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(unofficial consolidated text)

- Official Gazette of the Republic of Slovenia, No. 63/15 of 31 August 2015 - basic text (in force since 1 September 2015)
- Official Gazette of the Republic of Slovenia, No. 104/15 of 28 December 2015 – additions (in force since 29 December 2015)
- Official Gazette of the Republic of Slovenia, No. 42/16 of 17 June 2016 – amendments and additions (in force since 18 June 2016)
- Official Gazette of the Republic of Slovenia, No. 68/17 of 1 December 2017 – amendments and additions (in force since 1 January 2018)
- Official Gazette of the Republic of Slovenia, No. 33/18 of 18 May 2018 – amendments (in force since 26 May 2018)

Pursuant to point 3 of Article 135, the fourth paragraph of Article 149, the fifth paragraph of Article 150 and Article 205 of the Banking Act (Official Gazette of the Republic of Slovenia, No. 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) in connection with 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) and Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013 of the European Parliament and the Council with regard to liquidity coverage requirement for Credit Institutions (OJ L 11 of 17 January 2015, p. 1; hereinafter: Delegated Regulation (EU) 2015/61), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION

on the reporting of individual facts and circumstances of banks and savings banks

1. GENERAL PROVISIONS

**Article 1
(content of regulation)**

- (1) This regulation sets out in detail the content of the notifications and reports by which banks and savings banks (hereinafter: banks) report to the Bank of Slovenia, and the deadlines, form and manner of reporting, in connection with:
- (a) requirements pursuant to the ZBan-2,
 - (b) requirements pursuant to Regulation (EU) No 575/2013 and Delegated Regulation (EU) 2015/61, and
 - (c) other legislative requirements.
- (2) The provisions of this regulation shall apply to banks established in the Republic of Slovenia that have obtained an authorisation to provide banking services in accordance with the ZBan-2.
- (3) The second paragraph of this article notwithstanding, the provisions of this regulation shall also apply *mutatis mutandis* to branches of third-country banks that have obtained an authorisation to establish a branch in accordance with the ZBan-2.

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(4) The provisions of Section 2 of this regulation shall apply to banks on an individual basis, unless this regulation explicitly stipulates in specific cases the obligation to report and issue notifications on a consolidated basis as defined in Chapter 2 of Title II of Part One of Regulation (EU) No 575/2013. The provisions of Section 3 of this regulation shall apply to banks on an individual basis or a consolidated basis, as proceeds from Title II of Part One of Regulation (EU) No 575/2013, unless in specific cases this regulation explicitly stipulates an obligation to report on an individual basis. The provisions of Section 4 of this regulation shall apply to banks on an individual basis or a consolidated basis, as proceeds from the regulations referred to in the second paragraph of Article 9 of the ZBan-2.

(5) Wherever the ZBan-2 or Regulation (EU) No 575/2013 and Delegated Regulation (EU) 2015/61 in connection with this regulation require notifications and reporting to the European Central Bank as the competent authority for the execution of authorisations and tasks of prudential supervision of banks in accordance with Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 287 of 29 October 2013, p 63; hereinafter: Regulation (EU) No 1024/2013), the notifications and reports pursuant to this regulation shall also always be sent to the Bank of Slovenia.

(6) 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)**

(1) The terms used in this regulation shall have the same meanings as in the ZBan-2 and Regulation (EU) No 575/2013 and Delegated Regulation (EU) 2015/61 and in regulations issued on their basis.

(2) For the purposes of Article 9 of this regulation, “product” means any independent unit of specific services, and as such is defined by the bank, whereby it has at least one of the following attributes:

- (a) it is intended solely for specific, defined target groups (a segment of the banking or financial market);
- (b) the conditions that customers must meet to use it are stipulated;
- (c) the tariff (price) for using it is stipulated;
- (d) the procedure for its introduction or offer is defined;
- (e) the bank has defined the internal control mechanism and the monitoring mechanism of the particular product;
- (f) the procedures and methods for its funding or investment are defined;
- (g) it has a specific risk profile.

