

1. Disclosure of information on measure imposed on non-bank payment service provider

Information on person responsible for breach	
Business name and registered office of legal person	[REDACTED]
Information on breach	
Description of circumstances and conduct entailing a breach of the Prevention of Money Laundering and Terrorist Financing Act (Official Gazette of the Republic of Slovenia, No. 68/16; hereinafter: the ZPPDFT-1)	<p>On the basis of request for inspection [REDACTED] of 11 September 2017, the Bank of Slovenia conducted an inspection of [REDACTED] between 5 and 10 October 2017. The aim of the inspection was to examine whether [REDACTED] is meeting the requirements set out in Chapter 2 of the Payment Services and Systems Act (Official Gazette of the Republic of Slovenia, Nos. 58/09, 34/10, 9/11, 32/12, 81/15, 47/16 and 7/18; hereinafter: the ZPlaSS) and the regulations issued on its basis.</p> <p>As part of the examination of the internal control system at [REDACTED], it was found in the area of AML that in its operations [REDACTED] is failing to perform all the tasks and obligations of obliged entities set out in the ZPPDFT-1.</p>
Nature of identified breaches	The breaches identified from non-compliance with the ZPPDFT-1 are stated in the operational part of the order on the rectification of breaches.
Operational part of order on rectification of breaches:	
<p>1. [REDACTED] has breached [REDACTED] and the second paragraph of Article 13 of the ZPPDFT-1, by failing to take full account of the geographical risk factor when formulating the risk assessment.</p> <p>To rectify the identified breach, [REDACTED] must determine the risk of a particular type of customer in accordance with the second paragraph of Article 13 of the ZPPDFT-1, taking full account of the geographical risk factor in connection with Article 63 of the ZPPDFT-1.</p>	
<p>2. [REDACTED] has breached [REDACTED] and the first paragraph of Article 16 of the ZPPDFT-1, by failing to obtain all mandatory information as set out by the ZPPDFT-1 within the framework of customer due diligence.</p> <p>To rectify the identified breach, [REDACTED] must ensure that all mandatory information within the framework of customer identification is obtained in accordance with the first paragraph of Article 16 of the ZPPDFT-1.</p>	
<p>3. [REDACTED] has breached [REDACTED] and Article 58 of the ZPPDFT-1, by failing to obtain all mandatory information within the framework of simplified customer due diligence.</p> <p>To rectify the identified breach, [REDACTED] must ensure that all prescribed information about the customer, the business relationship or the transaction within the framework of simplified customer due diligence is obtained in accordance with Article 58 of the ZPPDFT-1.</p>	

4. [REDACTED] has breached [REDACTED] and point 1 of the first paragraph of Article 79 of the ZPPDFT-1, by failing to ensure that the AML/CFT officer has unrestricted access to all data, information and documentation required for performing tasks in the detection and prevention of money laundering and terrorist financing.

To rectify the identified breach, [REDACTED] must ensure that the AML/CFT officer has unrestricted access to all data, information and documentation required for performing tasks in the detection and prevention of money laundering and terrorist financing in accordance with point 1 of the first paragraph of Article 79 of the ZPPDFT-1.

5. [REDACTED] has breached [REDACTED] and point 7 of the first paragraph of Article 79 of the ZPPDFT-1, by failing to provide for deputisation for the AML/CFT officer in his/her absence.

To rectify the identified breach, [REDACTED] must provide for deputisation for the AML/CFT officer during his/her absence in accordance with point 7 of the first paragraph of Article 79 of the ZPPDFT-1.

6.

[REDACTED]

7.

[REDACTED]

[REDACTED] must rectify the breaches referred to in points 1 to 6 of this order by 28 February 2018, and the breach referred to in point 7 of this order by 31 March 2018, submitting all relevant documentation proving that the breaches have been rectified to the Bank of Slovenia by the aforementioned dates.

A plan for the rectification of the breaches referred to in this order must be submitted to the Bank of Slovenia by [REDACTED] within 15 days of the delivery of this order.

In connection with the activities to rectify the breaches referred to in this order, [REDACTED] must designate the persons responsible for implementing the requisite activities and thus rectifying the identified breaches, and report the names of all the responsible persons to the Bank of Slovenia within 15 days of the delivery of this order.

Information on any rectification of breach or implementation of ordered measure

On the basis of reports received from and evidence enclosed by [REDACTED], the Bank of Slovenia finds that the latter has taken the requisite measures to rectify the aforementioned breaches, whereby the Governing Board of Bank of Slovenia adopted a resolution at its 606th meeting of 31 July 2018 issuing a decision establishing that the breaches have been rectified.