

Pursuant to Article 44 paragraph 1 point 3 of the Central Bank of Montenegro Law (OGM 40/10, 46/10), and in conjunction with Article 27 of the Banking Law (OGM 17/08, 44/10), the Council of the Central Bank of Montenegro, at its meeting held on 27 December 2010, passed the following

DECISION
amending the Decision on documents supporting the request for granting approvals under the Banking Law

Article 1

In the Decision on documents supporting the request for granting approvals under the Banking Law (OGM 57/08) a new point 4a shall be added in Article 1 after point 4, worded as follows:

“4a) electing bank’s executive director (Article 37);”

Article 2

In Article 3 paragraph 1 point 1 indent 3 shall be replaced by the following:

“Overview of investments of such person representing participation of 5% or more in equity of legal persons that are bank’s shareholders;”

Indent 4 shall be replaced by the following:

“Overview of investments of such person representing participation of 5% or more in capital of legal persons that are bank’s shareholders;”

In paragraph 1 point 2, indent 4 shall be replaced by the following:

“Overview of investments of such person representing participation of 5% or more in capital of legal persons other than bank’s shareholders;”

In indent 5 after the word: “participation” the following shall be added “of 5% or more;”

In indent 6 after the word: “participation” the following shall be added “of 5% or more;”

Article 3

In Article 6 point 2 shall be amended to read:

“2) original or certified copy of the university degree acquired in accordance with the regulations governing higher education in Montenegro or degree acquired abroad that is equivalent to university degree acquired in Montenegro.”

In point 3 the words: “follow-up information and prepared material on the basis of which the proposal for the election is made” shall be replaced by the following: “a detail explanation of reasons for the election of the proposed person for the member of the bank’s board of directors.”

After paragraph 1, two new paragraphs shall be added, worded as follows:

“During the process of assessment of the fulfilment of requirements for electing member of the bank’s board of directors, the Central Bank may require the bank, and/or a person for which the approval is required, to submit the following:

- 1) an evidence from the competent authority that there are no obstacles for the election of the member of the board of directors referred to in Article 31 points 4, 7 and 8 of the Banking Law;
- 2) an evidence from the competent authority that the degree acquired abroad is equivalent to the university degree acquired in Montenegro;
- 3) personal references on professional qualifications of the candidate that may be given by: the members of the board of directors of the bank or other legal person from the financial sector (except the bank that submits the request for granting approval or member of the banking group to which such bank belongs), academics, university professors or other persons that have gained professional or personal reputation from their recent successful work.

By way of exception from paragraphs 1 and 2 above, when executive director of the bank, to whom the Central Bank has granted the approval or the procedure on deciding upon the request for granting approval for the person proposed for executive director is pending, is proposed for the member of the bank’s board of directors, the bank shall also submit the following documentation supporting the request for granting approval for electing such person for member of the board of directors:

- 1) Proposal of the decision on the election of the executive director of the bank for the member of the board of directors of the bank;
- 2) Information on non-existence of obstacles for electing the proposed person as member of the bank’s board of directors with regard to structure of the bank’s board of directors prescribed under Article 30 of the Banking Law.”

Article 4

A new Article 6a shall be added after Article 6, worded as follows:

“Election of bank’s executive director

Article 6a

The bank shall, together with the request for granting approval for electing executive director of the bank, submit the following:

- 1) The questionnaire (Annex 3) which is attached to this Decision and makes an integral part thereof, and which is personally filled out and signed by a person requesting the approval;
- 2) original or certified copy of the university degree acquired in accordance with the regulations governing higher education in Montenegro or degree acquired abroad that is equivalent to university degree acquired in Montenegro;
- 3) proposal of the decision on the election of the executive director with a detail explanation of reasons for electing the proposed person as the executive director of the bank;
- 4) information on meeting the requirements under Article 36 paragraph 3 of the Banking Law referring to the proficiency level of language that is in official use in Montenegro.

During the process of assessing the fulfilment of requirements for the election of the executive director of the bank, the Central Bank may require the bank and/or a person requesting the approval to submit the following:

- 1) an evidence from the competent authority that there are not obstacles for the election of the member of the bank board of directors referred to in Article 31 points 4, 7 and 8 of the Banking Law;
- 2) an evidence from the competent authority that the degree acquired abroad is equivalent to university degree acquired in Montenegro;
- 3) personal references on professional qualifications of the candidate that may be given by: the members of the bank's board of directors or any other legal person from the financial sector (except the bank that submits the application for granting approval or member of the banking group to which such bank belongs), academics, university professors or other persons that have gained professional or personal reputation from their recent successful work."

Article 5

The Questionnaire (Annex 1), which is attached to the Decision on documents supporting the request for granting approvals under the Banking Law (OGM 57/08) and makes an integral part thereof, shall be replaced by the Questionnaire (Annex 1), which is attached to this Decision and makes an integral part thereof.

Article 6

The approvals of the Central Bank for the membership in the bank's board of directors issued until the day of the entry into force of this decision shall remain effective until the expiry of term of office of the persons to which the approval has been granted, unless in case of termination of their function before the expiry of term of office.

