



NATIONAL BANK OF THE REPUBLIC OF MACEDONIA

Pursuant to Article 47 paragraph 1 item 6 of the Law on the National Bank of the Republic of Macedonia („Official Gazette of the Republic of Macedonia“ No. 158/10, 123/12, 43/14, 153/15 and 6/16) and Article 8 of the Law on providing fast money transfer service („Official Gazette of the Republic of Macedonia“ No. 77/03, 54/07, 48/10, 67/10, 17/11, 135/11, 187/13, 154/15 and 23/16), the National Bank of the Republic of Macedonia Council adopted the following

DECISION

on issuing license and approval for providing fast money transfer services (“Official Gazette of the Republic of Macedonia” No. 183/16)

I. GENERAL PROVISIONS

1. This Decision shall determine the conditions for providing fast money transfer service, content of regulations on the method of operation and the program for prevention money laundering and financing terrorism of the trade companies which shall submit application for providing fast money transfer service, other than banks, type and method of submission of the required documentation, information and data on obtaining license and approval for providing fast money transfer service, assessment and control procedure from the National Bank of the Republic of Macedonia (hereinafter: the National Bank) and conditions for concluding contracts for providing fast money transfer services between fast money transfer service provider and subagent.

II. REQUIRED DOCUMENTATION FOR FULLFILLING THE REQUIREMENTS ON OBTAINING LICENSE AND APPROVAL FOR FAST MONEY TRANSFER SERVICES

2. A trade company, in order to obtain a license for providing fast money transfer services, and a bank, in order to obtain a prior approval for providing fast money transfer services shall submit a complete application to the National Bank.

A. ISSUING A LICENCE FOR PROVIDING FAST MONEY TRANSFER SERVICES

3. A trade company shall prove its eligibility for providing fast money transfer service by submitting the required documentation:

3.1 Application for obtaining license for providing fast money transfer services – Form 1;

3.2. Certificate from the Trade Registry not older than 3 (three) months as an evidence that the company has been registered for performing ancillary financial intermediation activities;

3.3. Documents for adequate business premise, technical equipment and IT system:

a) Ownership certificate or lease contract on the premise used for providing fast money transfer services;

- b) Decision of the Ministry of Health – State Sanitary and Health Inspection Department on fulfilling the requirements for performing the activity;
- c) Report to the Ministry of Labor and Social Policy – State Labor Inspection Department on fulfilling the work protection measures, rules and standards for performing the activity;
- d) Written notification on a separate premise for providing fast money transfer service, provided if the company also performs other activity;
- e) Written notification on the computer equipment for providing fast money transfer service with a possibility to be connected with the National Bank;

3.4. Documentation for protecting and securing the funds, property and staff:

- a) Damage (theft, fire, etc.) insurance policy of the premise used for providing fast money transfer service;
- b) Insurance policy against damage to the monetary assets which might arise from counterfeited banknotes;
- c) Written notification on installed alarm system or bulletproof glass and fenced window;
- d) Written notification on provided cash register for secure keeping of cash used exclusively for the needs of the providing fast money transfer services;

3.5. Information security policy, including at least:

- a) provisions for fire, burglary and flood prevention system in the system hall;
- b) data protection strategy in accordance with the legal requirements;
- c) clauses for non-disclosure of information in the contracts between the service providers and the subagents;
- d) the method of control of the subagents' technical equipment quality by the fast money transfer service provider and the method of exploiting the equipment used by the subagent;

3.6. Policies and procedures for receiving and distributing cash in the relations with the banks and subagents, including at least:

- a) the method and requirements for receiving, withdrawing and depositing cash from and to the special accounts for payment based on the fast money transfer, opened with banks authorized to conduct international payment operations by both fast money transfer service provider and the subagents;
- b) persons authorized to deal with the funds on the special accounts for both the fast money transfer service provider and the subagents;
- c) method of reporting and settlement between the fast money transfer service provider and the subagents on the received, withdrawn or deposited cash from and to the special accounts based on executed fast money transfer transactions;
- d) method of cash settlement between the fast money transfer series provider and the subagents of the executed fast money transfer transactions provided that the subagent is a bank granted a license from the National Bank to perform international payment operations;

