

KAKO LICE MOŽE DA SAZNA KOJI SE PODACI O NJEMU VODE KROZ KREDITNI BIRO?

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Ubazama podataka koje su dostupne Kreditnom birou Udruženja banaka Srbije evidentiraju se obaveze pravnih i fizičkih lica prema poveriocima i urednost u njihovom izmirivanju.

Za sada, dostupne su baze podataka finansijskih institucija i to banaka, lizing kompanija i državnih fondova i agencija koji se bave kreditiranjem.

Po poslovima sa fizičkim licima Kreditni biro je počeo sa radom 2004. godine, a po poslovima sa pravnim licima i preduzetnicima 2006. godine.

Za **fizička lica** evidentiraju se podaci o sledećim uslugama: tekući računi u dinarima, i to samo oni tekući računi po kojima može nastati potencijalna ili stvarna obaveza, krediti i jemstvo po kreditima, debitne i kreditne kartice i lizing ugovori. Po svim navedenim uslugama evidentira se i eventualna neurednost u izmirivanju obaveza ukoliko obaveza nije izmirena u roku do 60 dana od dana dospeća obaveze za plaćanje.

Za **pravna lica i preduzetnike** (fizička lica koja obavljaju delatnost) evidentiraju se sledeće usluge: tekući računi u dinarima i devizama, krediti i jemstva po kreditima, potencijalne obaveze (garancije, aval i nepokriveni akreditivi), intervencije po potencijalnim obavezama i jemstva po potencijalnim obavezama, lizing ugovori i eskontovane hartije od vrednosti. Takođe se evidentira i eventualna neurednost u izmirivanju obaveza ukoliko obaveza nije izmirena u roku do 15 dana od dana dospeća obaveze za plaćanje.

Izveštaj Kreditnog biroa o fizičkim i

pravnim licima koriste banke i drugi pružaoci usluga za svoju procenu kreditne i platežne sposobnosti klijenta. Na osnovu dobijene pismene saglasnosti lica na koje se podaci odnose, pružaoci usluga - kreditori koriste Osnovni ili Sintetički izveštaj iz Kreditnog biroa. U tim izveštajima nisu navedeni nazivi pružaoca usluga čiji su to podaci, čime je ispoštovan zahtev banaka i drugih pružaoca usluga, a nije neophodno za procenu kreditne i platežne sposobnosti.

Ukoliko usluga ne bude odobrena ili pružena tražiocu, pružalac usluge, po pravilu, izveštava lice o razlozima odbijanja zahteva. To nije zakonska obaveza, ali će pružalac usluge sačuvati svoju poslovnu reputaciju ukoliko licu, koje je zahtevalo uslugu, navede razlog odbijanja podnetog zahteva. Transparentnošću uslova pružanja usluge i obrazloženjem razloga odbijanja zahteva iskazuje se poštovanje prema klijentu i ravnopravan, odnosno fer odnos tražioca i pružaoca usluge, i, što je još važnije, omogućava licu da u narednom periodu otkloni nedostatke poštujući utvrđene uslove i pravila. To doprinosi povećanju finansijske discipline u društvu, što je značajan dugoročan proces, za čiju realizaciju su, prvenstveno, zainteresovane banke i drugi pružaoci usluga - kreditori.

Najčešći razlog odbijanja zahteva tražioca usluge je prezaduženost ili evidentirana aktivna ili istorijska docnja, tj. docnja u prethodnom periodu. Da bi proverili navedene razloge i utvrdili ko je dostavio te podatke, **sva pravna i fizička lica imaju pravo i mogućnost da saznaju podatke o svojoj zaduženosti preko Kreditnog biroa** na sledeći način:

HOW CAN AN INDIVIDUAL OR A LEGAL ENTITY GAIN INSIGHT INTO THE DATA ABOUT THEM THROUGH CREDIT BUREAU?

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The databases accessible through the Association of Serbian Banks' Credit Bureau store the data on liabilities of legal entities and individuals towards their creditors, along with the regularity of their settlement.

The data have been, so far, accessible from financial institutions, such as banks, leasing companies and state funds and agencies dealing with lending activities.

The ASB Credit Bureau started its operations with individuals back in 2004 and with legal entities and entrepreneurs in 2006.

