

Pursuant to Article 31 of the Law on Foreign Exchange Transactions ("RS Official Gazette," No. 62/2006), the Governor of the National Bank of Serbia hereby issues the following

DECISION ON THE CONDITIONS FOR EFFECTING PERSONAL AND PHYSICAL TRANSFERS OF MEANS OF PAYMENT TO AND FROM ABROAD

Basic Provisions

1. This decision prescribes detailed conditions for effecting personal transfers of means of payment that are not based on the execution of a business activity from the Republic of Serbia (hereinafter: Republic) abroad and from abroad to the Republic, and detailed conditions for effecting physical transfers of means of payment from and to the Republic.

2. Personal transfer of means of payment, within the meaning hereof, includes gifts and assistance, assistance to family members, inheritance, annuities, funds for settling the debt of immigrants in the Republic and funds that emigrants take out, i.e. transfer, abroad.

Physical transfer of means of payment, within the meaning hereof, includes the transfer of cash in dinars, in foreign currency, in cheques and material securities.

Personal Transfer of Means of Payment

3. A resident natural person may transfer abroad through a bank up to EUR 10,000 per month on grounds specified in Section 2 hereof.

3a. A resident natural person may transfer abroad through a bank more than EUR 10,000 per month on the following grounds:

1) a gift – subject to presentation of a contract of gift certified by the competent authority;

2) assistance to family members – subject to presentation of evidence that a family member lives abroad (residence permit, work visa, student visa etc.) and that he/she is a relative within the third degree of kinship (birth certificate, marriage certificate, etc.);

3) inheritance – subject to presentation of an effective decision on inheritance;

4) annuity – subject to presentation of a document stipulating the annuity payment obligation (contract, etc.);

5) emigration abroad – subject to presentation of evidence of emigrating from the Republic;

6) immigration to the Republic – subject to presentation of evidence on the debt settlement obligation in the home country, and provided that such natural person has filed an application for residence registration with the relevant body in the Republic.

3b. When transferring means of payment, as defined hereunder, banks shall take actions and measures envisaged by anti-money laundering regulations.

Physical Transfer of Means of Payment

Bringing Dinars Into and Taking Dinars Out of the Republic

4. A resident natural person and a nonresident natural person may bring dinars into and take dinars out of the Republic, provided that the amount of such dinars does not exceed the dinar equivalent value of EUR 10,000 per person.

By way of exception to paragraph one hereof, a resident or nonresident natural person may bring a larger amount of dinars than that specified in paragraph one into the Republic if such dinars have been purchased in a foreign bank, but this amount cannot exceed the amount specified in the certificate issued by the foreign bank, which certificate shall be submitted to the customs authority for inspection on entering the Republic.

5. A resident may take dinars out of the Republic in order to test banknote and coin counting machines if this has been approved by the National Bank of Serbia on the basis of an elaborated request submitted by the resident along with evidence of using such machines in the performance of a registered activity and along with guarantees of a foreign company that the dinars so received will be returned immediately after the testing, but not later than within three months from the day they were received.

6. A bank may take dinars out of the Republic for the purpose of sale, subject to a contract of sale of dinars to a foreign bank or a contract of depositing dinars in a foreign bank.

At the time of taking dinars out of the Republic, within the meaning of paragraph 1 hereof, the bank shall submit to the customs authority two copies of the general foreign exchange order, prescribed and filled out in conformity with the regulations on the conditions and manner of performing international payment transactions.

The competent customs authority shall stamp the copies of the order from paragraph 2 hereof with its stamp, and enter the date when dinars are taken out of the Republic on such copies, whereupon it shall retain one copy for its records and return the other copy to the bank.

The bank shall return to the Republic all dinars taken out of the Republic that have not been sold abroad, at which time the competent customs authority shall again stamp the originally stamped order on taking dinars out of the Republic, specifying the amount of dinars being returned and the date of such return.

The bank shall be required to keep a copy of the stamped order on taking dinars out of the Republic and of the newly stamped order on the return of dinars to the Republic for supervision purposes.

Within seven days from the day of taking dinars out of the Republic, the bank shall submit to the National Bank of Serbia:

- 1) a report with data on taking dinars out of the Republic for the purpose of sale, subject to a contract of sale of dinars to a foreign bank, or with data on bringing dinars into the Republic – on Form 1;
- 2) a report with data on taking dinars out of the Republic for the purpose of sale, subject to a contract of depositing such dinars in a foreign bank, or with data on bringing dinars into the Republic – on Form 2.

The forms referred to herein have been printed with this decision and constitute its integral part.

Bringing Commemorative Coins and Dinars for Numismatic and Collection Purposes Into and Taking Them Out of the Republic

7. A resident natural person may take commemorative coins issued by the National Bank of Serbia out of the Republic, subject to approval issued by the National Bank of Serbia on the basis of an elaborated request, with specification enclosed, which approval shall be certified by the competent customs authority at the time when such coins are taken out of the Republic.