3.7. Written evidence that the responsible person has a university education and at least three years work experience in the field of financial operations;

3.8. Written evidence from Central Registry of the Republic of Macedonia that no misdemeanor sanction – ban on performing profession, activity or duty have been imposed against the responsible person of the trade company and the fast money transfer officers;

3.9. Evidence from a competent court that no effective court decision on committed financial crime has been imposed against the responsible person of the trade company and fast money transfer service officers;

3.10. Written evidence that the fast money transfer officers of the trade company have at least completed the secondary education;

3.11. Information (name and surname, place and date of birth, address of residence, personal number and ID number) taken from the ID card of the responsible person in the trade company and the fast money transfer service officers specified in the application. In addition to the data taken from the ID card, such person shall also provide a statement certified by an authorized person (notary), declaring that such data are theirs and accurate. If the responsible person in the trade company or the fast money transfer service officer is a foreign natural person, a copy of the passport is submitted. Along with the identity data, a short CV of the responsible person of the trade company and the fast money transfer service officers shall be submitted in the application;

3.12. Confirmation for the stay and work license in the Republic of Macedonia issued by competent bodies for foreign natural persons who are to be responsible in the fast money service providers or who are to provide the fast money transfer services;

3.13. Written evidence from an authorized bank for performing international payment operations that it has a deposit of at least Euro 20.000,00 or on its foreign exchange transaction account or written evidence that it has a deposit of Denar equivalent of at least Euro 20.000,00 on its Denar current account;

3.14. Written evidence from Central Registry that the trade company has not been subject to bankruptcy or liquidation procedure;

3.15. An contract on authorization for providing fast money transfer service with an authorized global system;

3.16. Written evidence from the Central Registry of the Republic of Macedonia that no minor penalty was imposed to the trade company for:

- Prohibition for obtaining a license for providing fast money transfer service;
- Revocation of the license for providing fast money transfer service;
- Prohibition on establishing new legal entities and
- Temporary or permanent ban for providing fast money transfer service.

3.17. Operating rulebook of the trade company compulsorily including the entity's organizational layout, written procedure and explanation on the manner of providing the fast money transfer service, the method of controlling the operating risks, the method of establishing internal control systems, organizational, technical and security standards in place for successful and secure providing of the fast money transfer;

3.18. Program for prevention of money laundering and financing terrorism which shall be approved by the Financial Intelligence Unit;

3.19. Certificate of the Public Revenue Office that there are no unsettled liabilities based on public taxes;

3.20. Report on the balance sheet and income statement issued by the Central Registry of the Republic of Macedonia, for trade companies operating longer than 12 (twelve) months;

3.21. Copy of the audit reports for the last two years on the authorized global systems for e-money transfer prepared by internationally recognized audition house;

3.22. Evidence issued by a competent body of the respective country that the global system is a legal entity providing e-money transfer in accordance with the regulations of the country of its registration and that it has been working in at least twenty countries from which at least ten are member of the Organization for Economic Cooperation and Development.

4. Upon completion of the documentation, the National Bank shall conduct an interview with the responsible person of the trade company in which his knowledge of the regulations related to the fast money transfer service is evaluated.

5. The National Bank shall inspect the operations of the fast money transfer service providers and the subagents, if needed.

Report shall be prepared on inspection.

The inspection report shall be a classified information of the National Bank and the service provider, i.e. the subagent shall keep it. The service provider, i.e. the subagent may quote or otherwise communicate the contents of the report to third parties only upon obtaining a written consent by the National Bank.

B. ISSUING APPROVAL FOR PROVIDING FAST MONEY TRANSFER SERVICE

6. A bank that was granted a founding and operating license by the National Bank, in order to obtain approval for providing fast money transfer service shall submit to the National Bank:

6.1. Application for issuing approval for providing fast money transfer service – Application form 2;

6.2. Contract with an authorized global system for e-money transfer;

6.3. Evidence issued by a competent body of the respective country that the global system is a legal entity providing e-money transfer in accordance with the regulations of the country of its registration and that it has been working in at least twenty countries from which at least ten are member of the Organization for Economic Cooperation and Development.