On the day of the election of new member of the bank's board of directors, the approvals of the Central Bank for the membership in the bank's board of directors shall be terminated to the persons to which the membership in the bank's board of directors has been terminated due to the obligation of change in the structure of the board of directors for the purpose of its harmonisation with Article 30 of the Banking Law.

With regard to the executive directors of the bank to whom the Central Bank has granted the approval for membership in the bank's board of directors until the day of the entry into force of the Law amending the Banking Law (OGM 44/10), the bank is not obliged to submit to the Central Bank the request for granting the approval for electing such persons as executive directors of the bank until the termination of term of office such person as member of the board or directors of such bank.

Article 7

This decision shall enter into force on the eighth day following that of its publication in the Official Gazette of Montenegro."

THE COUNCIL OF THE CENTRAL BANK OF MONTENEGRO

Decision number: 0101-4014/6-4
Podgorica, 27 December 2010

CHAIRMAN

GOVERNOR,

Radoje Žugić m.p.

**QUESTIONNAIRE
FOR THE CANDIDATE FOR MEMBER OF THE BANK'S BOARD OF
DIRECTORS**

I. Name and address of a bank	
II. General information on candidate 1) Name and last name	
2) Permanent and temporary residence	
3) Date and place of birth	
4) Citizenship	
5) Business telephone number and e-mail address	
III. Education Indicate all degrees of education, with the duration time and finishing year, and acquired academic knowledge	
IV. Language skills Indicate proficiency level of the language which is officially used in Montenegro	
V. Professional skills Indicate chronologically all types of further professional training, name of the topic, organizer and duration of further professional training, with information on obtained licenses and certificates	
VI. Curriculum vitae 6.1. Indicate chronologically all employers and job positions and period over which the	

<p>candidate performed specific job</p> <p>6.2. Experience in banking and financial operations or operations where he has acquired knowledge assuming justifiably that this knowledge could respond to the requirements for establishing and maintaining risk management system to which the bank is exposed in its operations (indicate in detail type of jobs which the candidate performed)</p> <p>6.3. Indicate whether the candidate was relieved from the term of office of the member of board of directors, executive director or similar term of office in a legal person, and if so, indicate the reasons for his removal and/or reasons for submitting requirements for removal.</p>	
<p>VII. References</p> <p>Indicate information on persons that have had an insight in professional abilities of the candidate and from whom the Central Bank may require personal references for electing the candidate. Persons providing the reference may be members of the board of directors of the bank or any other legal person from the financial sector (except the bank submitting the request for granting the approval or member of the banking group to which the bank belongs), academics, university professors and other persons that have gained professional and personal reputation from their recent work.</p> <p>If the candidate cannot propose persons for providing such references, indicate also such fact.</p> <p>If the candidate has already obtained personal references for the election, such reference shall be submitted to the Central Bank of Montenegro with this questionnaire.</p>	
<p>VIII. Relation with a bank and other parties</p> <p>7.1. Indicate whether the candidate is a person independent from the bank, pursuant to Article 30 paragraph 4 of the Banking Law.</p> <p>7.2. Indicate whether the candidate is a person related to other bank or legal person, pursuant to Article 31 points 1) and 2) of the Banking Law, and if so, indicate the form of relationship.</p>	
<p>Bankruptcy and enforceable orders over the candidate's property</p> <p>Indicate whether there have there been any bankruptcy proceedings or enforceable</p>	

<p>orders over the candidate's property, and if so, indicate the volume of enforceable orders.</p>	
<p>X. Membership in Managing Board of the Deposit Protection Fun Indicate whether the candidate has been a member of the Managing Board in the Deposit Protection Fund, and if so, indicate the period in which the term of office has been performed.</p>	
<p>XI. Management and governance in bank or other business organisation Indicate whether: 1) a candidate has been on leading positions in a bank or other business organization at the time when such organization was subject to bankruptcy or liquidation proceedings, and if so, indicate the details related to the bankruptcy proceedings of that business organisation; 2) the candidate has been a member of the board of directors or an executive officer in any bank at the time when the interim administration was introduced, and if so, indicate the details related to the interim administration of that business organisation.</p>	
<p>XII. Sentencing Indicate whether: 1) a candidate has been subject to a safety measure prohibiting further conduct of professional work, business activity or duty, imposed by a competent court, and if so, indicate the imposed measures and their duration 2) a candidate has been sentenced for a crime, and if so, indicate a type of criminal offence and type of penalties.</p>	
<p>XIII. Criminal proceedings Indicate whether a criminal proceedings has been pending against the candidate, and if so, indicate type of criminal offence</p>	

<p>III. Financial relation with the bank Indicate whether:</p> <p>1) a bank has exposure to that candidate, and if so, indicate the total amount of a bank's exposure to this person</p> <p>2) a bank has exposure to business organisation which is in the candidate's ownership, or to business organization in which the candidate is the member of the board of directors or executive director, and if so, indicate the total amount of bank's exposure to that business organization.</p>	
<p>XV. Other Indicate other data and information not specified under this questionnaire and which can be important based on candidate's assessment in the process of considering the request for granting the approval.</p>	

I hereby declare that all answers are true and complete to the best of my knowledge, and that I did not conceal any information which may affect the decision of the Central Bank of Montenegro on the request for granting the approval for my election as a member of the board of directors of the bank.