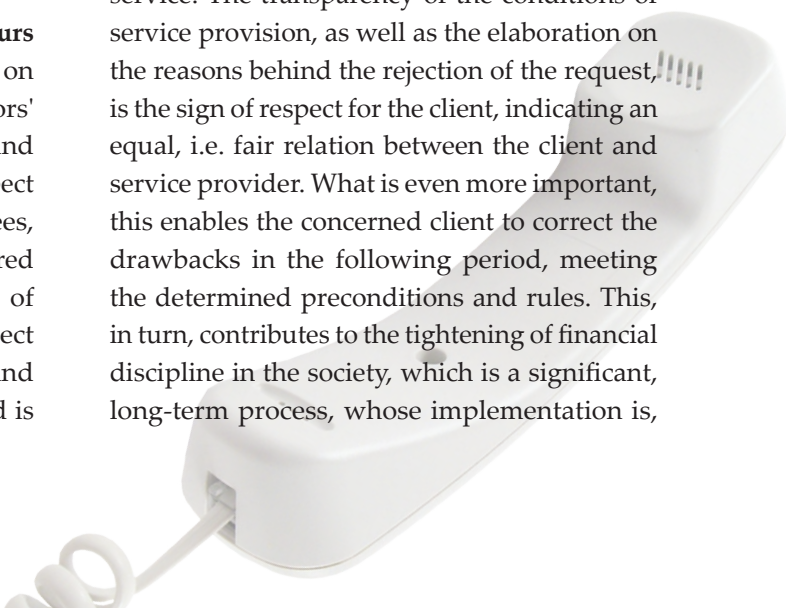
In respect of **individuals**, the data on the following services are stored in creditors' databases: current accounts in dinars, but only those current accounts in respect of which potential or actual liabilities can occur, credits and pledges in respect of credits, debit and credit cards, and leasing contracts. In respect of all above mentioned services any potential irregularities in settling liabilities are being recorded, if the concerned liability is not settled within 60 days after the liability has matured for payment.

In respect of **legal entities and entrepreneurs** (individuals running a business), the data on the following services are stored in creditors' databases: current accounts in dinars and foreign exchange, credits and pledges in respect of credits, potential liabilities (guarantees, guarantees on bills of exchange, and uncovered letters of credit), interventions in respect of potential liabilities, and pledges in respect of potential liabilities, leasing contracts, and discounted securities. What is also recorded is

the potential irregularity in settling liabilities, if the concerned liability is not settled within 15 days after the liability has matured for payment.

The report of the Credit Bureau on individuals and legal entities is used by banks and other service providers for the assessment of creditworthiness of their clients. Based on the written consent of the concerned person, service providers withdraw the Basic or Synthetic Credit Bureau Report. These reports do not contain the names of the service providers who store the data, whereby the request of banks and other service providers is met, and these names are not needed for the creditworthiness assessment by the creditors anyway.

If a certain service is not granted or provided to the client, the service provider, as a rule, notifies the concerned client on the reasons for the rejection of the request. This is not a legally prescribed obligation, but service providers will preserve their business reputation if they share the reason for having rejected the submitted request with the person having requested the service. The transparency of the conditions of service provision, as well as the elaboration on the reasons behind the rejection of the request, is the sign of respect for the client, indicating an equal, i.e. fair relation between the client and service provider. What is even more important, this enables the concerned client to correct the drawbacks in the following period, meeting the determined preconditions and rules. This, in turn, contributes to the tightening of financial discipline in the society, which is a significant, long-term process, whose implementation is,



1. Na šalterima svih banaka ili u Kreditnom birou fizičko lice može podneti zahtev za dobijanje Ličnog izveštaja iz Kreditnog biroa.

Zakonski zastupnik pravnog lica i preduzetnik mogu podneti zahtev za dobijanje Sopstvenog izveštaja iz Kreditnog biroa.

Nakon provere identiteta lica koje je potpisalo zahtev i naplate odgovarajuće naknade, banka unosi u aplikaciju Kreditnog biroa zahtev tog lica za dobijanje Ličnog ili Sopstvenog izveštaja, kao i način dostave izveštaja, saglasno potpisanom zahtevu. **Lični ili Sopstveni izveštaj** Kreditni biro dostavlja, saglasno zahtevu lica, elektronskim putem, na zahtevanu mail adresu, u roku od nekoliko minuta, na faks, u toku istog dana, ili poštom, a na poštansku pošiljku se čeka najčešće dva dana.

Naknada za izdavanje i dostavljanje Ličnog izveštaja i Sopstvenog izveštaja za preduzetnika i pravno lice utvrđena je Odlukom o jedinstvenoj tarifi za usluge Kreditnog biroa.

2. U **Kreditnom birou** fizičko lice i zakonski zastupnik pravnog lica imaju mogućnost **besplatnog uvida** u podatke koji se o njima vode u bazi podataka kreditora dostupnih preko Kreditnog biroa. Kreditni biro Udruženja banaka Srbije se nalazi u Beogradu, Bulevar Kralja Aleksandra 86/I, a radno vreme sa strankama je od 8 do 15 časova svakog radnog dana od ponedeljka do petka.

3. Na šalterima banaka, lizing kompanija i drugih pružalaca usluga fizičko lice i zakonski zastupnik pravnog lica imaju mogućnost uvida u **besplatni Kontrolni izveštaj**, koji sadrži samo podatke o uslugama, koje o njemu vodi ta banka, lizing kompanija ili drugi pružalac usluga u bazi podataka dostupnih preko Kreditnog biroa.

Uvidom u podatke preko Kreditnog biroa, lice može da proveri svoju kreditnu izloženost, da pretpostavi ili utvrdi razlog zbog koga nije dobio traženu uslugu kod pružaoca usluga, kao i da utvrdi ko vodi podatke o uslugama, aktivnim i istorijskim docnjama.

