

Pursuant to Article 21, paragraph 1, and with reference to Article 59 of the Law on the National Bank of Serbia ("RS Official Gazette", Nos.72/2003 and 55/2004) and Article 32, paragraph 4 of the Law on Foreign Exchange Operations ("RS Official Gazette", No.62/2006), the Governor of the National Bank of Serbia hereby issues

D E C I S I O N

ON INTERBANK CLEARING OF PAYMENTS IN FOREIGN EXCHANGE

1. This Decision shall prescribe the manner in which the National Bank of Serbia shall perform interbank clearing of payments in foreign exchange (hereinafter: clearing) between banks as defined by Article 2, paragraph 3 of the Law on Foreign Exchange (hereinafter: bank), as well as between banks and the National Bank of Serbia as participant in the clearing.

The National Bank of Serbia may also perform clearing of transactions between the bank and a bank headquartered in the territory of a country whose central bank is a signatory to the clearing agreement with the National Bank of Serbia.

2. In order to participate in the clearing procedure, the bank needs to file an application and enter into agreement with the National Bank of Serbia. The agreement may be entered into exclusively by the NBS RTGS and clearing system member bank.

3. Clearing shall be performed as net settlement in euros from the bank's foreign currency reserve requirement account with the National Bank of Serbia (hereinafter: foreign currency reserve requirement account), and/or from the settlement account in the case of the National Bank of Serbia.

Payments, collection of payments and transfers under current and capital transactions subject of clearing shall be effected from the foreign currency reserve requirement account in the manner prescribed by the decision on terms and conditions of performing external payment transactions and guidelines for implementation thereof.

4. Clearing referred to in Section 1, paragraph 1 of this Decision shall be performed pursuant to that Decision, clearing operating rules specified by the National Bank of Serbia and the bank's authorization based on which the National Bank of Serbia debits the bank's foreign currency reserve requirement account according to multilateral net clearing position.

Clearing referred to in Section 1, paragraph 2 of this Decision shall be performed pursuant to that Decision, agreement referred to in that paragraph and the pertaining operating rules attached to such agreement, as well as pursuant to the bank's authorization based on which the National Bank of Serbia shall debit foreign currency reserve requirement account according to the multilateral net clearing position.

5. Operating rules referred to herein shall specify terms and conditions for connection to the clearing system, protection measures and responsibilities, limit and net position of the bank, receipt of orders, method of payment execution, finality of settlement, clearing schedule and its operating hours, exclusion from the clearing system, as well as the level of fees for clearing services.

6. Banks shall submit to the National Bank of Serbia data on their obligations with respect to payments in foreign exchange, in accordance with the operating rules referred to herein.

After submission of data referred to in paragraph 1 hereof, the National Bank of Serbia shall calculate multilateral net amounts in respect of payments in foreign exchange and debit and credit foreign currency reserve requirement account accordingly based on the calculated net position.

The National Bank of Serbia shall inform all clearing participants of the execution of clearing, and/or crediting and debiting of the foreign currency reserve requirement account in accordance herewith and operating rules referred to therein.

7. The National Bank of Serbia shall regularly inform banks on potential downtime or any other problems in performing operations specified hereunder.

7a. Provisions hereof relating to the clearing of payments between banks shall also apply to the clearing of payments between the National Bank of Serbia and banks.

8. This Decision shall enter into force on the date following its publication in the "RS Official Gazette", and shall be applied as of 1 April 2007.

D. No. 43
28 March 2007
B e l g r a d e

G o v e r n o r
National Bank of Serbia

Radovan Jelasic, sign.