

Pursuant to Article 68, paragraph 1 and Article 109, paragraph 4 of the Law on the Prevention of Money Laundering and the Financing of Terrorism (RS Official Gazette, Nos 113/2017, 91/2019, 153/2020 and 92/2023) and Article 18, paragraph 1, item 3) of the Law on the National Bank of Serbia (RS Official Gazette, Nos 72/2003, 55/2004, 85/2005 – other law, 44/2010, 76/2012, 106/2012, 14/2015, 40/2015 – CC decision and 44/2018), the Governor of the National Bank of Serbia adopts the following

**LIST OF INDICATORS FOR RECOGNISING GROUNDS FOR SUSPICION OF  
MONEY LAUNDERING OR TERRORISM FINANCING FOR FINANCIAL  
LESSORS**

1. This List of Indicators lays down the indicators for identifying persons and/or transactions for which there are grounds to suspect money laundering or terrorism financing, which financial lessors established within the meaning of the law governing financial leasing are required to incorporate in their lists of indicators, in accordance with Article 69, paragraph 1 of the Law on the Prevention of Money Laundering and the Financing of Terrorism.
2. In determining whether there are grounds to suspect money laundering or terrorism financing, lessors are required to apply at least the following indicators:
  - 1) The customer – lessee applies for the financing of a lease asset, but the application contains incomplete or inaccurate data with an obvious intention to conceal basic information on the customer’s identity or business activity;
  - 2) The customer – lessee applies for the financing of a lease asset, but the application does not seem justified in terms of the intended use of the lease asset or in terms of the customer’s business activity (obvious disproportion between the size of the investment and the type of the lessee’s business, or the lease agreement does not correspond to the customer’s business activity or intended business activity);
  - 3) The customer – lessee applies for the financing of a lease asset, submitting an offer to the lessor wherein the lease asset is offered at a price which considerably diverges from the real market value;
  - 4) The customer – lessee has selected a supplier of the lease asset which is not known to be either a manufacturer or an authorised seller of the goods being the lease asset, especially if the supplier comes from an offshore destination or from a country in which anti-money laundering and terrorism financing standards do not apply or from a country with strict regulations in place on the confidentiality and secrecy of banking and business data;
  - 5) The customer – lessee makes frequent payments according to the lease agreement concluded with the lessor, but from different branches of the same bank or from different banks, i.e. from an account other than the one stated in the lease agreement;
  - 6) The customer – lessee states he is unable to comply with contractual obligations, due to which another natural or legal person makes lease payments on the customer’s behalf as they fall due;

- 7) Lease operations when a third party provides a guarantee to the lessee and when the connection between the lessee and the provider of guarantee, as well as the reasons for providing the guarantee are not clear enough. This is especially true in the cases when the guarantee is provided by a legal or natural person transferring funds from an offshore destination or from countries which do not apply anti-money laundering and terrorism financing regulations;
- 8) Lease operations in which there is a provision on the buy-back of the lease asset by the supplier, whereby the supplier offers the asset at non-market terms (price above/below the real market price), especially when the supplier is unknown to the lessor beforehand;
- 9) The customer – lessee applies for the financing of a lease asset, proving creditworthiness by the documents stating other income or guarantees backed by a bank or a third party which have dubious creditworthiness or are located in an offshore destination or a country that does not apply anti-money laundering and terrorism financing standards;
- 10) The customer – lessee offers a higher downpayment for financing the lease asset with no proper reason, although this is not explicitly required by the lessor;
- 11) The customer – lessee is a new, fast-growing company with small equity, which operates using suspicious capital;
- 12) The customer – lessee signs a financial lease agreement accompanied by a person who is obviously watching the customer's behaviour, which raises suspicion that the customer is a "front" person for somebody else;
- 13) Data about the beneficial owner of the legal person entered in the records of beneficial owners kept by the competent authority or in other registers and records of beneficial owners in foreign countries differ from the data which the lessor established by applying the prescribed customer due diligence actions and measures, which gives a reason to doubt the veracity of data entered in those registers/records;
- 14) The customer – lessee cancels the signing of the financial lease agreement after the lessor asks for additional documents related to the customer's identity or the lease asset;
- 15) Publicly available information about the customer – lessee, its beneficial owner and representative are contrary to the data and information which the customer provided to the lessor;
- 16) The customer – lessee submits only photocopies of identification documents and when asked to submit the original documents – backs out of signing the financial lease agreement;
- 17) The customer – lessee submits a lease application based on the guarantee issued or backed by a bank from an offshore destination, from a country known for production and/or trade in narcotics or a country in which anti-money laundering and terrorism financing standards are insufficiently applied;
- 18) The customer – lessee cedes a financial lease agreement to another lease beneficiary just before the agreement is fully repaid, with no obvious reason;

- 19) The customer – lessee gives back the lease asset insisting that it be re-leased or sold to another legal or natural person of customer’s liking;
  - 20) The customer is suspected to be a designated person pursuant to the law which regulates the freezing of assets with to the aim of preventing terrorism and the proliferation of weapons of mass destruction (Sanctions Committee Consolidated List based on the United Nations Security Council Resolution 1267, a domestic list of designated persons adopted by the Serbian Government etc.) or a person connected with persons in the said lists;
  - 21) The customer – lessee is a legal person with a complex ownership structure which makes it difficult to determine its beneficial owner.
3. In addition to the indicators specified in Section 2 of this List, lessors shall also apply indicators for identifying suspicious activities related to the financing of terrorism published in the Directive Concerning the Publication of a List of Indicators for Recognising Suspicious Transactions Related to Terrorism (No OP-000102-0031/2018 of 21 February 2018).
  4. In addition to the indicators referred to in Sections 2 and 3 of this List, lessors shall also include special indicators in their lists of indicators, taking into account the national risk assessment and analysis, and, in particular, the complexity and volume of transactions, unusual performance methods, value or interconnectedness of transactions which do not have an economic or legally-based purpose, and/or which are inconsistent with or disproportionate to the usual and/or expected business activities of the client, and other circumstances relating to the status or other characteristics of the client which give rise to suspicion of money laundering or terrorism financing.
  5. The List of Indicators for Recognising Suspicious Transactions for Providers of Financial Leasing, dated 1 February 2010 and established by the Administration for the Prevention of Money Laundering, shall cease to be valid as of the day of beginning of application of this List.
  6. Lessors shall apply this List of Indicators as of 1 March 2024.
  7. This List of Indicators shall be published on the website of the National Bank of Serbia and submitted to the Administration for the Prevention of Money Laundering in order to be published on its website.

G. No.

2024

Belgrade

Governor

National Bank of Serbia

Dr Jorgovanka Tabaković