

CIRCULAR LETTER 3.389

It amends and consolidates the procedures to be observed in the issuance of information to the Credit Information System (SCR), dealt with by Memorandum No. 3.445, of 2009.

The issuance of information for registration in the Credit Information System (SCR), which is dealt with by article 1 of Memorandum No. 3.445, of March 26, 2009, shall be accomplished:

I - by the institutions mentioned in sections II, III, V to VIII, XV and XVI, of article 4 of Resolution No. 3.658, of December 17, 2008, on a daily basis, until the fifth working day following the respective reference date, by means of the document code 2211 - Daily Aggregated Data on Credit Operations, for transfer of files in the Program PSTAW10, relatively to the information of specific nature of the credit operations accomplished;

II - by all institutions mentioned in article 4, of Resolution No. 3.658, of 2008:

a) until the 20th of the month following that of the respective reference date:

1. by means of the document code 3020 - Credit Risk Individual Data, for transfer of files in the Program PSTAW10, relatively to each of the credit operations;

2. by means of the document code 3030 - Credit Risk Aggregated Data, for transfer of files in the Program PSTAW10, relatively to all credit operations jointly accomplished;

b) until June 30 of the year following that of the respective reference date, by means of the document code 3026 - Credit Risk Complementary Individual Data, for transfer of files in the Program PSTAW10.

2. The issuance of documents referred to in item 1 shall be accomplished in accordance with the codification of the Documents Catalogue (Cadoc), submitted in the attachment to this Circular Letter.

3. The reference date of information referred to in letter "a" of section II of item 1, corresponds to the last day of the month.

4. The reference date of information referred to in letter "b" of section II of item 1, corresponds to the last day of the year.

5. The information mentioned in section II of item 1 shall, at the discretion of the Financial System and Information Management Monitoring Department (Desig), be rectified in the SCR relatively to the amounts corresponding to the reference dates of the 13 previous months.

6. The issuance of information related to rural credit operations registered in the Common Enrollment of Rural Operations (Recor), included in document referred at point 1 of letter "a" of section II, item 1, shall contain, in the field destined to the contract code, the number formed by the junction of all digits of the National Registration of Legal Entities - CNPJ of the financial institution with the Reference Number of the Brazilian Central Bank (Bacen Reference No.), which is mentioned in item 1 of the MCR - Document 5, as from the reference date of June, 30 2009.

7. The documents referred to in item 1 shall be issued to Desig, by means of:

I - application PSTAW10 (information exchange), as established by the Circular Letter No. 2.847, of April 13, 1999, available to download on the Brazilian Central Bank page in the Internet, in the address <http://www.bcb.gov.br/htms/pstaw10.asp>; or

II - Connect Direct software.

8. The documents referred to in section I, item I, shall be prepared in TXT format.

9. The documents referred to in section II, item I, shall be:

I – prepared in XML format (eXtensible Markup Language);

II - validated, before its issuance, by using the XSD validation scheme (XML Schema Definition).

10. The instructions for completion and the layout of documents referred to in item 1, as well as the XSD validation schema, templates and validator program are available on the page of the Brazilian Central Bank in the internet, in the address shown in item 7.

11. The information related to the average term and the level of delay in operations, to be rendered in the document that deals with section I, item 1, shall be updated only on the reference date that represents the last working day of the month.

12. The levels of delay, referred to in the preceding item, shall be classified in the following bands:

I - up to 15 days of delay

II - between 15 and 30 days of delay;

III – between 31 and 90 days of delay;

IV – over 90 days of delay.

13. Additionally to the information included in the document 3026, the information below may be required by means of request, by means of the file 3025:

I – balance sheet date; and

II - risk rating attributed by rating agency, rating type and agency, in case the institution uses this information in their risk evaluation processes.

14. For the reference dates subsequent to such judicial decision, the information related to the credit operations that have the elimination of its enrollment with the SCR determined by the judicial decision shall continue to be sent, provided that the system shall automatically check the period for compliance with the judicial order, as registered by the institution.

15. The communication dealt with in the sole paragraph of article 3 of Memorandum No. 3.445, 2009, shall be registered until December 15, 2009:

I - by the controlling institution that undertakes the responsibility by the issuance of information for enrollment with the SCR;

II - by the other controlling institutions, informing the institution data referred to in the preceding section.

16. The form of registration of the communication referred to in the item above shall be established in specific communication to be published by Desig.

17. The utilization of models, layouts, completion instructions, templates, validation schema and the validator program of documents referred to in item 1, in function of any adjustments accomplished, shall be adopted as established in specific communication.

