



**BULGARIAN
NATIONAL BANK**

BNB-101408/ 27.09.2018

APPROVED BY:

**DIMITAR KOSTOV
BNB DEPUTY GOVERNOR
IN CHARGE OF THE
BANKING SUPERVISION DEPARTMENT**

G U I D E L I N E S

**ON THE IMPLEMENTATION OF
BNB ORDINANCE No. 19 OF 20 OCTOBER 2016 ON CREDIT INTERMEDIARIES**

Sofia, October 2018

CONTENTS:

I. GENERAL PROVISIONS

II. REQUIREMENTS TO REGISTRATION DOCUMENTS, CHANGES IN THE CIRCUMSTANCES AFTER REGISTRATION AND DEREGISTRATION

III. TRANSITIONAL AND FINAL PROVISIONS

IV. APPENDICES

Samples of documents under BNB Ordinance No. 19 of 20 October 2016 on Credit Intermediaries

I. GENERAL PROVISIONS

1. These Guidelines are issued pursuant to § 2, par. 2 of the Final Provision of BNB Ordinance No. 19 of 20 October 2016 on Credit Intermediaries (Ordinance No. 19). The Guidelines are aimed at providing additional instructions as regards the requirements to the registration documents, changes in the circumstances of registration and deregistration of credit intermediaries, where the deregistration is voluntary or results from objectively occurred circumstances, which are no ground for deregistration at the initiative of the competent authority.
2. Samples of all registration documents, post-registration changes in circumstances and deregistration applications are available on the BNB website, section Banking Supervision (BS)/Credit Intermediaries (CI)/Registration Documents. The same are appendices to these Guidelines.
3. All documents, which according to Ordinance No. 19 shall be submitted on paper, with the exception of the forms – applications and notifications, shall be scanned by the applicants/credit intermediaries and shall be filed through the automated system *Single Data Repository – Banking supervision reports*, subsystem *Credit Intermediaries* (the System). The System is accessed to by a valid qualified electronic signature (QES), user name and password. A CI User Manual is published in the System and users should get acquainted with it.
4. At the time of signing and submitting of the documents electronically, natural persons applying to be credit intermediaries must have a qualified electronic signature (QES), issued by a certification service provider pursuant to the Law on Electronic Document and Electronic Signature. Information about the certification service providers registered in Bulgaria is available on the official website address of the Telecommunications Regulatory Commission: <http://www.crc.bg>. The required documents are signed, as follows:
 - with a professional QEP by the people managing and representing legal persons (LPs) and sole proprietors (SPs) applying for registration as credit intermediaries – for the documents pertinent to them, in accordance with these Guidelines;
 - with a professional QEP by the people managing and representing LPs and procurators - for the documents pertinent to them, in accordance with these Guidelines;
 - with a professional QEP by the natural persons (NPs) applying for registration as credit intermediaries – for the documents pertinent to them, in accordance with these Guidelines.
5. Documents are signed using specialized software for signing and verification of electronic documents (e.g. INFONOTARY E-DOC SIGNER; B-Trust Combo Lite of Bankservice AD, etc.). Each person submitting documents electronically, shall check about the validity of the qualified electronic signatures, with which the forms are signed and submitted electronically. Documents with expired/invalid signature at the time of filing shall be rejected by the System.
6. The size of a single scanned document shall not exceed 15 MB per file. *Windows-1251* shall be used in the documents, and electronic files sent via the System shall be in format *Microsoft Office 2007*.
7. Any changes of errors and inconsistencies in the submitted forms shall be made by filling in and submitting new forms.
8. Documents that have to be filed on hardcopy shall be submitted on site or by mail to address: **1000 Sofia, 1, Knyaz Alexander I square, Bulgarian National Bank, Banking Supervision Department, Specific Supervision Activities Directorate, Market Behaviour Risk-Related Analysis, or at BNB cash desk No. 43–45, on each business day from 8:30 to 15:45 h.**
9. Fees under Art. 8 of BNB Ordinance No. 19 shall be remitted to the following BNB bank account:

IBAN: BG40BNBG96611000066123

BIC: BNBGBGSD

Grounds: Registration of a credit intermediary under Art. 51 of the Law on Consumer Real Estate Loans (LCREL); /Change in the registration under Art. 5 of BNB Ordinance No. 19.

10. Within a one-month term from the receipt of the application and the required documents certifying compliance with the registration requirements, the BNB shall register or refuse to register the applicant in the register under Art. 51 of the Law on Consumer Real Estate Loans (LCREL).

11. An order of the BNB Deputy Governor in charge of the Banking Supervision Department shall be issued for the registration or the refusal thereof. The order is received by the credit intermediary – natural person, or respectively by the person authorized by the company at address: Sofia 1000, 1, Knyz Alexander I square, Bulgarian National Bank, Banking Supervision Department or by registered mail with advice of delivery.