6.4. Copy of the audit reports for the last two years on the authorized global systems for e-money transfer prepared by internationally recognized audition house;

6.5. Policies and procedures for receiving and distributing cash in the relations with the subagents including:

- method of supplying the subagents with cash by the bank as a fast money transfer service provider;

- method of returning the cash by the subagents to the bank as a fast money transfer service provider;

- method of settling the cash between the bank as a fast money transfer service provider and the subagents for the executed fast money transfer transactions;

- subagents' authorized persons allowed to withdraw and return the cash from/to the bank as a fast money transfer service provider;

6.6. Address of the premises where fast money transfer service shall be provided.

6.7. Information and documents for obtaining approval for starting to provide financial activity fast money transfer, in accordance with the Decision on issuing approvals.

III. METHOD OF SUBMITTING/PROVIDING THE DOCUMENTATION AND EVALUATION PROCEDURE

7. The National Bank shall review the complete application for issuing a license referred to in item 3 and for issuing an approval under item 6 of this Decision.

Complete application shall mean application enclosing the documentation specified in this Decision, the additional documentation requested by the National Bank and the documentation provided by the National Bank ex officio.

8. The National Bank obtains the information and data referred to in item 3 sub items 3.2, 3.8, 3.9, 3.12, 3.14, 3.16, 3.19 и 3.20 of this Decision, upon ex officio by the competent public bodies which keep official records.

The National Bank shall accept the information and data referred to in paragraph (1) of this item and if submitted with the application for issuing license for providing fast

money transfer service, i.e. if the trade company which submits the application has provided them from the competent bodies and entities.

The responsible person of the trade company and the fast money transfer service officers, who are foreign natural persons are required to provide information from the subitems 3.8 and 3.9 of this Decision from the compatible institutions in the foreign country.

The National Bank charges a fee for the issued information and data in the name and account of the public body or entity from which the information and data, ex officio is obtained, in the amount determined with a tariff list in accordance with the law.

The National Bank shall notify the trade company which submits an application for issuing a license for providing fast money transfer service, for the amount that shall be paid as a real expense for obtaining information and data for which official records are kept, and for which the National Bank will pay in the account of the public body or entity from which the data and information are requested.

9. The documentation enclosed with the application shall be submitted in original or a copy verified by an authorized person (notary), and in case it is not in Macedonian, it shall be submitted in translation made by an authorized court translator.

10. Upon obtaining the complete application, the National Bank shall evaluate the submitted documentation and data referred to in items 3 and 6 of this Decision and on-site inspection for determining the fulfillment of the requirements referred to in article 6 paragraph 1 items 2, 3 and 4 of the Law on providing fast money transfer service.

11. The National Bank may request further clarification of the submitted documentation or submission of additional documents.

12. The fast money transfer service provider shall submit an application for obtaining prior approval for each change in the documentation, information and data referred to in item 3, except documentations specified under sub items 3.19, 3.20 and 3.21 and on change in the documentation, information and data referred to in sub items 6.2, 6.3, 6.5 and 6.6 of this Decision.

Each Decision which gives prior approval for change of the information for the name, address, responsible person of the trade company or the bank fast money transfer service provider, is considered a part of the license, i.e. approval for providing fast money transfer service.

IV. OTHER REQUIREMENTS THAT APPLY TO THE FAST MONEY TRANSFER SERVICE PROVIDER RELATED TO THE COMMENCEMENT OF ITS OPERATIONS

13. Upon obtaining the license, i.e. approval for providing fast money transfer service, the fast money transfer service provider shall also be given a written sign – label, for each premise for providing fast money transfer service reading: "the requirements for providing fast money transfer service have been fulfilled". The fast money transfer service provider shall display the written sign – label at a prominent place in the premise for providing fast money transfer service and shall put a sign "fast money transfer" in Macedonian and in one of the international languages.

14. Upon obtaining the license, the fast money transfer service provider, other than banks authorized by the National Bank to conduct international payment operations, shall open special accounts with domestic banks authorized to conduct international

payment operations for conducting fast money transfer payments and shall deposit at least Euro 20.000,00.

If the deposit of the fast money transfer service provider is in Denars, the authorized bank shall, on the date of opening the special account referred to in paragraph 1 of this item, provide foreign currency by making a purchase from the foreign exchange market.

The fast money transfer service provider shall submit a notification to the National Bank indicating the name and the head office of the banks where they opened the special accounts and submit and evidence on the amount of deposit within 5 (five) business days after the date of opening the account.

