

Pursuant to Articles 5(1)(h) and 19(1)(c) of the Law on the Federation of Bosnia and Herzegovina Banking Agency („Official Gazette of the Federation of BIH“, number: 75/17) and Article 12(1)(d) of the Statute of the Federation of Bosnia and Herzegovina Banking Agency ("Official Gazette of the Federation of BIH", number: 03/18) and Articles 32 and 61 of the Law on Leasing ("Official Gazette of the Federation of BIH", numbers 85/08, 39/09, 65/13 and 104/16), the Management Board of the Federation of Bosnia and Herzegovina Banking Agency passed, at its session that was held on May 28th, 2020, the following

**A DECISION**  
**ON THE AMENDMENTS TO THE DECISION ON THE MINIMUM STANDARDS FOR**  
**DOCUMENTING FINANCING THROUGH LEASING AGREEMENTS AND ON**  
**CREDITWORTHINESS ASSESSMENT**

**Article 1**

In the Decision on the Minimum Standards for Documenting Financing through Leasing Agreements and on Creditworthiness Assessment („Official Gazette of the Federation of BIH“, number: 46/14), in Article 4, new Paragraphs (3), (4) and (5) shall be added to read as follows:

„(3) In addition to the competent institutions (court, notary, municipality, etc.), the certification of documents from Paragraph (1)(b)(1), (2) and (3) of this Article may also be performed by authorized staff of the leasing company, in a manner as provided for by the leasing company’s policies and procedures, along with conducting the same procedure required for the certification of documents by the competent institutions and ensuring an adequate internal control system.

(4) The leasing company may also establish an electronic archive and electronically maintain a leasing user’s file, which must include all documentation laid down in Paragraph (1) of this Article, in accordance with the regulations governing the subject matter.

(5) The method of creating, updating, storing and any other activities on the basis of the establishment of a leasing user’s electronic file from Paragraph (4) from this Article, the leasing company is required to prescribe by an internal regulation in detail, while ensuring full compliance with law regulations, with a view to minimizing the potential legal risk, i.e., the compliance risk, as well as the establishment of an adequate internal control system.“.

**Article 2**

(1) In Article 5(2), after the words „the capacity of a leasing user“, a full stop shall be placed instead of the comma, while the words "cannot encumber regular monthly net income in the amount exceeding that set by the Law on Enforcement Procedure and the Labor Law.“ shall be deleted.

(2) After Paragraph (2), a new Paragraph (3) shall be added to read as follows:

"(3) Before entering into an agreement which is the basis for the origination of the credit risk exposure, the leasing company shall assess the leasing user’s creditworthiness, quality, marketability, availability, value and ability to subsequently sell the leasing object, and the quality, value and marketability of the collaterals."

(3) In Paragraph (6), the words „from Paragraphs (1), (3), (4) and (5)“, shall be replaced with the words „from Paragraphs (1), (3), (4), (5) and (6).“.

(4) The current Paragraphs (3), (4), (5), (6), (7) and (8) shall become Paragraphs (4), (5), (6), (7), (8) and (9).

### **Article 3**

(1) In Article 6, after Paragraph (2), a new Paragraph (3) shall be added to read as follows:

"(3) Before entering into an agreement which is the basis for the origination of the credit risk exposure, the leasing company shall assess the leasing user's creditworthiness, quality, marketability, availability, value and ability to subsequently sell the leasing object, and the quality, value and marketability of the collaterals."

(2) In Paragraph (5), the words „from Paragraphs (1), (3) and (4)“, shall be replaced with the words „from Paragraphs (1), (3), (4) and (5).“.

(3) The current Paragraphs (3), (4) and (5) shall become Paragraphs (4), (5) and (6).

### **Article 4**

This Decision shall enter into force on the eighth day from the date of its gazetting in the „Official Gazette of the Federation of BiH“.

**Number: U.O.-45-08/20**  
**Sarajevo, May 28<sup>th</sup>, 2020**

**CHAIRWOMAN OF  
THE MANAGEMENT BOARD**

**Ljerka Maric, MS, BSc (Econ.), sgd**