18. Additionally to the provision in article 9 of Memorandum No. 3.445, 2009, the enrollment of credit operations specified below with the SCR, shall be carried out:

I - by the present value of considerations set forth in the contracts, obtained by means of the utilization of the internal return rate of each of them, under the terms of Memorandum No. 1.429, of January 20, 1989, in case of financial commercial lease operations;

II - by the present value of considerations set forth in the contracts, obtained as established in article 6, § 2, of the

Regulation Attached to Resolution Bo. 2.309, of August 28, 1996, with wording given by article 1, of Resolution No. 2.465, of February 19, 1998, in case of operational commercial lease operations;

III - by the value of invoices falling due related to the acquisition of goods and services, by the amount financed to the client in function of nonpayment of the invoice on the due date, payment limited to the minimum amount indicated in the invoice, payment in installments with or without interest, and withdrawals in cash, added by the revenues and burdens of any nature, in case of operations arisen from the utilization of credit cards;

IV - by the value advanced or financed to the client, added by the revenues and burdens of any nature, in the operations of Advances on Exchange Contracts (AEC), Advances on Delivered Exchanges (ADE) and any other advances in domestic currency;

V - by the value advanced or financed to the customer, added by the revenues and burdens of any nature, including the exchange variation in the period, in the financing operations to import and advances in foreign currencies.

19. The institutions mentioned in article 4, of Resolution No. 3.658, 2008, shall standardize the prior communication to the client and the information on SCR respectively referred to in section II of article 8 and article 10 of that resolution, by June 30, 2009.

20. The information below shall be registered in the SCR, as from the reference date of September 30, of 2009:

I - related to the identification of the drawee, debtor or final taker of the credit operations conceded by means of the negotiation referred to in paragraph 1, article 4 of Memorandum No. 3.445, of 2009;

II - related to the securities issued by individuals or legal entities arisen from credit operations of any modality, referred to in article 6 of Memorandum No. 3.445, of 2009.

21. The institutions referred to in article 4 of Resolution No. 3.658, of 2008, shall provide information to the SCR, only as from the reference date of December 31, 2009, regarding the credit operations:

I - accomplished by the companies referred to in section I of article 5 of that resolution, including by the facilities and companies located abroad, referred to in section I of article 1 of Memorandum No. 3.445, of 2009;

II - acquired by the managed investment funds referred to in section II of article 5 of that resolution;

III - acquired under the terms of section I of article 8 of Memorandum No. 3.445, of 2009.

22. The institutions referred to in sections IV, XI and XII, of article 4 of Resolution No. 3.658, of 2008, shall only provide information to the SCR as from the reference date of December 31, 2009.

23. The information related to the following shall be registered in the SCR, only as from the reference date of December 31, 2009:

I - the operational commercial lease operations;

II - the credit operations that present, in an individualized form by operation, value lower than that mentioned in section II of article 1 of Memorandum No. 3.445, of 2009, while not liquidated or negotiated without substantial retention of risk and benefits or control.

24. Any manifestations of disagreement dealt with in section III, of article 7, of Resolution No. 3.658, of 2008, shall only be registered in the SCR as from the reference date of January 1, 2011.

25. The proportional enrollment, in the SCR, of the credit operations object of retention or substantial transfer of part of the risks and benefits, under the form of § 2, of article 8, of Memorandum No. 3.445, of 2009, shall be accomplished:

I - only by the grantee, until and including the reference date of December 31, 2010;

II - by the institutions involved in the negotiation, as from the reference date of January 31, 2011.

26. The amounts referred to in the sole paragraph of article 9, of Memorandum No. 3.445, of 2009, shall only be detached as from the reference date of December 31, 2010.

27. For purposes of issuance of documents referred to in item 1, the instructions for completion, as well as the layouts, models, templates, validation schema and the validator program currently used are valid, until the adoption of new procedures is communicated, under the terms of item 17.

28. Any occasional doubts shall be sent by e-mail to the addresses:

I - gtbho.desig@bcb.gov.br, by filling in the field subject with the expression "SCR – Estatísticas de Crédito (Credit Statistics)", when related to document code 2211;

II - gtspa.desig@bcb.gov.br, by filling in the field subjects with the expression "SCR - Informações Detalhadas sobre Créditos – GTSPA (Detailed Information on Credits – GTSPA)", when related to the dispatch, reception, substitution, validation, errors and imposition of penalties, among others of similar nature, relatively to the issuance of documents code 3020, 3026 and 3030; and

III - scr.mesasp@bcb.gov.br, by filling in the field subject with the expression "SCR - Informações Detalhadas sobre Créditos – MESASP (Detailed Information on Credits – MESASP)", when related to the SCR structure, including its regulation.

29. This circular letter goes into effect on the date of publication.

30. The Circular Letters No. 2.896, of February 4, 2000, No. 2.909, of April 26, 2000, No. 3.025, of June 21, 2002, No. 3.043, of September 26, 2002, No. 3.107, of November 26, 2003, No. 3.112, of December 22, 2003, No. 3.132, of April 16, 2004, and No. 3.139, of June 29, 2004, are revoked.

31. The Communications No. 7.510, of May 9, 2000, No. 7.569, of May 25, 2000, No. 7.608, of June 8, 2000, No. 8.089, of December 20, 2000, No. 16.471, of January 28, 2008, No.17.493, of October 9, 2008, and No.17.841, of December 23, 2008, are no longer effective.