15. A written document – confirmation shall be issued for each cash foreign currency payment according to the standards of each global system for e-money transfer.

The National Bank of the Republic of Macedonia shall grant the fast money transfer service provider an approval for the form and the contents of the confirmation referred to in paragraph 1 of this item.

The written document – confirmation shall contain the following basic elements:

- type of currency and amount;
- recipient data (name and surname, address, national identification number of the citizen, ID or passport number, etc.);
- sender data (name and surname, address, national identification number of the citizen, ID or passport number, etc.);
- control number;
- date of transfer;
- signature of the client and the fast money transfer service provider;
- service fee in denars.

16. Upon the obtaining of the license and the approval for providing fast money transfer service, the written label of the National Bank and the opening of the account with the authorized bank, the fast money transfer service provider shall start operating within 30 (thirty) days.

17. The fast money transfer service provider shall keep the documentation based on fast money transfer services provided in the last 3 (three) months in the premises for providing the fast money transfer service.

The provisions of this item shall not apply to banks that obtained prior approval of the National Bank for providing fast money transfer services.

V. REQUIREMENTS FOR CONCLUDING A CONTRACT WITH A SUBAGENT

18. In order to conclude a contract with an entity, other than bank, on providing fast money transfer services as a subagent, the fast money transfer service provider shall carry out an on-site and off-site inspection regarding the fulfillment of the provisions referred to in Article 12 of the Law on providing fast money transfer service and shall request the respective documentation, by-laws and data specified in item 3 sub items 3.2, 3.3, 3.4, 3.8, 3.9., 3.10, 3.11, 3.12, 3.14, 3.17, 3.18, 3.19 and 3.20 of this Decision.

In order to conclude a contract with the fast money transfer service provider, the entity, other than bank, shall have an authorization by the fast money transfer service provider to operate with a special account used for making the payments based on fast money transfer.

The fast money transfer service provider shall have an approval from the global system for each premise where the fast money service at the subagents shall be provided.

The contract concluded between the fast money transfer service provider and the subagent shall include data for the head office of the company i.e. bank, single registration number, tax number and address of the premise where the fast money transfer service shall be performed, data referred to in item 3 sub items 3.2, 3.11, 3.19 and 3.20 of this Decision and the authorization data referred to in paragraph 2 of this item.

The contract concluded between the fast money transfer service provider and the subagent shall also include a provision binding the subagent to use a written document - confirmation for each payment of cash foreign currency for which the fast money transfer service provider was granted an approval by the National Bank.

19. The subagent shall notify the fast money transfer service provider forthwith on any change in the terms and the documents referred to in item 18 of this Decision.

20. The fast money transfer service provider shall immediately terminate the contract with the subagent who ceased meeting the requirements or made changes in the compulsory data of the contract referred to in item 18 of this Decision.

21. The fast money transfer service provider shall notify the National Bank on each conclusion or termination of the contract on providing fast money transfer service with a subagent, as well as on any change in the subagent's data referred to in item 18 of this Decision within 5 (five) business days after the date of the change. For any changes, the fast money service provider and the subagent shall conclude contract for amending the contract for fast money transfer service.

Copy of the contract and identity data of the responsible person of the subagent and the fast money transfer officers shall be enclosed with the notification, provided that the changes concern them. The identity data are submitted in the method referred to in sub item 3.11 of this Decision.

22. The National Bank shall notify in writing the fast money transfer service provider that the contract concluded with the subagent is (not) registered in the Fast Money Transfer Service Provider Registry within 30 (thirty) days after the date of completing the documentation based on the contract submitted to the National Bank. Amid changes in fast money transfer service provider or subagent, the National Bank shall notify in writing to the fast money transfer service provider for their registration in the Registry of fast money transfer service providers.

23. Upon registering the contract in the Fast Money Transfer Service Provider Registry, the fast money transfer service provider shall be given a written sign – label for each subagent, for each premise for providing fast money transfer service, reading "the requirements for providing fast money transfer service have been fulfilled".

The subagent shall display the written sign – label at a prominent place in the premise for providing fast money transfer service and shall put a sign reading "fast money transfer" in Macedonian and in one of the international languages.

