

DECISION
on determining the criteria for issuing a license for conducting domestic payment operations

(“Official Gazette of the Republic of Macedonia” no. 41/2001)

Article 1

This Decision shall establish the criteria and the procedure for issuing a license for conducting domestic payment operations.

Article 2

The institution, which carries out the payment operations (hereinafter referred to as bank), should meet the formal, organizational and technical and work criteria in order to conduct domestic payment operations.

I. Formal criteria

In order to meet the formal criteria, the bank shall be required:

1. To have an operating and founding license in accordance with the Banking Law;
2. To provide a bank identification number, through which it can be identified;
3. To be an immediate participant in the Real Time Gross Settlement System of the National Bank of the Republic of Macedonia (RTGS);
4. To submit contracts for accessing to the clearing systems, within seven days after the accession.

II. Organizational and Technical Criteria

In order to meet the organizational and technical criteria, the bank shall be required:

5. To submit a description of organizational and technical solutions, which will serve as a basis for conducting payment operations for the participants, containing:
 - 5.1. procedure for the manner of conducting internal payment operations and inter-banking payment operations;
 - 5.2. time schedule for operating with the participants in the payment operations;
 - 5.3. manner of communicating with the participants;
 - 5.4. specification of the IT equipment;
 - 5.5. type of processing (centralized or decentralized);
 - 5.6. level of education of the personnel;

- 5.7. information on the business premises in which the bank will conduct the payment operations;
 - 5.8. organization of the internal control and audit in the bank regarding the payment operations.
6. To submit a plan for commencing the conduct of domestic payment operations;
 7. To list the standards used in the payment operations;
 8. To provide safe work environment;
 9. To provide a system of current operations and backup system of operations;
 10. To prescribe activities in case of defect of the equipment;
 11. To establish tariffs for the services in the payment operations.

III. Work Criteria

In order to meet the work criteria, the bank shall be required:

12. To record all activities of its participants related to the payment operations and to be able to reproduce them;
13. To inform the National Bank of the Republic of Macedonia on each change which will occur in the payment operations system;
14. To submit data to the National Bank of the Republic of Macedonia on the operations in the internal and external clearing. The manner of submitting data will be determined by a separate Manual;
15. To file away the data on the executed payment transactions;
16. To operate in compliance with the rules of the Settlement System and other clearing systems it has been a member of.

Article 3

In order to meet the criteria stipulated under Article 2 of this Decision, the bank shall submit the necessary documentation.

Article 4

Based on the submitted documentation and the verification of the fulfillment of the criteria stipulated under Article 2, the National Bank of the Republic of Macedonia shall assess whether the criteria for issuing a license for conducting domestic payment operations have been met.

The procedure for assessing the criteria shall start on the date the National Bank of the Republic of Macedonia receives the complete documentation.

The incomplete documentation shall not be considered.

Article 5

During the procedure for assessing the criteria for issuing a license for conducting domestic payment operations, the National Bank of the Republic of Macedonia may request more precise definition of some of the data presented in the submitted documentation, as well as submission of additional documentation.

The deadline for assessing the criteria for issuing a license shall not be activated till the submission of the additionally requested documentation, if any.

Article 6

The National Bank of the Republic of Macedonia shall issue a license for conducting payment operations to a bank which meets the formal and organizational and technical criteria stipulated under Article 2 of this Decision, within 45 days after the submission of the request, including the complete documentation.

Article 7

After obtaining the license for conducting domestic payment operations, the bank shall be required to adhere to the provisions of the Law on Payment Operations, the criteria stipulated under Article 2 of this Decision and other regulations applying to domestic payment operations.

Article 8

If the bank acts contrary to the provisions of Article 7 of this Decision, the National Bank of the Republic of Macedonia may impose measures on temporary ban on conducting payment operations and ban on opening new accounts for the participants in the payment operations, up until the identified irregularities are eliminated.

The Decision, which will impose the measure stipulated under paragraph 1 of this Article, will also include the deadline for eliminating the identified irregularities in the operations, determined by the Governor.

The bank may lodge an appeal against the Decision stipulated under paragraph 2 of this Article, to the Council of the National Bank of the Republic of Macedonia within 8 days. The appeal shall not prolong the implementation of the Decision.

Article 9

If the bank fails to eliminate the identified irregularities within the period prescribed in the Decision stipulated under Article 8, paragraph 2 of this Decision, the National Bank of the Republic of Macedonia may revoke the license for conducting payment operations.

An appeal may be filed against the Decision stipulated under paragraph 1 of this Article, to the Council of the National Bank of the Republic of Macedonia, within 8 days.

The bank of which the license for conducting payment operations has been revoked, may file a new application for conducting payment operations, only after the expiration of 6 months from

the date of effectiveness of the Decision on revocation of the license stipulated under paragraph 1 of this Article.

Article 10

The manner of implementing this Decision shall be regulated by a separate Manual, adopted by the Governor of the National Bank of the Republic of Macedonia.

Article 11

This Decision shall enter into force on the date of its publishing in the “Official Gazette of the Republic of Macedonia”.