

**THIS TEXT IS UNOFFICIAL TRANSLATION AND MAY NOT BE USED AS A BASIS FOR
SOLVING ANY DISPUTE**

- Official Gazette of the Republic of Slovenia, No. 17/18 of 16 March 2018 (in force since 17 March 2018)
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Pursuant to the third paragraph of Article 7 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB], 77/16 [ZCKR] and 41/17; hereinafter: the ZBan-2), and the first paragraph of Article 31 of the Bank of Slovenia Act (Official Gazette of the Republic of Slovenia, Nos. 72/06 [official consolidated version], 59/11 and 55/17), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION
on the criteria for designation of a significant bank

Article 1
(content of regulation)

(1) This regulation sets out detailed criteria for the designation of a significant bank or savings bank (hereinafter: bank) in connection with the implementation of the following requirements set out for significant banks by the ZBan-2 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; hereinafter: Regulation (EU) No 575/2013):

- (a) in connection with the conditions for members of the management body who simultaneously hold several directorships (third paragraph of Article 36 of the ZBan-2),
- (b) in connection with the appointment of a remuneration committee and a nomination committee (fourth paragraph of Article 49 of the ZBan-2),
- (c) with regard to the establishment of a compliance department (first paragraph of Article 146 of the ZBan-2),
- (d) with regard to the disclosure of quantitative information in connection with remuneration at the level of members of the bank's management body (Article 450(2) of Regulation (EU) No 575/2013),
- (e) with regard to disclosures on an individual or sub-consolidated basis for significant subsidiary banks (second sub-paragraph of Article 13(1) and Article 13(2) of Regulation (EU) No 575/2013).

(2) Wherever this regulation refers to the provisions of other regulations, such provisions shall apply in their wording applicable at the time in question.

Article 2
(definition of terms)

The terms used in this regulation shall have the same meanings as in the ZBan-2 and Regulation (EU) No 575/2013, and in regulations issued on their basis.

Article 3
(criteria for designation of a significant bank)

(1) For the purpose of the designation of a significant bank under point 22 of the first paragraph of Article 7 of the ZBan-2, the criteria taken into account shall be those defined by the Regulation on the application of the Guidelines on the criteria to determine the conditions of application of Article 131(3) of Directive 2013/36/EU (CRD) in relation to the assessment of other systemically important institutions (O-SIIs) (Official Gazette of the Republic of Slovenia, Nos. 66/15 and 68/17).

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(2) Having regard for the first paragraph of this article, a bank that has been designated as an other systemically important institution pursuant to Article 219 of the ZBan-2 shall be designated by the Bank of Slovenia as a significant bank under point 22 of the first paragraph of Article 7 of the ZBan-2.

(3) The first and second paragraphs of this article notwithstanding, a bank that does not meet the criteria for designation as a significant bank may be designated as a significant bank by the Bank of Slovenia when owing to its attributes the bank could have a substantial impact on the financial system of the Republic of Slovenia in the event of a considerable deterioration in its operations, or its winding-up or the cessation of its activities.

**Article 4
(decision on designation of a significant bank)**

(1) Via a decision the Bank of Slovenia shall determine that the criteria set out in Article 3 of this regulation have been met, and shall designate the bank as a significant bank.

(2) A bank designated via a decision as a significant bank pursuant to Article 3 of this regulation shall meet all the requirements set out in the first paragraph of Article 1 of this regulation, with the exception of the requirement set out in point (e), if it is a bank that is not a subsidiary bank referred to in Article 13 of Regulation (EU) No 575/2013.

(3) If after the issue of the decision on the designation of a significant bank there arise circumstances based on which the bank no longer meets the criteria set out in Article 3 of this regulation, the Bank of Slovenia shall, at the bank's proposal or *ex officio*, issue a decision to withdraw its status as a significant bank.

**Article 5
(cessation of validity)**

On the day that this regulation enters into force, the Regulation on the criteria for designation of a significant bank (Official Gazette of the Republic of Slovenia, No. 41/15) shall cease to be in force.

**Article 6
(continued validity of decisions)**

Decisions on the designation of significant banks issued pursuant to the Regulation on the criteria for designation of a significant bank (Official Gazette of the Republic of Slovenia, No. 41/15) shall be deemed valid and enforceable until the issue of new decisions pursuant to this regulation.

**Article 7
(compliance with requirements)**

(1) When in accordance with a decision issued pursuant to this regulation there is a change in the requirements for a bank, the bank shall comply with the new requirements within three months of the day that it received the decision.

(2) The first paragraph of this article notwithstanding, the Bank of Slovenia may, at the bank's proposal or *ex officio*, decide on a different period for the bank's compliance with the aforementioned requirements.

**Article 8
(entry into force)**

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This regulation shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia.

Ljubljana, 14 March 2018

Boštjan Jazbec
President,
Governing Board of the Bank of Slovenia