The subagent shall start operating within 15 (fifteen) business days upon registering in the Fast Money Transfer Service Provider Registry.

24. The subagent shall keep a copy of the contract concluded with the fast money transfer service provider and the documentation necessary for concluding such contract in the premise for providing fast money transfer service at any time.

The subagent shall also keep the documentation based on fast money transfer services provided in the last 3 (three) months in the premises for providing fast money transfer service.

The provisions of this item shall not apply if the subagent is a bank with a license issued by the National Bank.

VI. CLOSING PROVISIONS

25. This Decision shall enter into force on the eighth day from the day of its publication in the Official Gazette of the Republic of Macedonia.

26. Once this Decision enters into force, the Decision on issuing license and approval for providing fast money transfer services and terms for concluding a contract between fast money transfer service provider and subagent („Official Gazette of the Republic of Macedonia“ No. 79/07, 61/10, 103/10 and 127/12) shall no longer be valid.

D No. 02-15/XIV-2/2016

29 September 2016

Skopje

**Governor
and Chairman
of the National Bank of the
of the Republic of Macedonia
Dimitar Bogov**

Form 1

**To
National Bank of the Republic of Macedonia**

**APPLICATION FOR OBTAINING LICENCE FOR PROVIDING FAST MONEY
TRANSFER SERVICE**
(for a trade company)

DATA ON APPLICANT

1. Name of the company:
2. Head office of the company:
3. Single registration number of the company:
4. Tax identification number:
5. Responsible person of the company:
6. Fast money transfer service officers:
7. Address of the premises where fast money transfer service is provided:
8. Tel/fax:
9. E-mail:
10. Authorized contact person with the National Bank of the Republic of Macedonia:

The application shall be accompanied by the following documents:

1. Certificate from the Trade Registry not older than 3 (three) months as an evidence that the company has been registered for performing ancillary financial intermediation activities.
2. Ownership certificate or lease contract on the premise used for providing fast money transfer services.
3. Decision of the Ministry of Health – State Sanitary and Health Inspection Department on fulfilling the work protection measures for performing the activity.
4. Report to the Ministry of Labor and Social Policy – State Labor Inspection Department on fulfilling the work protection measures, rules and standards for performing the activity.
5. Written notification on a separate premise for providing fast money transfer service, provided if the company also performs other activity.

6. Written notification on the computer equipment for providing fast money transfer service with a possibility to be connected with the National Bank of the Republic of Macedonia.
7. Damage (theft, fire, etc.) insurance policy of the premise used for providing fast money transfer service.
8. Insurance policy against damage to the monetary assets which might arise from counterfeited banknotes.
9. Written notification on installed alarm system or bulletproof glass and fenced window.
10. Written notification on provided cash register for secure keeping of cash used exclusively for the needs of the providing fast money transfer services.
11. Information security system policy of the company.
12. Policies and procedures for receiving and distributing cash in the relations with banks and subagents.
13. Written evidence that the responsible person has a university education and at least three years work experience in the field of financial operations.
14. Written evidence from Central Registry of the Republic of Macedonia that no misdemeanor sanction – ban on performing profession, activity or duty have been imposed against the responsible person of the trade company and the fast money transfer officers.
15. Evidence from a competent court that no effective court decision on committed financial crime has been imposed against the responsible person of the trade company and fast money transfer service officers.
16. Written evidence that the fast money transfer officers of the trade company have at least completed the secondary education.
17. Information (name and surname, place and date of birth, address of residence, personal number and ID number) taken from the ID card of the accountable person in the trade company and the fast money transfer service officers specified in the application. In addition to the data taken from the ID card, such person shall also provide a statement certified by an authorized person (notary), declaring that such data are theirs and accurate. If the accountable person in the trade company or the fast money transfer service officer is a foreign natural person, a copy of the passport is submitted.
18. Short CV of the responsible person of the trade company and the fast money transfer service officer specified in the application.
19. Confirmation for the stay and work license in the Republic of Macedonia issued by competent bodies for foreign natural persons who are to be responsible in the fast money transfer service providers or who are to provide the fast money transfer services.

