



НАРОДНА БАНКА НА РЕПУБЛИКА МАКЕДОНИЈА

Pursuant to Article 39 and 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 and 123/13), the National Bank of the Republic of Macedonia Council adopted the following

DECISION on the contents and the manner of functioning of the Credit Registry ("Official Gazette of the Republic of Macedonia" no. 186/13)

I. GENERAL PROVISIONS

1. This Decision shall regulate the contents and the manner of functioning of the Credit Registry of the National Bank of the Republic of Macedonia (hereinafter referred to as: the Credit Registry) by defining the following:

- type of data and information submitted to the Credit Registry;
- manner and the timeframes for submission of data and information to the Credit Registry; and
- manner and the conditions for using Credit Registry data and information.

2. The Credit Registry shall constitute base of data and information on the credit exposure of banks and savings houses in the Republic of Macedonia to their clients, the main purpose of which is to contribute to improvement in the loan quality and the maintenance of the stability of the banking system. The Credit Registry shall represent a collection of personal data, controlled by the National Bank of Republic of Macedonia (hereinafter referred to as: the National Bank).

The aim of the Credit Registry shall be to enable:

- centralization of the data and information on the credit exposure to clients submitted by banks and savings houses;
- use of data and information on the credit risk exposure to clients by the banks and the savings houses, for the credit risk management purposes;
- use of data and information on the credit risk exposure of individual banks and savings houses, and the banking system in general to clients, by the National Bank, for the purposes of performing supervisory function.

3. Individual terms used in this Decision shall have the following meaning:

3.1. "Bank" shall be considered the banks and the foreign banks' branch offices founded in the Republic of Macedonia pursuant to the Banking Law ("Official Gazette of the Republic of Macedonia" no. 67/07, 90/09, 67/10 and 26/13).

3.2. "Credit party" shall denote any agreement of credit exposure subject to classification, pursuant to the regulations of the National Bank pertaining to the credit risk management.

3.3. "Retail sellers" shall denote the sole proprietors and the natural persons, who pursuant to the Law on Trade Companies, are not considered commercial entities.

3.4. For the term "resident", the meaning defined in the Law on Foreign Exchange Operations" ("Official Gazette of the Republic of Macedonia" no. 34/01, 49/01, 103/01, 51/03, 81/08, 24/11 and 135/11) shall be applied.

For the terms that are not defined in this Decision, the meaning defined in the regulations of the National Bank pertaining to the credit risk management shall be applied.

II. TYPE OF DATA AND INFORMATION SUBMITTED TO THE CREDIT REGISTRY

4. The banks and the savings houses shall submit the Credit Registry the data and information on:

- identification of the client (single identification number, tax number, activity, head office, etc);
- exposure by credit party (amount, structure, quality, collateral, purpose, etc.);
- reconciliation of the foreign currency position;
- purpose of the extended foreign currency loan to residents (for payments abroad and domestic payments);
- payment of liabilities;
- written-off claims;
- other data and information related to the type, purpose and characteristics of the credit exposure and/or the client.

The data and the information under paragraph 1 of this item shall be defined precisely in the Instructions under item 13 of this Decision, which shall be adopted by the Governor of the National Bank.

5. The banks shall submit the data and the information on the credit exposure under item 4 of this Decision, individually for all:

- domestic and foreign banks;
- non-residents;
- domestic non-bank financial institutions;
- domestic non-financial legal entities with total credit risk exposure over Denar 300,000; and
- domestic natural persons and retail sellers, with total credit risk exposure over Denar 5,000.

The savings houses shall be obliged to submit the data and the information under item 4 of this Decision, individually for all legal entities with total credit risk exposure exceeding Denar 50,000 and for all natural persons and retail sellers, with total credit risk exposure over Denar 5,000.

The banks and the savings houses shall cumulatively submit all exposures failing to exceed the limits under paragraphs 1 and 2 of this item, by applying the

rules prescribed in the Instructions under item 13 of this Decision, which shall be adopted by the Governor of the National Bank.