Ukoliko lice smatra da podaci u bazi podataka dostupnih preko Kreditnog biroa nisu tačni, može tražiti ispravku pogrešno dostavljenih podataka od onog pružaoca usluge u čijoj bazi su ti podaci. Reklamacija se podnosi na osnovu Kontrolnog, Ličnog ili Sopstvenog izveštaja na šalteru banke ili kod drugog pružaoca usluge ili u Kreditnom birou. Prema pravilima Kreditnog biroa za tačnost podataka odgovoran je pružalac usluge koji ih vodi i samo on ima mogućnost i obavezu da ispravi netačan podatak. Saglasno tome, reklamacija fizičkog ili pravnog lica dostavlja se elektronski pružaocu usluge kod koga je podatak. Po pravilu, oni redovno i ažurno proveravaju navode iz zahteva za izmenu i, ukoliko su tačni, unose potrebne ispravke u svoju bazu podataka dostupnu preko Kreditnog biroa.

U dosadašnjem radu Kreditnog biroa, broj podataka na koji fizička i pravna lica ulažu reklamaciju (zahtev za ispravku), neznatan je u odnosu na broj podataka koji se nalaze na izveštajima Kreditnog biroa. Kreditni biro je izdao 11 miliona izveštaja za fizička i pravna lica, koji sadrže preko 600 miliona podataka, a uloženo je 33 hiljade reklamacija na preko 70 hiljada podataka, što čini 0,01 procenat, odnosno 0,1 promil od broja izdatih podataka u izveštajima. Veliki broj unetih reklamacija, odnosno zahteva za ispravku, odbijen je od strane pružalaca usluga, jer podatak nije bio neispravan, već je tražena ispravka negativnog, ali tačnog podatka, tako da je procenat neispravnih podataka i znatno niži od navedenog.



first and foremost, in the interest of banks and other service providers.

The most frequent reason for rejecting the client's request is their over-indebtedness, or the recorded current or historic default, i.e. default in the past. In order to check the mentioned reasons and determine who stores the concerned data, **all legal entities and individuals have the right and possibility to gain insight into which data are held on them through the Credit Bureau** in the following ways:

1. **At the counters of all banks or at the Credit Bureau**, individuals may submit a request for withdrawing a Personal Credit Bureau Report.

Legal representatives of legal entities or individuals may submit a request for obtaining an Own Credit Bureau Report.

Upon checking the identity of the person who signed the request and charging the relevant fee, the bank enters the request of the concerned person for obtaining a Personal or Own Report into the Credit Bureau application, as well as the mode of report delivery, according to the signed request. **Personal or Own Reports** are delivered by the Credit Bureau, according to the client's request, electronically, at the requested e-mail address, within a few minutes, by fax, within the same day, or by post, usually within two days.

The fee for issuing and delivering Personal and Own Report for entrepreneurs and legal entities is determined by the Decision on Uniform Tariffs for Credit Bureau Services.

2. **At the Credit Bureau**, individuals and legal representatives of legal entities have the possibility of **free-of-charge insight** into the data about them stored in the creditors' databases. The Credit Bureau of the Association of Serbian Banks is located in Belgrade, 86/I Kralja Aleksandra Boulevard, and the working hours are from 8 a.m. till 3 p.m. every working day, Monday to Friday.
3. **At the counters of banks, leasing companies and other service providers**, individuals and legal representatives of legal entities have the possibility of insight into the **free-of-charge Control Report**, which contains only those data on services that are stored

by the concerned bank, leasing company, or other service provider, through the Credit Bureau.

By gaining insight into the data stored about them through the Credit Bureau, clients can check their credit exposure, assume or determine the reason why they were refused the requested service by the service provider, as well as determine who stores the data on services, active and historic defaults.

If a client believes that the data in the relevant creditor's database are incorrect, he/she may ask for the correction of the erroneously submitted data from the service provider who stores the concerned data in the first place. Complaints are submitted in respect of the Control, Personal or own Report at the counter of a bank or other service provider or at the Credit Bureau itself. According to the rules of the Credit Bureau, the responsibility for the accuracy of data lies with the service provider who stores the data, and it is only that service provider that has the possibility and obligation to correct the erroneous data. To this end, the submitted complaint by an individual or a legal entity is electronically forwarded to the service provider who stores the concerned data. As a rule, service providers check the statements from the correction requests regularly and timely, and, if they are justifiable, enter the necessary corrections into their databases.

In the Credit Bureau's operations so far, the number of data in respect of which individuals and legal entities have lodged a complaint (request for correction) is insignificant in comparison with the number of data contained in the Credit Bureau reports. In particular, the ASB Credit Bureau has issued 11 million reports for individuals and legal entities, containing over 600 million pieces of data, whereas 33 thousand complaints have been lodged on over 70 thousand pieces of data, which is about 0.01 percent, i.e. 0.1 per mill, of the total number of data issued in the reports. The large number of submitted complaints, i.e. requests for correction, was rejected by the service providers, because the concerned data were not actually incorrect, but the client requested the negative, but correct data, to be modified, meaning that the actual percentage of incorrect data is even lower than stated above.