A nonresident natural person may take commemorative coins issued by the National Bank of Serbia out of the Republic, based on a certificate issued by an authorized seller certifying that such coins have been purchased in the Republic, or based on a certificate issued by the customs authority certifying that such coins have been brought into the Republic.

A resident natural person may freely bring commemorative coins issued by the National Bank of Serbia into the Republic, whereas a

nonresident natural person may bring such coins into the Republic provided that it declares such coins to the customs authority which shall issue a certificate certifying that such coins have been brought into the Republic.

8. A resident natural person may take dinars for numismatic and collection purposes out of the Republic, provided that it takes no more than three sets of banknotes per request, subject to approval issued by the National Bank of Serbia on the basis of an elaborated request, with specification enclosed, which approval shall be certified by the competent customs authority at the time when such dinars are taken out of the Republic.

A nonresident natural person may take dinars for numismatic and collection purposes out of the Republic based on a certificate issued by an authorized seller certifying that such dinars were purchased in the Republic, or a certificate issued by the customs authority certifying that such dinars have been brought into the Republic.

A resident natural person may freely bring dinars for numismatic and collection purposes into the Republic, whereas a nonresident natural person may bring such dinars into the Republic provided that it declares such dinars to the customs authority which shall issue a certificate certifying that such dinars have been brought into the Republic.

Taking Foreign Cash, Cheques and Securities Out and Bringing Them Into the Republic

9. A resident natural person may freely bring foreign cash into the Republic.

On entering the Republic, a resident natural person shall declare to the competent customs authority any amount of foreign cash that exceeds the amount specified in the law on the prevention of money laundering.

10. A resident natural person may take foreign cash or cheques abroad provided that their total amount does not exceed EUR 10,000 or its equivalent value in another foreign currency. If a resident takes dinars, foreign cash and cheques abroad at the same time, the sum of these means of payment cannot exceed EUR 10,000 or its equivalent in another foreign currency.

11. At the time of emigrating from the Republic, a resident natural person may take foreign cash in the amount of more than EUR 10,000 or its equivalent in another foreign currency, based on evidence of emigration.

11a. A non-resident natural person may bring foreign cash in the Republic without any restrictions, provided however that any amount in excess of EUR

10,000, and/or its equivalent in another foreign currency, be declared to the customs authority, which shall in its turn issue a certificate thereof.

12. A nonresident natural person may take abroad foreign cash in the amount of no more than EUR 10,000 or its equivalent value in another foreign currency. If a nonresident takes dinars and foreign cash abroad at the same time, the sum of these means of payments cannot exceed EUR 10,000 or its equivalent value in another foreign currency.

A nonresident natural person may take abroad foreign cash in the amount higher than that specified in paragraph 1 hereof:

- if it has declared such foreign cash on entering the Republic – based on a certificate of bringing foreign cash into the Republic issued and certified by the customs authority;
- if it has withdrawn such foreign cash from a foreign currency account or foreign currency passbook in a bank in the Republic – based on a certificate issued by such bank;
- if it has acquired such foreign cash by selling dinars obtained through previous use of a payment card in the Republic – based on a certificate issued by an exchange office.

The customs authority shall annul the certificates from paragraph 2 hereof on first next exit from the Republic.

13. A resident natural person and a nonresident natural person may take abroad securities they have acquired in conformity with regulations.

14. The customs authority shall temporarily seize from residents and nonresidents all dinars, foreign cash and cheques exceeding the amount prescribed herein, and securities taken out of or brought into the Republic that have been acquired in a manner contrary to regulations, and it shall issue a certificate thereof.

15. A bank may take foreign cash out of the Republic for the purpose of crediting its account with a correspondent bank abroad. A bank may also take securities out of the Republic for the purpose of depositing such securities in a bank abroad or using such securities for other purposes, in conformity with the law.

The bank may take foreign cash out of the Republic in all currencies specified in the regulation of the National Bank of Serbia on the types of foreign currency and foreign cash to be purchased and sold in the foreign exchange market.

The bank may also take out of the Republic such currencies that have ceased to be legal tender following the introduction of the euro in the European Monetary Union, for the purpose of exchanging such currencies for the euro.

At the time of taking foreign cash out of the Republic within the meaning of paragraph 1 hereof, the bank shall submit to the competent customs authority two copies of the general foreign exchange order, prescribed and filled out in conformity with the regulations on the conditions and manner of performing international payment transactions.

The competent customs authority shall stamp the submitted copies of the order from paragraph 4 hereof with its stamp, and enter the date when foreign cash is taken out of the Republic on such copies, whereupon it shall retain one copy of the certified order for its records and return the other copy to the bank, which shall be required to keep this copy for supervision purposes.

Closing Provisions

17. As of the effective date hereof, the Decision on the Conditions and Manner of Effecting Personal and Physical Transfers of Means of Payment To and From Abroad ("FRY Official Gazette", Nos. 25/2002 and 33/2002 and "RS Official Gazette", No. 83/2005) shall cease to be valid.

18. This decision shall enter into force on the day following the day of its publication in the "RS Official Gazette".

Dec. no. 97
August 3, 2006
B e l g r a d e

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

Radovan Jelasic, sign.