation since they tend to result in clarity of focus for each of the stakeholders involved:

- *CENTRAL BANK – Efficiency and robustness of payment systems; Security and integrity of the currency;*
- *COMMERCIAL BANK – Innovative payment offerings; High quality customer service;*
- *CASH HANDLER – Development and deployment of a secure, lean, supply chain;*

However to some extent the precise delegated solution depends upon the degree to which the Central bank wishes to delegate physical activities. We believe that a version of the UK model could be appropriate to minimize physical cash handling while a version of the Hungarian model could centralize the Central Bank's involvement and minimize the frequency of deposit and withdrawal.

With global cash operations G4S has experience of many of the cash models applied internationally and we would be very pleased to share this experience with the Central Bank. For example Secura Monde International, G4S's cash consultancy business has just completed a study of cash in 16 different countries around the world and we would be pleased to share these key findings with the Central bank.

K8 Ar grynųjų pinigų depozitinės sistemos įgyvendinimas Lietuvoje paskatintų privačių grynųjų pinigų tvarkymo centrų steigimąsi ir sutrumpintų grynųjų pinigų ciklą?

As we have noted in our previous responses, G4S does not take ownership of physical cash in Lithuania but rather provides services to the owners of cash (banks and retailers). Consequently any expansion of our cash center network would be dependent upon agreeing suitable commercial terms with our customers. However in our international experience, Central Bank initiatives that have facilitated commercial banks lowering their cash funding costs by the application of cash deposit systems (often referred to as "Balance Sheet Relief Mechanisms") have created new opportunities for G4S to build / expand cash centers and invest in state of the art cash processing technology in order to enable our customers to benefit from such Central Bank initiatives.

We would encourage the Central Bank to consider some form of incentivisation system to promote the continuous acceleration of the cash cycle over time rather simply achieving a one-time improvement. In the UK the Bank of England NCS scheme relates the value of cash that can be taken off balance sheet overnight to the value of fit notes recirculated over a time period. This is referred to as the NCS Cap and is the maximum value of overnight cash transfer the Bank will accept. If the NCS Member is very efficient, the maximum amount that can be claimed overnight (The NCS Cap) will exceed the value of any physical cash held in the cash center (because the cash is being recycled quickly). In these circumstances the Bank of England allows any cash owned by the relevant bank that is in-transit to or from the cash center to be taken off balance sheet overnight up to the value of the NCS Cap. The consequence of this mechanism is that as a Member becomes more efficient at cash recirculation the balance sheet relief provided by the Central Bank is sustained and the combined effect of faster recirculation and sustained balance sheet relief lowers the costs of funds and creates competitive advantage. This has provided a real financial incentive for Members to continuously improve the UK cash cycle and has supported G4S' investment programme in world-class cash centers and processes in the UK.

Pagarbiai,

Raimondas Bučys

UAB "G4S Lietuva"

Vykduantysis direktorius