

**INSTRUCTIONS FOR APPLICATION FOR MEMBERSHIP IN THE
AMERICAN CHAMBER OF COMMERCE IN BOSNIA AND HERZEGOVINA**

In order to apply for membership in the American Chamber of Commerce in BiH, please follow these instructions:

1. Fill in and sign the attached Application for Membership in AmCham BiH
2. Read the AmCham BiH Statute (located on the AmCham BiH website www.amcham.ba in the Membership section *Why Become a Member*).
3. Sign and stamp the attached Membership Agreement Form
4. Read, mark, sign and stamp the Membership Criteria Document
5. Read, sign and stamp the AmCham BiH Code of Business Conduct
6. Majority-owned BiH companies should submit one recommendation letter from an AmCham BiH member company
7. Submit these documents to AmCham BiH via email: amcham@amcham.ba; nedim.hamzic@amcham.ba.

Your application will be reviewed and voted upon at the next upcoming monthly Board of Governors Meeting. Feedback on your application will be communicated to you via mail and/or phone within five days of the Board of Governors Meeting. If approved, you will be sent a welcome letter with further instructions for completing the Membership Application process.

If you have any questions regarding the Application process, please contact AmCham BiH via phone +387 33 295 501, 502 or via email amcham@amcham.ba; nedim.hamzic@amcham.ba.

Thank you,

AmCham BiH Executive Office



MEMBERSHIP APPLICATION

Company Information

Company/Organization Name: _____

Address: _____

Postal code, City: _____

Main Phone: _____

Main fax: _____

Main e-mail: _____

Website: _____

Industry Sector *(Please check the main industry classification)*

- ☐ Agriculture
- ☐ Consulting and Accounting
- ☐ Distribution and Logistics
- ☐ Education
- ☐ Financial Services
- ☐ Fast Moving Consumer Goods and Services
- ☐ Health Care and Pharmaceutical
- ☐ HR, Recruiting and Executive Search
- ☐ ICT Information and Communications Technology
- ☐ Legal
- ☐ Manufacturing and Production
- ☐ Marketing/PR
- ☐ Media/Entertainment
- ☐ Real Estate
- ☐ Travel and Hospitality
- ☐ Other _____

Company Description

1. If your company is a subsidiary or branch of a U.S. firm, please indicate the full name and address of your corporation:

2. If your company represents U.S. companies in BiH, please indicate the specific products you represent from each U.S. company:

3. Please include a brief statement about your company (up to 1200 characters):

4. Submit a statement of intent with reasons for joining membership and potential contribution to AmCham BiH activities and goals:

Date (Established in BiH): _____ Number of Employees in BiH: _____

Legal form: _____ Number of Employees Worldwide: _____

Total investment of your company in BiH: _____

Total Annual Turnover of your company in BiH: _____

Total Annual Turnover of your company Worldwide: _____

Approximate Value of Exports (if relevant): _____

Approximate annual contribution in taxes in BiH: _____

5. Ownership Structure:

Please provide information on the ownership structure of your company and provide evidence:

Shareholder 1:

Name:

Percentage of Ownership:

Owner's Owner:

Shareholder 2:

Name:

Percentage of Ownership:

Owner's Owner:

Shareholder 3:

Name:

Percentage of Ownership:

Owner's Owner:

Shareholder 4:

Name:

Percentage of Ownership:

Owner's Owner:

If there are more shareholders, please attach a separate sheet with their details.

Type of Membership Categories and Fees

(Please mark the membership category which your company / organization applies for)

Regular Membership

☐ **Patron** - This membership category is on voluntary basis only. According to the Board policy, the total number of patron members should not exceed 10% of total membership. Companies that have been an AmCham BiH Corporate member for at least one year and have shown strong support for AmCham BiH activities and values, are eligible to upgrade their membership to the patron category.

(Annual fee: 5.000 KM)

☐ **Corporate** - where the total annual income of the company or group to which it belongs exceeds KM 1 million.

(Annual fee KM 2.600 plus One-time joining fee KM 200).