20. Written evidence from an authorized bank for performing international payment operations that it has a deposit of at least Euro 20,000.00 on its foreign exchange transaction account or written evidence that it has a deposit of Denar equivalent of at least Euro 20,000.00 on its Denar current account.
21. Written evidence from the Central Registry that the trade company has not been subject to bankruptcy or liquidation procedure.
22. An contract on authorization for providing fast money transfer service with an authorized global system.
23. Written evidence from the Central Registry of the Republic of Macedonia that no minor penalty was imposed to the trade company for:
 - Prohibition for obtaining a license for providing fast money transfer service;
 - Revocation of the license for providing fast money transfer service;
 - Prohibition on establishing new legal entities and
 - Temporary or permanent ban for providing fast money transfer service.
24. Operating rulebook of the trade company.
25. Program for prevention of money laundering and financing terrorism which shall be approved by the Financial Intelligence Unit.
26. Certificate of the Public Revenue Office that there are no unsettled liabilities based on public taxes.
27. Report on the balance sheet and income statement issued by the Central Registry of the Republic of Macedonia, for trade companies operating longer than 12 (twelve) months.
28. Copy of the audit reports for the last two years on the authorized global system for e-money transfer prepared by internationally recognized auditing house.
29. Evidence issued by a competent body of the respective country that the global system is a legal entity providing e-money transfer in accordance with the regulations of the country of its registration and that it has been working in at least twenty countries from which at least ten are member of the Organization for Economic Cooperation and Development.
30. Evidence for paid fee for the application review in accordance with the Decision on single tariff of fees for the services performed by the National Bank of the Republic of Macedonia.

Note: *The documentation enclosed with the application shall be submitted in original or a copy verified by an authorized person (notary), and in case it is not in Macedonian, it shall be submitted in translation made by an authorized court translator.*

Signature of the applicant

* The National Bank collects the evidence from items 1, 14, 15, 19, 21, 23, 26 and 27, ex office, from the competent public bodies which keep official records, based on prior consent of the applicant that his personal data shall be used in the procedure of issuing license and based on submitted evidence of paid fee in the amount determined in the tariff list of the body/entity, from which the information is collected. The National Bank will accept the information from the listed items in cases when the applicant has provided them.

Form 2

To the National Bank of the Republic of Macedonia

**APPLICATION FOR ISSUING APPROVAL FOR PROVIDING FAST
MONEY TRANSFER SERVICE**

(for bank)

Bank information:

Bank name:
Head office of the Bank:
Address of the premises where fast money transfer service is provided:
Responsible person of the Bank:
Authorized contact person with the National Bank of the Republic of Macedonia:

The application shall be accompanied by the following documents:

1. Contract with an authorized global system for e-money transfer.
2. Evidence issued by a competent body of the respective country that the global system is a legal entity providing e-money transfer in accordance with the regulations of the country of its registration and that it has been working in at least twenty countries from which at least ten are member of the Organization for Economic Cooperation and Development.
3. Copy of audit reports for the last two years on the authorized global system for e-money transfer prepared by internationally recognized auditing house.
4. Policies and procedures for receiving and distributing cash in the relations with the subagents.
5. The written analysis justifying the commencement of performing new financial activity.
6. Name of the organizational part which shall primarily perform the new financial activity and its position within the organizational structure of the bank.

7. Data on the number and the education of the persons that will be involved in the performing of the new financial activity, as well as the identity, education and experience of the persons with special rights and responsibilities, who shall be responsible for the execution of the new financial activity – **form 5** of the Decision on issuing approvals.
8. Data on the information system and the technical capacities of the Bank which shall be used when performing the new financial activity.
9. Draft policies and internal regulations for the execution of the new financial activity, as well as procedures for the internal control system, the activities of the internal audit within the organizational part which is responsible for performing the new financial activity and procedures for adequate inclusion of the new financial activity in the process of prevention of money laundering and financing of terrorism.
10. Projection of the revenues and expenditures related to the performing of the new financial activity, for the next three years.
11. Evidence for paid fee for the application review in accordance with the Decision on single tariff of fees for the services performed by the National Bank of the Republic of Macedonia

Note: *The documentation enclosed with the application shall be submitted in original or a copy verified by an authorized person (notary), and in case it is not in Macedonian, it shall be submitted in translation made by an authorized court translator.*

Signature of Banks' responsible person