(3) For the purposes of Articles 10 and 18 of this regulation, an “indirect exposure” means a bank’s exposure to an individual client that arises as a result of credit protection received for the bank’s direct exposure to another client that is the underlying debtor of the bank, and that could become a direct exposure of the bank to the client in question in the event of a default by the underlying debtor. These comprise a bank’s exposures to providers of unfunded credit protection or to collateral issuers and other similar exposures. Credit protection for asset items (financial assets) and credit protection for contingencies and commitments (off-balance-sheet items) are both taken into account, irrespective of whether they meet the minimum requirements with regard to eligibility in accordance with Regulation (EU) No 575/2013.

2. REPORTING IN CONNECTION WITH REQUIREMENTS FROM ZBAN-2

1.1. Reporting on qualifying holders and material circumstances pursuant to Article 205 of the ZBan-2

**Article 3
(data entered in the companies register)**

Evidence of data and changes to data that is entered in the companies register shall be submitted to the Bank of Slovenia by banks within five business day of receiving the relevant order by the competent court.

**Article 4
(convening and resolutions of general meeting)**

(1) Banks shall notify the Bank of Slovenia of the convening of the general meeting by submitting the notice to convene within five business day of its publication. Banks shall notify the Bank of Slovenia of any additions to the agenda of the general meeting, or shall submit a fair copy of the agenda of the general meeting within five business days of its publication.

(2) The first paragraph of this article notwithstanding, in the event of planned amendments to its articles of association the bank shall also submit the proposed amendments to its articles of association simultaneously with the notice to convene the general meeting.

(3) Banks shall send the Bank of Slovenia a notarised copy of the minutes with the resolutions passed at the general meeting, together with appendices, within five business days of the session of the general meeting. For amendments to the articles of association banks shall also submit a fair copy of the articles of association.

**Article 5
(shareholders and qualifying holders)**

(1) Within five business days of the entry of the change in the share register at the Central Securities Clearing Corporation, banks shall notify the Bank of Slovenia in accordance with the first paragraph of Article 74 of the ZBan-2 of any change as a result of which the holding of an individual shareholder changes such that:

- (a) it exceeds the limit of a qualifying holding or is reduced and no longer achieves a qualifying holding, or
- (b) it exceeds the upper limit of the range or falls below the lower limit of the range of the qualifying holding for which the qualifying holder was granted an authorisation for a qualifying holding.

(2) Banks shall notify the Bank of Slovenia of any change in the ownership of the bank's shares where an individual qualifying holder's holding of equity or voting rights changes within the range of the qualifying holding for which the qualifying holder was granted an authorisation for a qualifying holding, within five business days of the entry of the change in the share register at the Central Securities Clearing Corporation.

(3) Banks whose shares are traded on a regulated market shall notify the Bank of Slovenia in accordance with the second paragraph of Article 74 of the ZBan-2 with regard to the shareholders that hold a qualifying holding and with regard to those qualifying holdings as at 31 December by the end of January of the current year.

(4) Banks shall notify the Bank of Slovenia in accordance with the third paragraph of Article 74 of the ZBan-2 of the conclusion of a shareholders' agreement, and of arrangements and other

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circumstances in connection with future qualifying holders, within five business days of their conclusion or of the bank learning of this fact.

(5) The notifications referred to in the first, second and third paragraphs of this article shall contain at least the name of the shareholder, the shareholder's holding before and after the change, and the date of the occurrence of the change.

**Article 6
(acquisition and disposal of shares, participating interests and membership rights in
legal persons)**

(1) Banks shall notify the Bank of Slovenia within five business days of the *de facto* acquisition or disposal of a direct holding of shares, participating interests or membership rights in other legal entities that are not included in the trading book. The written notification shall cite the basic information about the legal entity (business name, registered office, address, registration number), the size of the holding or the change, the amount of consideration in the case of acquisition, and the date of acquisition or disposal of the shares, participating interests or membership rights in other legal entities.

(2) The first paragraph of this article notwithstanding, banks shall notify the Bank of Slovenia within five business days of *de facto* payments into other legal entities, even if the bank's holding of shares, participating interests or membership rights in other legal entities remains unchanged.

