

**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. 152/20 of 23 October 2020 (in force since 24 October 2020)
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Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB], 77/16 [ZCKR], 41/17, 77/18 [ZTFI-1], 22/19 [ZIUDSOL] and 44/19 [constitutional court decision]; 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 application of the Guidelines on the treatment of structural FX under Article 352(2)
of Regulation (EU) No 575/2013 (CRR)**

**Article 1
(purpose and field of application of guidelines)**

- (1) Pursuant to Article 16(1) of Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331 of 15 December 2010, p 12; hereinafter: Regulation (EU) No 1093/2010), last amended by Regulation (EU) No 2019/2175 of the European Parliament and of the Council of 18 December 2019 (OJ L 334 of 27 December 2019, p 1), on 1 July 2020 the European Banking Authority published the Guidelines on the treatment of structural FX under Article 352(2) of Regulation (EU) No 575/2013 (CRR) (EBA/GL/2020/09; hereinafter: the guidelines) on its website.
- (2) The guidelines provide guidance to competent authorities across the EU on the treatment of structural foreign exchange positions referred to in Article 352(2) of 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). The guidelines apply with regard to requests for permission by institutions applying the requirements of Regulation (EU) No 575/2013 on an individual basis and on a consolidated basis. The guidelines apply to all institutions, irrespective of whether they calculate the own funds requirements for foreign exchange risk in accordance with the standardised approach referred to in Title IV, Chapter 3 of Regulation (EU) No 575/2013 for all of their positions, or in accordance with the internal model approach referred to in Title IV, Chapter 5 of the aforementioned regulation for all of their positions, or based on one of these approaches for some of their positions and the other approach for the remaining positions.
- (3) The guidelines are addressed to:
 1. financial institutions referred to in Article 4(1) of Regulation (EU) No 1093/2010; and
 2. competent authorities referred to in point (i) of Article 4(2) of Regulation (EU) No 1093/2010.

**Article 2
(content of regulation and scope of application of guidelines)**

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- (1) By virtue of this regulation the Bank of Slovenia sets out the application of the guidelines to:
 1. banks and savings banks that in accordance with the ZBan-2 have obtained an authorisation to provide banking services in the Republic of Slovenia (hereinafter: banks);
 2. the Bank of Slovenia, when in accordance with the ZBan-2 in its role as the competent authority it is exercising supervisory powers and tasks over entities referred to in point 1 of this paragraph.
- (2) Banks referred to in point 1 of the previous paragraph shall take full account of the provisions of the guidelines in the parts addressed to banks.
- (3) In exercising its supervisory powers and tasks referred to in point 2 of the first paragraph of this Article in accordance with the ZBan-2 and Regulation (EU) No 575/2013, the Bank of Slovenia shall take full account of the provisions of the guidelines in the parts relating to the exercise of the powers and tasks of the competent authority.

**Article 3
(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 1 January 2022.

Ljubljana, 20 October 2020

Boštjan Vasle
President,
Governing Board of the
Bank of Slovenia