☐ **Business** - where the total annual income of the company or group to which it belongs is less than KM 1 million.

(Annual fee KM 1.300 plus One-time joining fee KM 200).

☐ **Non-Profit** - the organization works and is registered as a non-profit organization in BiH or in the United States.

(Annual fee KM 400 plus One-time joining fee KM 100).

☐ **Individual** - persons of BiH or US citizenship, who are not in one of the above listed categories and who are respected in the society and which meet the overall goals to contribute to the Association

(Annual fee KM 400 plus One-time joining fee KM 100).

Associated Membership

☐ **Associated members** of AmCham (members without voting rights) may be any natural or legal persons, regardless of their residence or headquarters, that are directly or indirectly majority-owned by the state or in which the state can directly or indirectly appoint members of the management bodies. The right to membership in the category of associate members is also extended to American legal entities based in the territory of the European Union with a business presence in the territory of Bosnia and Herzegovina and related parties of existing regular AmCham BiH members. Associate members have rights and responsibilities defined by this Statute, except for the right to vote and be elected to the Association's governing bodies, as well as the right to vote at Association Assembly meetings. Associate members have the right to submit proposals and specific matters for consideration to the relevant Committee Presidents. The duration of an associate member's membership lasts for one calendar year from the date of enrollment, with the possibility of renewal.

(Annual fee: Appropriate regular membership fee based on annual business turnover reduced by 20%)

Note:

The members who join the Association during the calendar year (so called: new members) shall pay the membership fee in proportion as follows: If they become members of the Association during the first quarter of the calendar year they pay full amount of membership fee determined for that calendar year, with entry fee calculated on a one-time basis. If they become the members of the

Association during the second quarter of the calendar year, they pay $\frac{3}{4}$ (three quarters) of the amount of the membership fee determined for that calendar year with entry fee calculated on a one-time basis in full amount. If they become the members of the Association during the third quarter of the calendar year they pay $\frac{1}{2}$ (one half) of the amount of the membership fee determined for that calendar year with entry fee calculated on a one-time basis in full amount. If they become members of the Association during the fourth quarter of the calendar year they pay $\frac{1}{4}$ (one quarter) of the amount of the membership fee determined for that calendar year with entry fee calculated on a one-time basis in full amount.

By signing this application form, potential member acknowledges and fully accepts that Board of Governors, at any time, including during the examination phase of the application, may initiate a re-categorization process or an assessment of eligibility for membership in each specific category and, based on the results, make a decision to change the membership category.

Contact Information:

Primary Person Authorized to Represent the Company at the AmCham BiH

Name and Surname: _____

Official Job Title: _____

Phone: _____

Fax: _____

E-mail: _____

Secondary Person Authorized to Represent the Company at the AmCham BiH

Name and Surname: _____

Official Job Title: _____

Phone: _____

Fax: _____

E-mail: _____

Note:

Authorized Personals are obliged to inform in a timely manner the AmCham BiH Executive Office about any changes regarding the company information's, management changes and new contact details via e-mail: amcham@amcham.ba.

AMCHAM BiH MEMBERSHIP AGREEMENT

I have enclosed with this application copies of the following documents:

- The Excerpt for the Court Register for my company in Bosnia and Hercegovina (in Bosnia and Hercegovina: Izvod iz Sudskog registra) or, where applicable, equivalent document translated in English;
- The Statistical number of my company in Bosnia and Hercegovina: (in Bosnia and Hercegovina: Obavijest o razvrstavanju Statističkog zavoda) or, where applicable, equivalent document translated in English
- Evidence required to prove the ownership structure of the company

I understand that this application will be submitted for approval to the AmCham Board of Governors.

