

Disclosure of information on measure imposed on legal person on 10 May 2017

Information on person responsible for breach	
Business name and registered office of legal person	2 PI finančno in računalniško svetovanje, d.o.o., Komenda, Sadarjeva ulica 10, 1218 Komenda
Information on breach	
Description of circumstances and conduct entailing breach of ZBan-2 or Regulation (EU) No 575/2013	<p>Based on publicly available information, the Bank of Slovenia determined that the company in question accepts deposits from the public by offering the conclusion of loan agreements as a service on its website and by entering into loan agreements with uninformed persons, which represents a breach of Article 96 of the ZBan-2.</p> <p>Owing to this breach, the company was issued with an order on the rectification of breaches (resolution passed at the 578th meeting of the Governing Board of the Bank of Slovenia). Point 1 of the aforementioned order on the rectification of breaches stipulates that the company in question has breached the first paragraph of Article 96 of the ZBan-2 by accepting deposits and/or other repayable funds from the public.</p>
Nature of identified breaches	<p>In accordance with Article 95 of the ZBan-2, only a bank or savings bank that has obtained an authorisation to provide banking services in accordance with the aforementioned law may accept deposits or other repayable funds from the public in the territory of the Republic of Slovenia. Article 96 of the ZBan-2 further stipulates that no-one other than the persons referred to in Article 95 of the aforementioned law may accept deposits and/or other repayable funds from the public in the territory of the Republic of Slovenia.</p> <p>The prohibition on the provision of banking services set out in Article 96 of the aforementioned law protects investors who do not possess the necessary expertise and experience to assess the risks associated with the borrowing of money (i.e. uninformed persons and the public) against the excessive take-up of risks, and in this way protects the public interest. In light of the above, the identified breach represents a serious breach of the ZBan-2.</p>
Operational part of the decision by which the relevant proceedings are completed	
<ol style="list-style-type: none">1. 2 PI finančno in računalniško svetovanje, d.o.o., Komenda, Sadarjeva ulica 10, 1218 Komenda, registration number 1125966 (hereinafter: the company) has breached the first paragraph of Article 96 of the ZBan-2 by accepting deposits and/or other repayable funds from the public.2. The company shall cease accepting deposits and/or other repayable funds from the public as of the day of delivery of this order.3. Within 15 (fifteen) days of the delivery of this order, the company shall submit to the Bank of Slovenia a report in which it describes the measures that it has implemented in connection with the cessation of the acceptance of deposits and/or other repayable funds from the public. The company may also issue a statement regarding the grounds for the issue of the order by the aforementioned deadline.4. In the aforementioned report the company shall enclose evidence from which it is clear that it has implemented measures in connection with the cessation of the acceptance of deposits and/or	

other repayable funds from the public, and documentation (a list of depositors, with the amounts of funds accepted and the maturities of deposits) illustrating the balance of deposits by individual depositor as at the day of delivery of this order.

5. An objection to this order shall not stay its enforcement.

Should the legal person in question fail to comply with the order on the cessation of the acceptance of deposits from the public, the Bank of Slovenia shall issue a decision in accordance with Article 314 of the ZBan-2 establishing that there are grounds to initiate compulsory liquidation proceedings against the aforementioned person.

In accordance with the first paragraph of Article 277 of the ZBan-2, the following information in connection with this supervisory measure shall be published on the Bank of Slovenia's website after these proceedings have been completed:

- information on the person responsible for the breach: the business name and registered office of the legal person or the name of the natural person;
- information on the breach: a description of the circumstances and conduct entailing the breach, and the nature of the identified breaches;
- the operational part of the decision by which the relevant proceedings are completed; and
- information as to whether judicial protection proceedings have been initiated against the decision in accordance with the ZBan-2.

In accordance with the first paragraph of Article 278 of the ZBan-2, the identity of the person responsible for the breach need not be published, if:

- a supervisory measure is imposed on a natural person, and the publication of information on the person responsible for the breach is not proportionate to the severity of the breach; or
- the publication of information on the person responsible for the breach would jeopardise the stability of the financial markets or impede a criminal investigation; or
- publication would result in disproportionate damage to the parties involved.

In accordance with the third paragraph of Article 278 of the ZBan-2, the Bank of Slovenia calls on the company to state the reasons set out in the first paragraph of Article 278 of the ZBan-2 in its objection, if those reasons exist.

Pursuant to point 1 of the first paragraph of Article 375 of the ZBan-2 in connection with the first paragraph of Article 380 of the ZBan-2, the Bank of Slovenia is also required to initiate misdemeanours proceedings against the company.

Information as to whether judicial protection proceedings have been initiated against the decision in accordance with the ZBan-2

Judicial protection proceedings were initiated against the decision. Administrative dispute case number I U1414/2017 ended with a judgment by the Administrative Court of the Republic of Slovenia, which denied the lawsuit by the plaintiff 2 PI finančno in računalniško svetovanje, d.o.o., Komenda. The decision by the Administrative Court became *res judicata* on 27 March 2018.