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Pursuant to Article 77 and the fifth paragraph of Article 79 of the Consumer Credit Act (Official Gazette of the Republic of Slovenia, No. 77/16; hereinafter: the ZPotK-2), and the first paragraph of Article 31 and Article 53 of the Bank of Slovenia Act (Official Gazette of the Republic of Slovenia, Nos. 72/06 [official consolidated version] and 59/11), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION

on annual fees for supervision and fees in connection with decision-making procedures by the Bank of Slovenia in accordance with the Consumer Credit Act

1. GENERAL PROVISIONS

**Article 1
(content of regulation)**

- (1) This regulation sets out:
- (a) the amount of annual fees for supervision (hereinafter: annual fee); and
 - (b) the fees for making decisions on requests for the granting of authorisations by the Bank of Slovenia
- in accordance with the ZPotK-2.
- (2) Wherever this regulation makes reference to the provisions of other regulations, these provisions shall apply in their wording applicable at the time in question.

**Article 2
(definition of terms)**

The terms used in this regulation shall be the same as those defined in the ZPotK-2 and in the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB] and 77/16 [ZCKR]; hereinafter: the ZBan-2).

**Article 3
(persons liable to pay)**

- (1) The persons liable to pay the annual fee are those set out in Article 79 of the ZPotK-2 over whom the Bank of Slovenia conducts supervision in accordance with the ZPotK-2:
- (a) a creditor for immovable property that is a financial institution whose exclusive or principal business activity is the provision of financial leasing services in accordance with the ZBan-2 and in which a bank or a Member State bank holds at least 20% of the voting rights or at least 20% of the capital, or whose total assets amounted to at least EUR 50,000,000 at the end of previous financial year, and that has obtained a Bank of Slovenia authorisation to provide

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- financial leasing services for immovable property or to provide advisory services in connection with credit for immovable property in the territory of the Republic of Slovenia;
- (b) a credit intermediary that has obtained a Bank of Slovenia authorisation to intermediate consumer credits for immovable property or to provide advisory services in connection with such credit;
 - (c) a branch of a financial institution referred to in point (a) of another Member State that provides services of financial leasing of immovable property in the Republic of Slovenia, and
 - (d) a branch of a credit intermediary of another Member State that intermediates consumer credits for immovable property in the Republic of Slovenia.
- (3) The persons liable to pay a fee are those submitting a request for the granting of an authorisation issued by the Bank of Slovenia pursuant to the ZPotK-2. The obligation to pay the fee for the granting of an authorisation arises on the day of the submission of the request for the granting of the authorisation. Confirmation of the payment of the fee shall be enclosed in the request for the granting of the authorisation.

2. ANNUAL FEE

Article 4 (calculation of annual fee)

- (1) The amount of the total annual fee of all persons liable to pay referred to the first paragraph of Article 3 of this regulation shall be calculated for an individual year on the basis of the actual costs of supervision in the year for which the annual fee is being charged, minus revenues from fees, having regard for the portion of the coverage of these costs determined by the Bank of Slovenia.
- (2) The amount of the annual fee referred to in point (a) of the first paragraph of Article 3 of this regulation for an individual year is the sum of the fixed portion and the variable portion.
- (3) The fixed portion of the total annual fee for persons liable to pay referred to in point (a) of the first paragraph of Article 3 of this regulation is 20%, and the variable portion is 80%.
- (4) The fixed portion of the annual fee of an individual person liable to pay referred to in point (a) of the first paragraph of Article 3 of this regulation is calculated by dividing the fixed portion of the total annual fee for persons liable to pay by the total number of such persons.
- (5) The variable portion of the annual fee of an individual person liable to pay referred to in point (a) of the first paragraph of Article 3 of this regulation is calculated by dividing the variable portion of the total annual fee among persons liable to pay according to the individual person's share in the stock of outstanding debt from consumer credit for immovable property of all the aforementioned persons liable to pay as at the final day of the previous year as proceeds from the statistical report of leasing transactions pursuant to the Guidelines for implementing the regulation on reporting by institutions pursuing leasing activities.
- (6) The amount of the annual fee of an individual person liable to pay referred to in points (b) to (d) of the first paragraph of Article 3 of this regulation is calculated on the basis of the actual costs of supervision of the person in question, minus revenues from the fees paid by the person in question.

3. FEES FOR MAKING DECISIONS ON REQUESTS FOR GRANTING OF AUTHORISATIONS

Article 5

(amount of fee for authorisation in connection with provision of services of financial leasing of immovable property or advisory services in connection with credit for immovable property)

The fee for the granting of an authorisation in connection with the provision of services of financial leasing of immovable property or advisory services in connection with credit for immovable property in accordance with Article 67 of the ZPot-K2 is EUR 1,600.

Article 6

(amount of fee for authorisation in connection with provision of services of consumer credit intermediation for immovable property or advisory services in connection with such credit, and renewal of authorisation)

The fee for the granting or renewal of an authorisation in connection with the provision of services of consumer credit intermediation for immovable property or advisory services in connection with such credit in accordance with Article 63 of the ZPot-K2 is EUR 800.

4. TRANSITIONAL AND FINAL PROVISIONS

Article 7

(transitional provisions)

(1) Persons liable to pay shall be charged the annual fee referred to in Article 4 of this regulation for the first time for the year 2018.

(2) For a year in which a Bank of Slovenia authorisation to provide services of financial leasing of immovable property or advisory services in connection with credit for immovable property was obtained by a person liable to pay referred to in point (a) of the first paragraph of Article 3 of this regulation, or in which such authorisation expired, the number of full months of the year for which the annual fee is charged is taken into account in the calculation of the fixed portion of the annual fee of the person liable to pay.

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**Article 8
(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 3 March 2017.

Ljubljana, 21 February 2017

Dr Primož Dolenc
Deputy-President,
Governing Board of the Bank of Slovenia