I, _____, have read The Statute of the Association the American Chamber of Commerce to Bosnia and Herzegovina dated _____ and I agree, on behalf of _____, (Name of Member Company) that _____ (Name of Member Company) will abide by The Statute of the Association the American Chamber of Commerce to Bosnia and Herzegovina /AmCham BiH Statute/

(Signature and stamp)

Date:

AMCHAM BiH MEMBERSHIP CRITERIA

Any applicant for membership in the American Chamber of Commerce in Bosnia and Herzegovina (AmCham BiH) – company or NGO - which otherwise complies with the AmCham BiH Statute, may be granted a regular AmCham BiH membership by the Board of Governors if it continues to meet the following criteria:

(Below please mark your category/categories: U.S. and U.S. Affiliated Companies, International Companies, Majority-owned BiH Companies, Non-Governmental Organizations (NGOs), Individual Membership, Associated members)

☐ U.S. and U.S. Affiliated Companies registered in BiH

(Check at least one of the following criteria)

- ☐ A company has commercial presence in the U.S.* and is registered in BiH
- ☐ A company majority-owned by a U.S. investor registered in BiH
- ☐ An international or domestic company (but not-U.S. owned or headquartered) with a U.S. owned franchise
- ☐ A company listed on the New York Stock Exchange

* A company has commercial presence in the U.S. if it has an office, branch, or subsidiary in the U.S.

☐ International Companies

(Check at least one of the following criteria)

- ☐ An international company listed on a major international stock exchange or a privately held company with annual turnover of more than USD 50 million
- ☐ A company registered in BiH with at least a minimum 51 percent ownership by a foreign direct investor
- ☐ An international (but not U.S. owned or headquartered) services company (banking, insurance, legal, human resources, telecommunications/ICT, etc.), with a legal presence in Bosnia and Herzegovina that maintains a significant number of U.S. companies as clients

* State capital means any form of participation of government capital in the ownership or management structure of a company or affiliated entities.

☐ Majority-owned BiH Companies

(Applicants must satisfy all of the following criteria)

- ☐ The applicant company is not a majority state - government or socially owned company. A minimum of 51 percent of the shares must be privately owned.
- ☐ A BiH privately - owned and registered company must demonstrate one of the following criteria:
 - Actively engaged in business (trade or investment) with a U.S.-based and registered company(s) during the previous two years prior to the date of application (note: this does not mean a one-time transaction during the two-year period) and can demonstrate a future ongoing business relationship with the United States or U.S. companies
 - Distributes or is the exclusive representative of a U.S. company's goods or services and will continue to maintain the distribution/representative agreement for the foreseeable

future

➤ Holds a U.S.-owned franchise

☐ The company has a minimum of 5 full time employees employed in their operations in BiH

☐ The company or any individual(s) associated with ownership or management of the company are not currently on the U.S. Treasury's Office of Foreign Assets Control (OFAC) Specially Designated Nationals (SDN) List

☐ If the company, or an individual associated with the company through ownership or management, was removed from the OFAC/SDN list, the company will not be considered for membership until three (3) years after the date that the company was removed from the list

☐ The applicant company should be able to be in compliance with the AmCham's Code of Business Ethics and maintain a positive business reputation locally. The company should not be politically visible or associated with any one political party in Bosnia and Herzegovina

☐ **Non-Governmental Organizations (NGOs)**

(Applicants must satisfy all the following criteria)

☐ The applicant has no formal or informal affiliated with any political party inside or outside Bosnia and Herzegovina

☐ The applicant's primary activity is related to promoting economic reform, economic development assistance or commercial activity

☐ The applicant must stipulate the Letter of Intent comprising concrete activities and contributions to benefit AmCham's framework going forward

☐ **Individual Membership**

(Applicants must satisfy all the following criteria)

☐ The applicant must be a representative of a company which does not meet the criteria for membership in any other categories. If at any point, the company becomes eligible for other, higher, categories of membership, the applicant will be requested to upgrade the membership

☐ The membership is not transferable, which means that only one representative of a company is a member of AmCham BiH.