Brasília, March 26, 2009.

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Attachment

Documents Catalogue Coding (Cadoc)

I - Document code 2211, for transfer of file in the program PSTAW10:

- a) 05.1.0.004-6, for executing and development agencies;
- b) 12.1.0.302-9, for savings and loans associations;
- c) 20.1.0.302-8, for commercial banks;
- d) 27.1.0.002-4, for exchange banks;
- e) 22.1.0.031-1, for development banks;
- f) 24.1.0.401-6, for investment banks;
- g) 26.1.0.401-4, for multiple banks;
- h) 28.0.0.004-4, for the Brazilian Social and Economic Development Bank (BNDES);
- i) 38.0.0.401-6, for the Federal Savings and Loans Bank;
- j) 39.1.0.002-9, for mortgage loan companies;
- k) 77.1.0.013-9, for commercial lease entities;
- l) 81.1.0.031-4, for credit, financing and investment entities;
- m) 83.1.0.302-7, for real estate credit entities.

II - Document code 3020, for transfer of file in the program PSTAW10:

- a) 05.1.3.004-7, for executing and development agencies;
- b) 12.1.3.003-0, for savings and loans associations;
- c) 20.1.3.002-2, for commercial banks;
- d) 27.1.3.004-9, for exchange banks;
- e) 22.1.3.001-3, for development banks;
- f) 24.1.3.001-1, for investment banks;
- g) 26.1.3.001-9, for multiple banks;
- h) 28.0.3.001-4, for the Brazilian Social and Economic Development Bank (BNDES);
- i) 38.0.3.001-1, for the Federal Savings and Loans Bank;
- j) 39.1.3.002-0, for mortgage loan companies;

- k) 43.1.3.002-3, for central credit unions;
- l) 44.1.3.001-5, for sole credit unions;
- m) 45.1.3.001-4, for confederations of credit unions;
- n) 77.1.3.001-3, for commercial lease entities;
- o) 79.1.3.469-1, securities brokerage entities;
- p) 81.1.3.001-6, for credit, financing and investment entities;
- q) 83.1.3.001-4, for real estate credit entities;
- r) 84.1.3.002-0, entities of credit for micro entrepreneurs and small-sized companies;
- s) 85.1.3.469-2, for entities distributor of bonds and securities.

III - Document code 3026, for transfer of file in the program PSTAW10:

- a) 05.1.7.019-3, for executing and development agencies;
- b) 12.1.7.041-6, for savings and loans associations;
- c) 20.1.7.065-9, for commercial banks;
- d) 27.1.7.001-6, for exchange banks;
- e) 22.1.7.051-6, for development banks;
- f) 24.1.7.065-5, for investment banks;
- g) 26.1.7.075-6, for multiple banks;
- h) 28.0.7.051-7, for the Brazilian Social and Economic Development Bank (BNDES);
- i) 38.0.7.045-9, for the Federal Savings and Loans Bank;
- j) 39.1.7.031-0, for mortgage loan companies;
- k) 43.1.7.001-4, for central credit unions;
- l) 44.1.7.051-8, for sole credit unions;
- m) 45.1.7.001-2, for confederations of credit unions;
- n) 77.1.7.066-4, for commercial lease entities;
- o) 79.1.7.066-2, securities brokerage entities;
- p) 81.1.7.065-0, for credit, financing and investment entities;
- q) 83.1.7.065-8, for real estate credit entities;
- r) 84.1.7.001-1, entities of credit for micro entrepreneurs and small-sized companies;

s) 85.1.7.065-6, for entities distributor of bonds and securities.

IV - Document code 3030, for transfer of file in the program PSTAW10:

- a) 05.1.3.008-5, for executing and development agencies;
- b) 12.1.3.002-3, for savings and loans associations;
- c) 20.1.3.003-9, for commercial banks;
- d) 27.1.3.003-2, for exchange banks;
- e) 22.1.3.002-0, for development banks;
- f) 24.1.3.002-8, for investment banks;
- g) 26.1.3.002-6, for multiple banks;
- h) 28.0.3.002-1, for the Brazilian Social and Economic Development Bank (BNDES);
- i) 38.0.3.001-1, for the Federal Savings and Loans Bank;
- j) 39.1.3.003-7, for mortgage loan companies;
- k) 43.1.3.003-0, for central credit unions;
- l) 44.1.3.002-2, for sole credit unions;
- m) 45.1.3.002-1, for confederations of credit unions;
- n) 77.1.3.002-0, for commercial lease entities;
- o) 79.1.3.470-1, securities brokerage entities;
- p) 81.1.3.002-3, for credit, financing and investment entities;
- q) 83.1.3.002-1, for real estate credit entities;
- r) 84.1.3.003-7, entities of credit for micro entrepreneurs and small-sized companies;
- s) 85.1.3.470-2, for entities distributor of bonds and securities.