III. MANNER AND TIMEFRAMES FOR SUBMISSION OF DATA AND INFORMATION TO THE CREDIT REGISTRY

6. The banks and the savings houses shall be required to submit data and information to the Credit Registry.

The data and information under item 4 of this Decision shall be submitted electronically through a special application developed by the National Bank.

7. The banks and the savings houses shall be responsible for the accuracy of the data and information that are submitted to the Credit Registry.

If the client - natural person, encloses evidence to the bank, or to the savings house, that their personal data in the Credit Registry are incomplete, inaccurate, or not updated, upon their written request, the bank, or the savings house, shall be required to supplement, or modify data, to delete them and to replace them simultaneously with accurate data, or to terminate the use of incomplete, inaccurate, or not updated data, simultaneously replacing them with accurate ones.

The banks and the savings houses shall be required to perform the replacement with accurate data under paragraph 2 of this item, the very next time the data and information are submitted to the Credit Registry.

8. The timeframe for submitting data and information to the Credit Registry by the banks and the savings houses shall be prescribed in the Instructions under item 13 of this Decision, which shall be adopted by the Governor of the National Bank.

IV. MANNER OF AND CONDITIONS FOR USE OF CREDIT REGISTRY DATA AND INFORMATION

9. The authenticity of the person/entity having an access to the Credit Registry data and information should be verified, while the access authorized and recorded.

10. The bank, or the savings house may use all Credit Registry data and information referring to its credit exposure.

The bank, or the savings house may use the aggregated data and information, specified in the Instructions under item 13 of this Decision, which shall be adopted by the Governor of the National Bank, on the clients for which it reported exposure as of the date of the last submission of the data to the Credit Registry.

The bank or the savings house may use the aggregated data and information under paragraph 2 of this item also for:

- the persons/entities the bank or the savings house has not been credit exposed to, only if those persons/entities submitted a request to the bank or the savings house for approving credit exposure within maximum 30 days before the bank or the saving house addresses the Credit Registry

for obtaining data on those persons/entities, ensuring documented evidence thereof;

- the persons/entities the bank or the savings house has not been credit exposed, but are endorsers, co-borrowers, or persons/entities connected with the persons/entities from the previous indent of this paragraph;
- the persons/entities the bank or the savings house has not been credit exposed, but are endorsers, co-borrowers, or persons/entities connected with the clients, which the bank or the savings house have been credit exposed to.

The banks and the savings houses may use the Credit Registry data and information only if they have a documented evidence for the persons/entities from paragraph 3 indents 2 and 3 of this item.

11. The aggregate Credit Registry data and information from item 10 of this Decision shall be available to the banks and savings houses, no later than within the timeframe stipulated in the Instructions under item 13 of this Decision, which shall be adopted by the Governor of the National Bank.

12. The Credit Registry data and information shall constitute classified information.

V. TRANSITIONAL AND CLOSING PROVISIONS

13. The Governor of the National Bank shall issue Instructions prescribing the implementation of this Decision, i.e. the manner and the timeframes for submission and use of Credit Registry data and information by the banks and the savings houses.

14. The banks and the savings houses shall be required to designate authorized persons for submission and use of Credit Registry data and information and to notify the National Bank within five (5) business days from the day of the designation.

The banks and the savings houses shall be obliged to notify the National Bank of any change of persons under paragraph 1 of this item, within five (5) business days of such change.

15. With the enforcement of this Decision, the Decision on the contents and the manner of functioning of the Credit Registry ("Official Gazette of the Republic of Macedonia" no. 126/11) shall cease to be effective.

16. This Decision shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

By derogation of paragraph 1 of this item, the implementation of the provisions under item 4 indents 4 and 5 of this Decision shall begin from December 1, 2014.

D.No. 02-15/XIV-1/2013

December 26, 2013

Skopje

Governor

and

Chairperson of the

National Bank of the

Republic of Macedonia Council

Dimitar Bogov