

REGULATION OF THE MINISTER OF FINANCE

of 16 September 2003

amending the Regulation on the information that should be contained in the promise to enter into a DOKE Agreement and the documents that should be appended to the application

(Official Journal No. 178, item 1742)

Pursuant to Art. 11 Par. 1 of the Act of 8 June 2001 on Interest-Rate Support for Fixed-Rate Export Credits (Official Journal No. 73, item 762), the following is ordained:

§ 1. In the Minister of Finance Regulation of 7 November 2001 on the information that should be contained in the promise to enter into a DOKE Agreement and the documents that should be appended to the application (Official Journal No. 135, item 1518), the following amendments shall be introduced:

1) in § 2:

a) para. 2 shall be reworded as follows:

"2. If the application has been drawn up in a foreign language, the applicant shall be obliged to submit also its translation into the Polish language performed by a sworn translator.",

b) para. 3 shall be repealed;

2) in § 3:

a) para. 1 shall be reworded as follows:

"1. The applicant shall be obliged to append to the application the statement of the domestic supplier stating that the subject matter of export constitutes a domestic good or service in the meaning of art. 2 subparas. 13 and 14 of the Act of 8 June 2001 on Interest-Rate Support for Fixed-Rate Export Credits, drawn-up in the way determined in Annex No. 2 to the Regulation.",

b) para. 3 shall be repealed;

3) Annexes Nos. 1 and 2 to the Regulation shall be reworded as it is determined in Annexes Nos. 1 and 2 hereto.

§ 2. The Regulation shall come into force 14 days after its promulgation.

Minister of Finance: per proxy *W. Ciesielski*

Appendix No. 1

SPECIMEN

**APPLICATION
FOR THE ISSUE OF A PROMISE
TO ENTER INTO A DOKE AGREEMENT**

Applicant

.....
(stating the domestic supplier,
foreign buyer, bank -
full and abbreviated name, address,
address for correspondence)

.....
(place and date)

Bank Gospodarstwa Krajowego
Al. Jerozolimskie 7
00-955 Warsaw

Pursuant to Art. 10 Par. 2 of the Act of June 8, 2001 on Interest-Rate Support for Fixed-Rate Export Credits (Official Journal No. 73 item 762) I am applying for a promise by Bank Gospodarstwa Krajowego to enter into a DOKE Agreement with

.....
.....
(full name and address of a domestic bank, foreign bank or a financial institution granting the export credit)

I hereby declare that all the data and information disclosed below are true and complete. I also grant my consent for the verification of this data and information by Bank Gospodarstwa Krajowego.

.....
signature(s) of Applicant's
authorised officer(s)

I. Data pertaining to the bank granting the export credit:

1. Name, registered office and address
2. Name and address of the bank's branch/organisational unit providing credit
3. Number of telephone and other means of communications

II. Data pertaining to the domestic supplier:

1. Name, registered seat, address, telephone number and other means of communication
2. REGON number and NIP taxpayers number
3. Number of entry in the Krajowy Rejestr Sądowy (Polish National Court Register)
4. The essential scope of activities and the period of activities

III. Data pertaining to the foreign buyer:

Name, registered seat, address

IV. Information pertaining to the export agreement/ potential export agreement:

1. The subject matter of export (description of the good or service and identification according to the classification standards)
2. Date/anticipated date of export contract conclusion
3. Value of the export agreement, in accordance with Art. 2 pt. 9 of the Act
4. Good/service country of destination
5. Percentage of cash payments in the total value of the export agreement
6. Percentage share of the components of foreign origin in the exported good

V. Information pertaining to the export credit agreement/ potential export credit agreement:

1. Parties to the credit agreement
2. Amount of credit, currency
- (say:)
3. Date/anticipated date of credit agreement conclusion
4. Anticipated date of starting point of credit, according to § 2 para. 2 of the Minister of Finance Regulation of 12 December 2001 on the implementation of some provisions of the Act on Interest-Rate Support for Fixed-Rate Export Credits (Official Journal No. 153, item 1750 as amended)
5. Period of credit repayment (the period from the starting point of credit, referred to in subpara. 4, till the date of repayment of the last instalment of export credit)
6. Frequency of repayments and amount of principal instalments
7. Frequency of repayment of interest
8. Export credit fixed interest rate (CIRR as of the day of submission of the application/CIRR as of the day of submission of the application + 20 base points/CIRR that will be in force on the day of signing the export contract*)
9. Credit granted by the bank to the domestic supplier to refinance the credit provided by the domestic supplier for the foreign purchaser shall be granted in the same currency, according to the same interest rate and the same repayment schedule as the credit granted by the domestic supplier (yes/no/not applicable*)

VI. Information pertaining to the insurance/ potential insurance of the export credit:

1. Date of submission to the Korporacja Ubezpieczeń Kredytów Eksportowych S.A. (Export Credit Insurance Corporation) of the application for export credit insurance
2. Date of issuance by the Export Credit Insurance Corporation and term of validity of the insurance promise**
3. Date of conclusion, parties to and number of the insurance contract**
4. Extent of export credit insurance

VII. Optional documents and other information being submitted by the applicant:

1. Applicant's declaration justifying applying with the request to the Committee of Export Insurance Policy for permit to cover export credit with the DOKE Programme despite the denial to insure that credit by the Export Credit Insurance Corporation due to the value of export contract**
2. Applicant's declaration justifying applying with the application to the Minister of Finance for granting permit to waive the conditions, meeting which is indispensable for covering export credit by DOKE Programme**
3. Terms and conditions for the credit being granted by the bank for financing local expenditure connected with the export contract covered by the DOKE Programme**
 - a) amount and currency of the credit granted by the bank
 - b) period of repayment, frequency of repayments and amount of principal and interest instalments of the export credit granted by the bank
4. Other information

The application is drawn-up by:

.....

.....

(first name, surname, telephone number, position)

.....
(Signatures of the persons authorised to make
declarations of will in the name of Applicant)

* Strike inapplicable words.

** If applicable.

Appendix No. 2

SPECIMEN

**DECLARATION ISSUED BY A DOMESTIC SUPPLIER
ON THE DOMESTIC ORIGIN OF THE EXPORTED PRODUCT**

I hereby declare that all the goods/services delivered under export contract, connected with the DOKE Agreement being concluded / concluded* with:

(contracting party)

(address)

(valued at)

are goods/services* in the meaning of art. 4 subparas. 1 and 2 of the Act of 8 January 1993 on the goods and services tax and on the excise tax (Official Journal No. 11, item 50 as amended) that are acquired or manufactured in the territory of the Republic of Poland:

- without share of the components of foreign origin*
- with share of the foreign origin components, however, this share does not exceed the maximum percentage share of foreign origin components in the final product exported within the framework of export contract, which enables consideration of this product as a domestic one, in accordance with the Regulation of the Minister of Economy of 6 August 2001 on the maximum percentage share of foreign origin components in the final product being exported within the framework of export contract, which enables to consider this product as a domestic one (Official Journal No. 101, item 1097).*

Date

.....

Signature and stamp/seal

* Strike inapplicable words.