

## Disclosure of information on measure imposed on supervised entity

**Supervisory measure against Maki podjetje za turizem, trgovino in storitve d.o.o. Koper owing to breaches identified in the area of anti-money laundering and combating the financing of terrorism (hereinafter: AML/CFT)**

<b>Information on person responsible for breach</b>	
Business name and registered office of legal person	Maki podjetje za turizem, trgovino in storitve d.o.o. Koper, Pristaniška ulica 11, 6000 Koper - Capodistria (hereinafter: the undertaking)
<b>Information on breach</b>	
Description of circumstances and conduct constituting a breach of the Prevention of Money Laundering and Terrorist Financing Act (Official Gazette of the Republic of Slovenia, Nos. 48/22 and 145/22; hereinafter: the ZPPDFT-2)	<p>Between 3 July and 31 August 2023 Banka Slovenije conducted a comprehensive inspection at the undertaking for the purpose of verifying whether in its operations the undertaking is taking account of the requirements under the ZPPDFT-2 and the Act Regulating Restrictive Measures Introduced or Implemented by the Republic of Slovenia in Accordance with Legal Acts and Decisions Adopted by International Organisations (Official Gazette of the Republic of Slovenia, Nos. 127/06 and 44/22).</p> <p>The inspection identified breaches of the ZPPDFT-2, for which reason Banka Slovenije issued the undertaking with an Order on the rectification of breaches, against which no objection was lodged by the undertaking.</p>
<b>Nature of identified breaches</b>	The identified breaches differ in severity, but overall have a significant impact on the effectiveness of the risk management system for money laundering and terrorist financing (ML/TF) risks at the undertaking.
<b>Operational part of order on rectification of breaches</b>	
<p>1. On the basis of its inspection of Maki podjetje za turizem, trgovino in storitve d.o.o. Koper, of Pristaniška ulica 11, 6000 Koper - Capodistria (the undertaking), which was conducted between 3 July and 31 August 2023 in the area of anti-money laundering and combating the financing of terrorism (AML/CFT) and restrictive measures, Banka Slovenije finds the undertaking to have breached the following provisions of the ZPPDFT-2:</p> <ul style="list-style-type: none"> <li>a) the first paragraph of Article 20 of the ZPPDFT-2 in connection with point 2 of the second paragraph of Article 17 of the ZPPDFT-2, by failing to put in place and implement effective policies and procedures to mitigate and manage ML/TF risks;</li> <li>b) the first paragraph of Article 66 of the ZPPDFT-2, by failing to define in its bylaws a procedure for identifying politically exposed persons;</li> <li>c) the second paragraph of Article 87 of the ZPPDFT-2, by failing to provide regular professional training for all employees performing AML/CFT tasks under the ZPPDFT-2;</li> <li>d) the fourth paragraph of Article 87 of the ZPPDFT-2, by failing to draw up an annual professional training programme in the area of AML/CFT since 2017.</li> </ul> <p>To rectify the aforementioned breaches, the undertaking shall:</p> <ul style="list-style-type: none"> <li>a) update its internal policies and procedures in the area of AML/CFT to comply with the</li> </ul>	

<p>ZPPDFT-2 and to provide an adequate basis for the effective management of ML/TF risks at the level of the undertaking; the undertaking shall clearly set out rules and procedures in the aforementioned policy that are commensurate with its activities and size;</p> <p>b) define a clear procedure for identifying political exposure in its bylaws, where it should take into account that verbal verification is not a sufficient measure;</p> <p>c) attend to regular training for all employees performing AML/CFT tasks;</p> <p>d) draw up an annual programme of professional training for 2024.</p> <p>2. The undertaking shall embark without delay on activities to rectify the breaches cited in points 1 and 2 of the Order on the rectification of breaches (hereinafter: order). The final deadline for the rectification of the breaches is 31 March 2024. The undertaking shall also submit a written report to Banka Slovenije within ten days of the deadline on the measures taken to rectify the breaches, as set out by Article 281 of the ZBan-3.</p> <p>3. In connection with the activities to rectify the breaches cited in point 1 of this order, the undertaking shall draft an action plan clearly defining the activities for the rectification of the breaches and the persons responsible for the rectification, and shall submit it to Banka Slovenije by 22 November 2023.</p> <p>4. An objection to this order shall not stay its enforcement (third paragraph of Article 375 of the ZBan-3 in connection with first paragraph of Article 164 of the ZPPDFT-2).</p> <p>5. The breaches identified in this order also constitute misdemeanours pursuant to the penal provisions of the ZPPDFT-2, and Banka Slovenije will therefore initiate misdemeanours proceedings against the undertaking and the responsible persons.</p> <p>6. In accordance with Article 176 of the ZPPDFT-2, in connection with the imposed supervisory measures Banka Slovenije shall publish the following information on its website after the imposed measure becomes final, and shall submit it to the competent European supervisory authorities:</p> <ul style="list-style-type: none"> <li>– the business name and registered office of the legal person or the name of the natural person;</li> <li>– a description of the circumstances and conduct that constitute a breach of the aforementioned law or require the enforcement of the ordered measure,</li> <li>– the nature of the identified breaches or the type of deficiencies for which the measure was ordered;</li> <li>– the operational part of the decision by which the proceedings are legally finalised;</li> <li>– details of any rectification of a breach or implementation of an ordered measure.</li> </ul>
<p><b>Information on any rectification of breach or implementation of ordered measure</b></p> <p>The undertaking has not yet rectified the breaches; the deadline for rectification is 31 March 2024.</p>
<p><b>Information as to whether judicial review proceedings have been initiated against the decision in accordance with the ZBan-3</b></p> <p>Judicial review proceedings have not been initiated.</p>