II. REQUIREMENTS TO THE REGISTRATION DOCUMENTS, POST-REGISTRATION CHANGES IN CIRCUMSTANCES AND DEREGISTRATION

A. List of documents for initial registration as a CI natural person or CI – sole proprietor/legal person

A1. Documents submitted on paper and in electronic form

Documents	Manner of submission and format	Requirements to the font used	Prohibition of use of symbols	Other additional requirements
1. Application for registration as a credit intermediary under Art. 2, par. 1 of Ordinance No. 19 (Annex No. 1a/1b of the Registration Documents)	On paper	Times New Roman, 11.	None.	All the required registration documents as per Art. 2 of Ordinance No. 19, as listed in items 2 through 5 of section A1, shall be attached on paper to the application. Documents that have to be submitted on paper to the application shall be scanned in advance and shall be filed via the System, after obtaining access to it. The information stated in the application (Annex No. 1a/1b) and in the registration form (Annex No. 2) must be the same in the relevant sections that are identical in the two documents.

<p>2. Certified copy of an identity document under Art. 2, par. 5, item 1 of Ordinance No. 19</p>	<p>On paper. Scanned in *pdf format</p>	<p>None</p>	<p>None.</p>	<p>The copy of the document shall be certified as “True to the original“, and the person shall write in his/her own hand his/her name and the date and shall sign it.</p> <p>The document shall be scanned and saved under the following name: ID_NAME_SURNAME, where the person’s names as per the identity document shall be written in Roman letters on the place marked NAME_SURNAME.</p> <p>After obtaining access to the System the document shall also be filed electronically.</p>
<p>3. Notarized copy of a diploma of completed higher education under Art. 2, par. 5, item 2 of Ordinance No. 19</p>	<p>On paper. Scanned in *pdf format</p>	<p>None</p>	<p>None.</p>	<p>The diploma shall be submitted in a notarized form.</p> <p>The document shall be scanned and saved under the following name: DIPLOMA_NAME_SURNAME, where the person’s names as per the diploma shall be entered on the place marked NAME_SURNAME.</p> <p>After obtaining access to the System the document shall also be filed electronically.</p>
<p>4. Conviction status certificate under Art. 2, par. 5, item 3 of Ordinance No. 19 From 01.11.2018 no conviction status certificate shall be submitted for Bulgarian nationals. Non-nationals shall submit an analogous document only on paper.</p>	<p>On paper. Scanned in *pdf format</p>	<p>None</p>	<p>None.</p>	<p>An analogous document on paper shall be submitted only by non-nationals. For Bulgarian nationals verification of conviction status shall be performed by the BNB <i>ex officio</i>.</p>
<p>5. Declaration that the person is not bankrupt under Art. 2, par. 5, item 4 of Ordinance No. 19</p>	<p>On paper. Scanned in *pdf format</p>	<p>None</p>	<p>None.</p>	<p>The declaration is free text.</p> <p>The document shall be scanned and saved under the following name: DECLARATION_NAME_SURNAME/COMPANY NAME, where the names of the applying NP or LP/SP, written in Roman letters, shall be entered on the place marked by NAME_SURNAME/COMPANY NAME.</p> <p>After obtaining access to the System the document shall also be filed electronically.</p>

<p>6. Application for participation of the persons using the automated system (Application)</p> <p>(Annex No. 7 of the Registration Documents)</p>	<p>On paper</p>	<p>Arial, 10.</p>	<p>Quotation marks and % should not be used</p>	<p>The document shall be completed as per the sample form (see Annex No. 7 of the Registration Documents).</p> <p>System users are persons who, after gaining authorized access to the system, file documents electronically.</p>
<p>A2. Documents submitted electronically</p>				
<p>1. Registration form as per sample form under Art. 2, par. 1 of Ordinance No. 19</p> <p>(Annex No. 2 of the Registration Documents)</p>	<p>In electronic form To be filled in in *.xls format</p>	<p>Arial, 10.</p>	<p>Quotation marks, % and more than one interval in the applicant's name should not be used</p>	<p>The document shall be completed according to a sample form. See Annex No. 2a Instructions for completion of a registration form from the Registration Documents on the BNB website, section Credit Intermediaries.</p> <p>The document shall be saved under the following file name: BS_CI_Registration_docs_a4.bg, as is the name of the file on the BNB website.</p> <p>The document shall be signed with a QES of the NP, where the applicant is a NP, or by a professional QES of a SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>
<p>2. Questionnaire-declaration on acquired knowledge, competences and reputation under Art. 2, par. 5, item 5 of Ordinance No. 19</p> <p>(Annex No. 4 of the Registration Documents)</p>	<p>In electronic form. To be filled in in *.xls format</p>	<p>Arial, 10.</p>	<p>Quotation marks and % should not be used</p>	<p>The document shall be completed according to a sample form. See Annex No. 4a Instructions for completion of a questionnaire-declaration on the BNB website, section Credit Intermediaries.</p> <p>For applicants legal persons, each declaration – questionnaire shall be stored under the file name: BS_CI_Questionnaire_1, 2 or 3, where 1, 2 or 3 should follow the sequence of the names of the persons managing and representing the company, as stated in the Registration form.</p> <p>The document shall be signed with a personal QES of the persons managing and representing the LP/ procurators or with a professional QES of the SP, and shall be filed into the System.</p>

