

Disclosure of information on measure imposed on legal person on 30 January 2018

Information on person responsible for breach	
Business name and registered office of legal person	SOLIDUS, finančno in računalniško poslovanje, d.o.o., 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 documentation received within the framework of a supervisory procedure pending against 2 PI finančno in računalniško svetovanje, d.o.o., Komenda, the Bank of Slovenia finds that SOLIDUS, finančno in računalniško poslovanje, d.o.o. (an affiliate) is also accepting deposits from the public, which constitutes a breach of Article 96 of the ZBan-2.</p> <p>Owing to this breach, SOLIDUS, finančno in računalniško poslovanje, d.o.o. was issued with an order on the cessation of the activity of accepting deposits from the public and other activities as a bank (resolution passed at the 594th meeting of the Governing Board of the Bank of Slovenia). Point 1 of the aforementioned order 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. SOLIDUS, finančno in računalniško poslovanje, d.o.o., Sadarjeva ulica 10, 1218 Komenda, registration number 8030901000 (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 eight 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	

forementioned 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 subscribers to commercial paper with the amounts of subscribed funds and maturities, resolutions on the issuance of commercial paper, contracts to purchase commercial paper) illustrating the balance of contributions for the purchase of commercial paper by individual subscriber as at the day of delivery of this order. At the same time the company shall also submit information on the size of the loan to 2 PI d.o.o. (loan agreement number 1/2017 of 21 August 2017) 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 or repayable funds 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.

The company lodged an objection to the order on 22 February 2018, which was denied in full by decision PDO-24.70-005/18-002 of 28 March 2018 (resolution passed by 598th meeting of the Governing Board of the Bank of Slovenia).

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 have been initiated against the decision.