☐ The applicant must submit a statement of intent with reasons for joining membership and potential contribution to AmCham BiH activities and goals

☐ **Associated Membership**

(Applicants must satisfy one of the following criteria)

☐ A natural or legal person, regardless of their residence or headquarters, who is directly or indirectly majority-owned by the state or in which the state can directly or indirectly appoint members of the management bodies

☐ American legal entity based in the territory of the European Union with a business presence in the territory of Bosnia and Herzegovina (for the purposes of this Application form, an American legal entities is considered:

- A company which has commercial presence in the U.S.* registered in the EU

- A company majority-owned by a U.S. investor registered in the EU

- An international or domestic company (but not-U.S. owned or headquartered) with a U.S. owned franchise
- A company listed on the New York Stock Exchange and registered in the EU
- * A company has commercial presence in the U.S. if it has an office, branch, or subsidiary in the U.S.
- * Majority owned refers to a minimum of 51 percent of shares.

☐ A related party of an already existing regular AmCham BiH member company. For the purpose of defining related parties, the definition from Article 13b of the Statute and Article 4 of the Rules on Accession to Membership and Membership Fees will be used, according to which related parties are:

- entities with ownership of at least 25% of shares or voting rights in the governing bodies of another member;
- entities where the same individuals or legal entities participate in management and control or capital;
- Close relatives of the owners of entities connected by owning at least 25% of shares or voting rights in the governing bodies;
- entities between which there is the possibility of control or the possibility of significant influence on business decisions.

Note: It is sole discretion of the Association's Board of Governors to approve membership based on the provided data and/or categorize the applicant into the appropriate membership category.

(Signature and stamp)

Date:

AMCHAM BiH CODE OF BUSINESS CONDUCT

I. Members Business Conduct

The Members will be required to respect the highest standards of business practices

- Members will make every effort to comply with the laws of BiH
- Members will avoid knowingly assisting any third party in violating any law of BiH
- Members will not knowingly pay or receive bribes or participate in any fraudulent or corrupt practices
- Members will endeavor to honor their contractual obligations and commitments
- Members will abide by the rules of fair competition
- Members will treat other members with fairness, respect and good intentions
- Members shall arrive at a consensus position prior to addressing government officials on a specific issue
- Members will be transparent in communicating AmCham positions to government officials
- Members will not attempt to influence government officials through the exchange of gifts, money, or information

II. AmCham to Members Conduct

The Chamber will apply the same high standards in its relations with non-members

- Respond promptly and fully to member requests and inquiries
- Deliver, products, services, and payments as promised and in a timely fashion
- Represent collective members interests when deemed appropriate
- Reject and actively discourage any form of bribery or favoritism in the conduct of business

III. AmCham to Business Conduct

The Chamber shall engage in fair business practices

- Refrain from providing false or misleading information
- Honestly represent itself in negotiations
- Uphold the spirit as well as the letter of the law in developing and fulfilling all contract arrangements
- Neither accept nor offer any form of bribery or improper use of personal relations in conducting its business

IV. AmCham to Employee Conduct

The Chamber shall provide the safe and harmonious working environment

- Guarantee fair treatment of all employees based on performance, regardless of race, color, nationality, gender, creed, sexual orientation, or political viewpoint
- Provide a safe and healthy environment in the workplace, including reasonable protection from physical hazards as well as from any behavior which may qualify as harassment
- Inform and regularly update employees on company policies and procedures
- Educate, train, or certify employees, as needed, in skills specific to the duties and responsibilities of the position
- Assist in career planning and development
- Tolerate no management or employee embezzlement or profiteering

V. AmCham to Government Conduct

The Chamber shall respect local laws and regulations

- The Chamber will make every effort to comply with the laws of BiH
- Refrain from attempting to influence any interests through the exchange of gifts, money, or information; or engaging in any other activity that may be construed as corrupt or in violation of the letter and/or spirit of BiH law
- Recognize the scope and boundaries distinguishing the government and private sectors by

remaining privately funded, clearly defining Chamber positions and transparently conducting activities supporting those positions, and refraining from asking for special treatment based on improper use of personal relations while conducting professional activities

VI. AmCham to Community Conduct

The Chamber shall play an active role in the community and demonstrate corporate social responsibility

- Act responsibly and demonstrate a commitment to the advancement of the community through the promotion of educational, health, cultural, environmental, and other initiatives

I have read and I acknowledge the AmCham BiH Code of Business Conduct

(Signature and stamp)

Date: