**Extracts from the INSTRUCTION**

**on loan restructuring in Otbasy bank JSC**

Almaty, 2023

Loan restructuring is intended for Applicants who need changes in the conditions for loan repayment due to a decrease/lack of income and/or the occurrence of unforeseen expenses related to an accident, illness of the Applicant, his/her spouse and/or his/her close relatives, registration of the Applicant as unemployed in employment agencies, changes in social status of the Applicant, assignment of "vulnerable social group" status to the Applicant, as well as assignment of "vulnerable social group" status to the Applicant's spouse, and/or close relative living with him/her, maternity/paternity leave of the Applicant, military conscription.

The Applicant may use the loan restructuring during the term of the bank loan agreement, confirming compliance with the following criteria: the documentary evidence of a decrease/absence of income and/or the occurrence of unforeseen expenses related to an accident, illness of the Applicant, his/her spouse, and/or his/her close relatives, registration of the Applicant as unemployed in employment agencies, changes in the Applicant's social status, assignment of "vulnerable social group" status to the Applicant, as well as assignment of "vulnerable social group" status to the Applicant's spouse, and/or close relative living with him/her, maternity/paternity leave of the Applicant, military conscription .

In order to apply the Loan Restructuring measures, in the event of a loan default, the Applicant shall submit an application in writing, as well as through information technology facilities or in the manner stipulated by the bank loan agreement within 30 (thirty) calendar days from the date of default or after the specified period, provided that there is no court order that has entered into legal force, and also if the right (claim) under the BLA has not been assigned to a third party). In the presence of a court order that has entered into legal force, the application shall be considered by the Bank taking into account the decision of the authorized body.

The Bank shall consider the application without requiring the borrower to make a one-time repayment of the overdue debt under the bank loan agreement, or part of it.

The borrower has the right, by agreement with the bank, to independently pay off the overdue debt under the bank loan agreement, or part of it, before the bank considers the application.

If there is no default on the loan, the Applicant has the right to submit an application for restructuring at any loan term.

An application for the loan rehabilitation procedure may be submitted by the Applicant once within 3 (three) years from the date of application of the Rehabilitation Plan under the bank loan agreement.

The Applicant shall provide a documented confirmation of the fact of a decrease/absence of income. His/her cumulative family income, jointly with the co-borrower, guarantor (if any), is considered as the income.

For Applicants, other than individual entrepreneurs, Loan Restructuring is applied under the following conditions:

- Decrease of income, confirmed by a reduction in pension contributions, or the absence of pension contributions within 3 (three) calendar months preceding the date of submission of the application for Loan Restructuring to the Bank;

- Absence of income confirmed by an extract from the order on termination of employment contract and/or employment record book with information on termination of employment or a document from employment agencies confirming the registration of the Applicant as unemployed.

- Assignment of "social vulnerable group" status with attachment of the confirming documents from NCJSC "Government for Citizens".

For Applicants who are individual entrepreneurs with a special tax regime on the basis of a simplified return or patent, the decrease/absence of income should be confirmed by a return or calculation of the patent value for a period of at least the last 6 (six) months prior to the date preceding the submission of the application for Loan Restructuring to the Bank. The Bank accepts these documents only with the presence of stamps or electronic information confirming the acceptance of the individual entrepreneur's reports by the state revenue authorities.

Loan restructuring is applied when the loan repayment conditions are properly fulfilled, taking into account restrictions.

Application for loan restructuring may be dismissed in the following cases:

- identification of incorrect data (information) submitted by the Applicant to the Bank;

- other grounds.

The Applicant may use the loan rehabilitation procedure during the term of the bank loan agreement, provided that there is no effective loan restructuring measure.

The application for the loan rehabilitation procedure may be submitted by the Applicant at least after 6 (six) months from the date of loan, once in 5 (five) years from the date of application of the Rehabilitation Plan under the bank loan agreement.