



Based on Article 36, paragraph 1, subparagraph 1.17 and Article 65, paragraphs 1 and 2 of Law no. 03 / L-209 on the Central Bank of the Republic of Kosovo, Articles 7, 35, 37, 85, 97, 99 and 114 of Law no. 04 / L-093 on Banks, Microfinance Institutions and Non-Bank Financial Institutions and Articles 3.3 and 52 of the Regulation no.2001 / 25 on Licensing, Regulation and Supervision of Insurance Companies and Insurance Intermediaries, the Executive Board of the Central Bank of the Republic of Kosovo, in its meeting held on August 13, 2015, issued the following:

INSTRUCTION No. 01/2015
on Verification of Criminal Records for Main Shareholders, Directors and Senior
Managers of Financial Institutions

Article 1
Purpose and Scope

1. The purpose of this Instruction is to establish the procedure and documentation required by the CBK during the review and verification of applications regarding to the criminal past of the main shareholders, directors, senior managers and other persons to whom under laws and regulations in power the CBK approval is required.
2. This Instruction is implemented by the Central Bank of the Republic of Kosovo, during the review and verification of the applications under paragraph 1 of this article.

Article 2
Verification of Criminal Records

1. The criminal past is one of the fundamental criteria for a candidate to be appointed as a major shareholder, director, senior manager or any other position in a financial institution to which the laws and regulations in power require the approval from the CBK.
2. For any application of any of the candidates to whom approval from the CBK is required, financial institutions shall attach the official evidence by a competent court, which reveals any possible punishment for offense and any criminal proceedings that may be in process toward the candidate proposed.
3. Provision of entire documentation from paragraph 2 of this article is the responsibility of the financial institution that submits the request for approval for a given candidate.

4. Evaluation of applications for approval is done in compliance with laws, regulatory instruments of CBK and licensing manual approved by the CBK.

Article 3

The right to additional information

1. Considering its assessment, the CBK, may under the legislation in force, ask for additional information from other competent institutions regarding candidates proposed for approval, information which could make the proposed candidate unfit to exert the duty he/she is proposed to.
2. If the information under paragraph 1 of this Article is confirmed by competent institutions according to the legislation, the CBK may deny approval of such candidates.

Article 4

Entry into force

This Instruction shall enter into force on the date of approval.

Bedri Hamza

Kryesues i Bordit Ekzekutiv