I hereby also declare that I am familiar with the provision of Article 32 paragraph 5 of the Banking Law, which prescribes that if the approval for the appointment of the member of the board of directors has been granted on the basis of false information, it shall represent basis for revoking of such approval.

I commit myself to immediately inform the Central Bank about all changes which may have a significant impact on granting the approval for my election.

Place and date:

Signature of a candidate:

**QUESTIONNAIRE
FOR THE CANDIDATE FOR EXECUTIVE DIRECTOR OF THE BANK**

II. Name and address of a bank	
II. General information on candidate 1) Name and last name	
2) Permanent and temporary residence	
3) Date and place of birth	
4) Citizenship	
5) Business telephone number and e-mail address	
III. Education Indicate all degrees of education, with the duration time and finishing year, and acquired academic knowledge	
IV. Language skills (only for foreigners) Indicate proficiency level of the language which is officially used in Montenegro	
V. Professional skills Indicate chronologically all types of further professional training, name of the topic, organizer and duration of further professional training, with information on obtained licenses and certificates.	
VI. Curriculum vitae 6.1. Indicate chronologically all employers	

<p>and work positions and period over which the candidate performed specific job</p> <p>6.2. Experience in leading positions in the bank or financial sector (indicate in detail type of jobs which the candidate performed)</p> <p>6.3. Indicate whether the candidate was relieved from the position of the member of managing body, executive director or similar position in a legal person, or whether there has been any requirements of regulatory or other bodies for his relief, and if so, indicate the reasons for his removal and/ or reasons for the submission of request for removal.</p>	
<p>VII. References</p> <p>Indicate information on persons that have had an insight in professional abilities of the candidate and from whom the Central Bank may require personal references for electing the candidate. Persons providing the reference may be members of the board of directors of the bank or any other legal person from the financial sector (except the bank submitting the request for granting the approval or member of the banking group to which the bank belongs), academics, university professors and other persons that have gained professional and personal reputation from their recent work.</p> <p>If the candidate cannot propose persons for providing such references, indicate also such fact.</p> <p>If the candidate has already obtained personal references for the election, such reference shall be submitted to the Central Bank of Montenegro with this questionnaire.</p>	
<p>VIII. Relation with a bank and other parties</p> <p>Indicate whether the candidate is a person related to other bank or legal person, pursuant to Article 31 points 1) and 2) of the Banking Law, and if so, indicate the form of relationship.</p>	
<p>XII. Bankruptcy and enforceable orders over the candidate's property</p> <p>Indicate whether there have there been any bankruptcy proceedings or enforceable orders over the candidate's property, and if</p>	

<p>so, indicate the volume of enforceable orders.</p>	
<p>X. Membership in Managing Board of the Deposit Protection Fun Indicate whether the candidate has been member of the Managing Board in the Deposit Protection Fund, and if so, indicate the period in which the term of office has been performed.</p>	
<p>XI. Management and governance in bank or other business organisation Indicate whether: 1) a candidate has been on leading positions in a bank or other business organization at the time when such organization was subject to bankruptcy or liquidation proceedings, and if so, indicate the details related to the bankruptcy proceedings of that business organisation; 2) the candidate has been a member of the board of directors or an executive officer in any bank at the time when the interim administration was introduced, and if so, indicate the details related to the interim administration of that business organisation.</p>	
<p>XII. Sentencing Indicate whether: 1) a candidate has been subject to a safety measure prohibiting further conduct of professional work, business activity or duty, imposed by a competent court, and if so, indicate the imposed measures and their duration 2) a candidate has been sentenced for a crime, and if so, indicate a type of criminal offence and type of penalties.</p>	
<p>XIII. Criminal proceedings Indicate whether a criminal proceedings has been pending against the candidate, and if so, indicate type of criminal offence</p>	
<p>IV. Financial relation with the bank Indicate whether: 1) a bank has exposure to that candidate, and if so, indicate the total amount of a bank's exposure to this person</p>	

<p>2) a bank has exposure to business organisation which is in the candidate's ownership, or to business organization in which the candidate is the member of the board of directors or executive director, and if so, indicate the total amount of bank's exposure to that business organization.</p>	
<p>XV. Other Indicate other data and information not specified under this questionnaire and which can be important based on candidate's assessment in the process of considering the request for granting the approval.</p>	

I hereby declare that all answers are true and complete to the best of my knowledge, and that I did not conceal any information which may affect the decision of the Central Bank of Montenegro upon the request for obtaining the approval for my election as executive director of the bank.

I hereby also declare that I am familiar with the provision of Article 37 paragraph 6 of the Banking Law, which prescribes that if the approval for electing executive director is based on incorrect data, it shall represent basis for revoking the approval granted.

I commit myself to immediately inform the Central Bank about all changes which may have a significant impact on granting the approval for my election.

Place and date:

Signature of a candidate:
