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## Legal Alert – 6 December 2012

### **NATIONAL BANK OF UKRAINE CLARIFIED THE TIMEFRAME FOR THE REGISTRATION OF CROSS- BORDER LOANS**

The ambiguity of the timeframe for the registration of cross-border loans by non-banking resident-borrowers (including inter-company loans) with the National Bank of Ukraine (the "NBU") was finally resolved by the NBU Resolution No. 450 dated 29 October 2012 "On Amendments to Some of the NBU Regulations" stipulating, *inter alia*, that a regional NBU branch must register a cross-border loan **within 5 business days** following the date of submission of the required documents.

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NBU Resolution No. 450 took effect on 9 November 2012.

The ambiguity, resolved by the NBU Resolution No. 450, originally arose after NBU Resolution No. 246 "On Amendments to Some of the NBU Regulations" dated 15 June 2012 amended NBU Resolution No. 270 dated 17 July 2004 "On Approving Regulations Concerning a Procedure for Receiving Foreign Currency Credits and Loans by Residents From Non-Residents, and for Granting Foreign Currency Credits and Loans by Residents to Non-Residents".

After Resolution No. 246 had been adopted, the restated Resolution No. 270 was missing the previous provision on the 7 business days timeframe, during which the respective regional branch of the NBU must register a cross-border loan of resident-borrowers. No new clear timeframe was stipulated.

In practice, this ambiguity had caused substantial delays in the registrations of cross-border loans, and in general negatively affected the Ukrainian borrowers' ability to obtain loans and timely meet their financial obligations.

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