

Disclosure of information on measure imposed on member of supervisory board

Supervisory measure against a member of a supervisory board pursuant to Articles 53 and 273 of the ZBan-2, dated 4 September 2015 - renewal of the procedure, nullification of the decision and cessation of the procedure (the latter on 31 July 2018)

Information on person responsible for breach	
Business name and registered office of legal person	-
Information on breach	
Description of the circumstances and conduct that represent a breach of the ZBan-2 or Regulation (EU) No 575/2013	In a supervisory procedure the Bank of Slovenia assessed from the information at its disposal that in respect of a member of the supervisory board there were grounds for prohibition from the performance of the function of a member of the supervisory board, because the board member no longer meets the conditions for performing the function of a member of the supervisory board of a credit institution, namely with regard to the reputation and traits required to supervise the management of the operations of a credit institution, and his conduct raises doubts as to his ability to ensure the safe and prudent supervision of the management of the operations of a credit institution in accordance with professional diligence, the highest ethical standards and the prevention of conflicts of interest.
Nature of identified breaches	Failure to meet the conditions for performing the function of a member of the supervisory board of a credit institution.
Operational part of the decision by which the relevant proceedings are completed	
The Bank of Slovenia is prohibiting the member of the supervisory board from performing the function of a member of the supervisory board pursuant to point 1 of the first paragraph of Article 273 of the ZBan-2 because he no longer meets the conditions for performing the function of a member of the supervisory board of a credit institution set out in point 2 of the first paragraph of Article 53 of the ZBan-2 in connection with point 1 of the second paragraph of Article 53 of the ZBan-2, or more precisely: the member of the supervisory board does not possess the reputation and traits required to supervise the management of the operations of a credit institution, and his conduct raises doubts as to his ability to ensure the safe and prudent supervision of the management of the operations of a credit institution in accordance with professional diligence, the highest ethical standards and the prevention of conflicts of interest because he has been finally convicted of a criminal offence and the conviction has not yet been expunged.	
Information as to whether judicial protection proceedings have been initiated against the decision in accordance with the ZBan-2	
Judicial protection proceedings have been initiated.	
The supervisory board member lodged a motion to repeat the proceedings in connection with the decision issued. In the repeat proceedings the Bank of Slovenia again assessed the arguments highlighted during the ordinary proceedings, without consideration of the overturned criminal judgement. In a repeat supervisory procedure the Bank of Slovenia assessed from the information at its disposal that in respect of the supervisory board member there were grounds for disqualification from performance of the function of a member of a supervisory board, because the supervisory board	

member no longer meets the conditions for performing the function of a member of the supervisory board of a credit institution, namely with regard to the reputation and traits required to supervise the management of the operations of a credit institution, and his conduct raises doubts as to his ability to ensure the safe and prudent supervision of the management of the operations of a credit institution in accordance with professional diligence, the highest ethical standards and the prevention of conflicts of interest (supervisory measure of 23 May 2017).

Decision on the prohibition of the performance of the function of member of a bank's supervisory board of 23 May 2017, was nullified by the Administrative Court of the Republic of Slovenia with the judgment of 6 March 2018. The case was returned to the Bank of Slovenia in renewed procedure.

During the new procedure the Bank of Slovenia on 31 July 2018, stopped the procedure for prohibiting the performance of the function of a member of the supervisory board.