(3) When reporting referred to in the first paragraph of this article is covered by the content of the notifications referred to in the first, second, fifth or sixth paragraphs of Article 11 of this regulation, the bank may combine the notifications for both purposes.

(4) Banks shall annually report to the Bank of Slovenia a list of all direct holdings of shares, participating interests or membership rights of all legal entities on the POR-1 form, which is an integral part of this regulation, as at the reference date for annual reporting set out in Article 2 of Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 191 of 28 June 2014, p. 1; hereinafter: the ITS for supervisory reporting).

(5) The deadline for submitting the reports referred to in the third paragraph of this article is the remittance date for annual information set out in Article 3 of the ITS for supervisory reporting.

**Article 7
(cessation of provision of certain services)**

(1) Banks shall notify the Bank of Slovenia of the cessation of the provision of particular services referred to in the first and third paragraphs of Article 30 of the ZBan-2 within five business days of the passing of the relevant resolution by the bank's governing body.

(2) Banks shall also notify the Bank of Slovenia of the cessation of the provision of specific services in the cases referred to in the first paragraph of Article 106 of the ZBan-2 within five business days of the aforementioned circumstances arising.

**Article 8
(other facts and circumstances)**

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- (1) Banks shall notify the Bank of Slovenia of facts and circumstances that are material to an assessment of whether the bank operates in accordance with the regulations set out in the second paragraph of Article 9 of the ZBan-2 and shall submit a description thereof within five business days of the facts and circumstances arising or being confirmed by the bank's governing body.
- (2) The following in particular shall be deemed facts and circumstances referred to in the first paragraph of this article:
 - (a) a change in the bank's business model,
 - (b) a change in the business strategy of the bank or the group,
 - (c) major organisational, personnel or other changes that have an impact on the operations of the bank or the group (e.g. IT infrastructure, replacement of key personnel).
- (3) After the auditing of the annual report or consolidated annual report, the bank shall submit a copy of the letter to the bank's governing body to the Bank of Slovenia, within five business days of the delivery of the letter by the audit firm.

2.2 Reporting in connection with other requirements from the ZBan-2

Article 9

(notification of introduction or withdrawal of individual type of product)

- (1) When, having obtained an authorisation to provide services, a bank intends to introduce a new type of product, it shall notify the Bank of Slovenia of this intention and of the classification of the product within the framework of the services for which it holds the authorisation in accordance with the ZBan-2 or Regulation (EU) No 1024/2013. The bank shall precisely define the attributes of the product, and shall formulate the precise procedure for its introduction, at least by formulating a detailed plan with a timetable for the introduction of the new product. In the trial period the scale of the new product shall be kept to a manageable level. All organisational units that will subsequently participate in the work shall be covered, including the internal audit department within the framework of its tasks.
- (2) After the successful conclusion of the trial period, when all the required internal acts have been properly approved (rules, instructions, etc.), an appropriate number of employees with the requisite knowledge and experience have undergone the requisite training, the technical equipment has been provided and internal control mechanisms and effective risk management procedures have been put in place, the governing body shall pass a resolution on the fulfilment of terms and conditions for the inclusion of the new type of product in the bank's services. The bank shall notify the Bank of Slovenia accordingly at least 14 days prior to marketing the new product. The governing body shall pass a resolution on the withdrawal of a particular type of product from offer and marketing, and shall notify the Bank of Slovenia accordingly without delay.

Article 10

(transactions with persons in special relationship with bank)

- (1) Banks shall report **annually** to the Bank of Slovenia in accordance with the fourth paragraph of Article 149 of the ZBan-2 on exposures to persons in a special relationship with the bank, including direct and indirect exposure to such persons. Banks shall compile the report on the POR-2 form, which is an integral part of this regulation, as at the reference dates for **annual reporting** referred to in Article 2 of the ITS for supervisory reporting.
- (2) The deadline for submitting the report referred to in the first paragraph of this article is the remittance date for **annual** information set out in Article 3 of the ITS for supervisory reporting.

