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Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 92/21 and 123/21 [ZBNIP]; hereinafter: the ZBan-3), and the first paragraph of Article 31 of the Banka Slovenije Act (Official Gazette of the Republic of Slovenia, Nos. 72/06 [official consolidated version], 59/11 and 55/17), the Governing Board of Banka Slovenije hereby issues the following

REGULATION

on the application of the Guidelines on recovery plan indicators

Article 1
(purpose and field of application of guidelines)

(1) Pursuant to Article 16(1) of Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331 of 15 December 2010, p. 12; hereinafter: Regulation 1093/2010/EU), on 9 November 2021 the European Banking Authority published on its website Guidelines on recovery plan indicators (EBA/GL/2021/11; hereinafter: guidelines).

(2) Pursuant to Article 9(2) of Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173 of 12 June 2014, p. 190; hereinafter Directive 2014/59/EU), the Guidelines on recovery plan indicators lay down a minimum list of qualitative and quantitative recovery indicators that must be included in recovery plans and that are to be prepared and assessed in accordance with Articles 5 to 9 of the stated Directive. The guidelines also define appropriate mechanisms for regular monitoring of these indicators, when relevant measures under recovery plans may be implemented, the measures that need to be taken in relation to these indicators, and all the conditions necessary for application of Article 9(1) of Directive 2014/59/EU in relation to these indicators.

(3) The guidelines are addressed to:

1. financial institutions referred to in Article 4(1) of Regulation (EU) No 1093/2010, where these financial institutions fall within the scope of the guidelines; and
2. competent authorities referred to in points (i) and (viii) of Article 4(2) of Regulation (EU) No 1093/2010.

Article 2
(content of regulation and scope of application of guidelines)

(1) By virtue of this regulation Banka Slovenije sets out the application of the guidelines and all their future amendments, unless it provides in respect of a particular amendment to the guidelines, to:

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1. banks and savings banks for whose supervision Banka Slovenije is responsible in accordance with the ZBan-3 and Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287 of 29 October 2013, p. 63) (hereinafter: banks); and which must fulfil the obligations under chapter 6.7 of the ZBan-3 relating to the preparation of recovery plans, and
2. Banka Slovenije, when in accordance with the ZBan-3 in its role as the competent authority it is exercising supervisory powers and tasks over banks referred to in point 1 of this paragraph.

(2) The banks referred to in point 1 of the first paragraph of this Article, which must fulfil the obligations under chapter 6.7 of the ZBan-3, in preparing a recovery plan, shall take full account of the provisions of the guidelines in the parts addressed to banks.

(3) In exercising its supervisory powers and tasks in accordance with the ZBan-3 and Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176 of 27 June 2013, p.1), as last amended by a Corrigendum (OJ L 406 of 3 December 2020, p. 67), Banka Slovenije shall take full account of the provisions of the guidelines in the parts relating to the exercise of the powers and tasks of the competent authority.

**Article 3
(repeal of Regulation
on the application of Guidelines on the minimum list of qualitative and quantitative recovery
plan
indicators)**

On the day that this regulation begins to be applied, the Regulation on the application of the Guidelines on the minimum list of qualitative and quantitative recovery plan indicators (Official Gazette of the Republic of Slovenia, No 63/15) shall cease to be in force.

**Article 4
(entry into force)**

This regulation shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia, and shall begin to be applied on 14 February 2022.

Ljubljana, 25 January 2022

Boštjan Vasle (signed)
President
Governing Board of Banka
Slovenije