<p>3. Copies of contracts concluded with creditors with whom the applicant is tied, where applicable (as per Art. 2, par. 4, item 2 of Ordinance No. 19)</p>	<p>Scanned in *.pdf format</p>	<p>None</p>	<p>None.</p>	<p>Contracts shall be scanned and saved under the following name: DOGOVOR_NAME OF THE CREDITOR, where the name of the creditor with whom the contract was entered into shall be entered in Roman letters on the place marked as NAME OF THE CREDITOR.</p> <p>Provided there are two contracts with the same creditor, the number 1, 2, ... is added after the file name to denote the sequence of the contract.</p> <p>The documents shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>
<p>4. Notification form(s) for exercising freedom of establishment or freedom to provide services, respectively, in the cases where the applicant intends to operate in another Member State under Art. 2, par. 4, item 4 of Ordinance No. 19</p> <p>(Annex No. 5a/5b of the Registration Documents)</p>	<p>In electronic form. To be filled in in *.xls format</p>	<p>Times New Roman, 11.</p>	<p>None.</p>	<p>The filled in form shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>
<p>5. Document of taken out and paid professional indemnity insurance under Art. 2, par. 4, item 1 of Ordinance No. 19</p>	<p>Scanned in *.pdf format</p>	<p>None</p>	<p>None.</p>	<p>The document shall be scanned and saved under the following name: PII_NAME SURNAME/ NAME OF THE COMPANY_YYYY, where the year for which the insurance applies is entered on the place marked by 'YYYY' and the names of the NP/LP shall be entered in Roman letters in the place marked by NAME SURNAME/ NAME OF THE COMPANY.</p> <p>The document shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>

6. Document of a paid fee under Art. 2, par. 4, item 3 of Ordinance No. 19	Scanned in *pdf format	None	None.	<p>The document shall be scanned and saved under the following name: TAKSA_NAME OF THE APPLICANT, where the names of the applying NP or SP//LP shall be entered in Roman letters in the place marked as NAME OF THE APPLICANT.</p> <p>The document shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>
7. Notarized copy of a certificate of acquired qualification pursuant to the requirements under Art. 48 of LCREL (Provided the applicant has stated this information in item 3.1. of the Questionnaire-declaration (Annex No. 4))	Scanned in *pdf format	None	None.	<p>The certificate shall be submitted notarized.</p> <p>The document shall be scanned and saved under the following name: CERTIFICATE _NAME_SURNAME, where the names of the person as per the certificate shall be entered in Roman letters in the place marked as NAME_SURNAME</p> <p>The document shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.</p>
B. List of documents of persons under Art. 51, par. 7 of LCREL After submission of the registration documents on paper under items 1 and 2 of this section, the persons set forth in Annex No. 7 shall gain access to and shall send via the System the document under item 3.				
1. Notification of entering a credit institution/payment institution /electronic money institution in the Register of Credit Intermediaries under Art. 2, par. 6 of Ordinance No. 19. (Annex No. 3 of the Registration Documents)	On paper.	Times New Roman, 11.	None.	<p>The Notification shall be completed according to a sample form and shall be submitted on paper (see Annex No. 3 of the Registration Documents).</p>
2. Application for participation of the persons using the automated system (the Application) (Annex No. 7 of the Registration Documents)	On paper.	Arial, 10.	Quotation marks and % should not be used	<p>The document shall be completed according to a sample form (see Annex No. 7 of the Registration Documents).</p> <p>System users are persons who, after gaining authorized access to the system, file documents electronically.</p>

<p>3. Registration form as per sample form under Art. 2, par. 1 of Ordinance No. 19</p> <p>(Annex No. 2 of the Registration Documents)</p>	<p>In electronic form. To be filled in in format *.xls</p>	<p>Arial, 10.</p>	<p>Quotation marks, % and more than one interval in the applicant's name should not be used</p>	<p>The document shall be completed according to a sample form. See Annex No. 2a 'Instructions for completion of a registration form' of the Registration Documents on the BNB website, section 'Credit Intermediaries'.</p> <p>The document shall be signed by a QES of the LP and shall be filed into the System.</p>
<p>4. Notification form(s) for exercising freedom of establishment, or freedom to provide services, respectively, in the cases where the applicant intends to operate in another Member State, as per Art. 2, par. 4, item 4 of Ordinance No. 19</p> <p>(Annex No. 5a/5b of the Registration Documents)</p>	<p>In electronic form. To be filled in in format *.xls</p>	<p>Times new roman, 11.</p>	<p>None</p>	<p>The filled in form shall be signed by a QES of the LP and shall be filed into the System.</p>
<p>C. documents in case of changes in circumstances as per registration</p>				
<p>1. Notification of changes in circumstances under Art. 5 of Ordinance No. 19</p> <p>(Annex No. 8 of the Registration Documents)</p>	<p>On paper.</p>	<p>Times New Roman, 11.</p>	<p>None</p>	<p>The document shall be submitted on paper. After sending Annex No. 8 to the BNB, a registration form (Annex No. 2 of the Registration Documents) shall be sent via the system. The data of the selected change in both forms should coincide.</p> <p>Where the change affects data of the managing and representing persons, legal persons shall also send completed new questionnaires under Art. 2, par. 5, item 5 of Ordinance No. 19.</p> <p>The provisions set out in the foregoing sections of these guidelines shall be complied with for each document specified.</p>
<p>2. Registration form as per sample form under Art. 2, par. 1 of Ordinance No. 19</p> <p>(Annex No. 2 of the Registration Documents)</p>	<p>In electronic form. To be filled in in format *.xls/*.xlsx</p>	<p>Arial, 10.</p>	<p>Quotation marks, % and more than one interval in the applicant's name should not be used</p>	<p>The document shall be completed as per the sample form. See Annex No. 2a 'Instructions for completion of a registration form' of the Registration Documents on the BNB website, section 'Credit Intermediaries'.</p> <p>The document shall be saved under the following file name: BS_CI_Registration_docs_a4.bg, as is the name of the file on the</p>

				BNB website. The document shall be signed by a QES of the NP, where the applicant is a NP, or by a professional QES of SP/LP where the applicant is a SP/LP and shall be filed into the System.
D. Documents for deregistration from the Register of Credit Intermediaries				
1. Application for deregistration of a credit intermediary PP/SP/LP as per Art. 4 of Ordinance No. 19 (Annex No. 9a/ 9b)	On paper.	Times New Roman, 11.	None	The document shall be completed as per the sample form (see Annex No. 9a/9b of the Registration Documents on the BNB website).

III. TRANSITIONAL AND FINAL PROVISIONS

§ 1. These Guidelines for the application of Ordinance No. 19 shall come into force from 1 November 2018.

§ 2. These Guidelines were issued pursuant to § 2, par. 2 of the Final Provision of BNB Ordinance No. 19 and shall repeal Guidelines for the application of Ordinance No. 19 of 20 October 2016 on Credit Intermediaries approved by the Deputy Governor in charge of the Banking supervision Department on 5 October 2017.

IV. ANNEXES

An integral part of the Guidelines on implementation of BNB Ordinance No. 19 of 20 October 2016 on Credit Intermediaries are the following sample forms of documents for registration, post-registration changes in circumstances, and deregistration:

1. Application for registration as a credit intermediary for natural persons – *Annex. 1a*;
2. Application for registration as a credit intermediary for Sole proprietors and Legal Entities – *Annex. 1b*;
3. Registration form under Art. 2, paragraph 1 of BNB Ordinance № 19 on Credit Intermediaries – *Annex 2*

4. Instructions for completion of a registration form – *Annex . 2a*;
5. Notification of entering of a credit institution /payment institution/electronic money institution in the register of credit intermediaries – *Annex. 3*;
6. Questionnaire - declaration on acquired knowledge, competences and reputation of the persons under Article 2, paragraph 5 of BNB Ordinance No. 19 on Credit Intermediaries – *Annex No. 4*;
7. Instructions for completion of a questionnaire - declaration – *Annex . 4a*;
8. Notification form for exercising the freedom to provide services – *Annex. 5a*;
9. Notification form for exercising the freedom of establishment (branch) – *Annex . 5b*;
10. Proxy/Notice on withdrawal of a Proxy – *Annex. 6*;
11. Application for participation of the persons users of the automated system – *Annex. 7*;
12. Notification under Article 5 of BNB Ordinance No. 19 on Credit Intermediaries of changes in circumstances concerning registration – *Annex . 8*;
13. Application for deregistration of a credit intermediary – Natural Person – *Annex. 9a*;
14. Application for deregistration of a credit intermediary – Sole Proprietor and Legal Entity – *Annex. 9b*.