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(3) Banks shall notify the Bank of Slovenia in accordance with the fifth paragraph of Article 150 of the ZBan-2 about legal transactions with persons in a special relationship with the bank concluded under conditions that are more favourable than those under which the bank typically concludes transactions with other persons during the same period.

(4) The notification referred to in the third paragraph of this article shall contain the essential information about the concluded transaction encompassing the following at least: the name of the person in a special relationship with the bank with which the transaction was concluded, the date that the supervisory board's approval was obtained, the date of the conclusion of the transaction, the type, amount and maturity of the transaction, a description of the contractual conditions that are the subject of more favourable treatment, and the grounds for concluding the transaction under more favourable conditions.

(5) The notification referred to in the third paragraph of this article shall be sent by the bank within five working days after the transaction being concluded.

**Article 11
(notification of qualifying holdings)**

(1) Banks shall notify the Bank of Slovenia within five business days of the *de facto* acquisition of shares in, a participating interest in or other rights in a financial institution or a financial sector entity for which it has obtained an authorisation for a qualifying holding. The written notification shall cite information about the legal entity, the size of the qualifying holding, the amount of consideration and the date of acquisition.

(2) The first paragraph of this article notwithstanding, in connection with the fifth paragraph of Article 200 of the ZBan-2 banks shall notify the Bank of Slovenia, within five business days, of the acquisition and terms of acquisition of a qualifying holding for which in accordance with Article 200 of the ZBan-2 prior authorisation from the Bank of Slovenia is not required, submitting the relevant evidence at the same time.

(3) If a bank acquires a qualifying asset in a financial institution or financial sector entity that results in a qualifying holding in the financial institution or financial sector entity of between 20% and 50%, as a result of the redemption of collateral for the repayment of claims pursuant to point 2 of the fifth paragraph of Article 200 of the ZBan-2 or the conversion of claims into equity within the framework of compulsory composition proceedings against the financial institution or financial sector entity pursuant to point 3 of the fifth paragraph of Article 200 of the ZBan-2, it shall, in addition to the notification and evidence set out in the sixth paragraph of Article 200 of the ZBan-2, submit to the Bank of Slovenia the documentation and information referred to in Article 4 and points (a) and (e) of the first paragraph of Article 5 of the Regulation on the documentation for the granting of an authorisation for a qualifying asset to banks and savings banks (Official Gazette of the Republic of Slovenia, No. 47/15; hereinafter: the qualifying asset documentation regulation), within five business days.

(4) If a bank acquires a qualifying asset in a financial institution or financial sector entity that results in a qualifying holding in the financial institution or financial sector entity of 50% or more, as a result of the redemption of collateral for the repayment of claims pursuant to point 2 of the fifth paragraph of Article 200 of the ZBan-2 or the conversion of claims into equity within the framework of compulsory composition proceedings against the financial institution or financial sector entity pursuant to point 3 of the fifth paragraph of Article 200 of the ZBan-2, it shall, in addition to the notification and evidence set out in the sixth paragraph of Article 200 of the ZBan-2, submit to the Bank of Slovenia the

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documentation and information referred to in Articles 4 and 5 of the qualifying asset documentation regulation, within five business days.

(5) Banks shall notify the Bank of Slovenia within five business days of any merger or demerger of a financial institution or financial sector entity in which they hold a qualifying holding, and of any other change of status of such a legal entity. An extract from the companies register or another relevant public register for a financial institution or a translation of a certified extract from the companies register or another relevant public register for a financial sector entity shall be enclosed in the written notification.

(6) Banks shall notify the Bank of Slovenia within five business days if the qualifying holding in a financial institution or a financial sector entity falls below the range for which the authorisation was granted by the Bank of Slovenia. Information about the legal entity, the size of and change in the qualifying holding, and the date of the change shall be cited in the written notification.

(7) Banks shall on an annual basis send the Bank of Slovenia a list of all qualifying holdings referred to in Article 200 of the ZBan-2 on the POR-3 form, which is an integral part of this regulation, as at the reference date for annual reporting set out in Article 2 of the ITS for supervisory reporting.

(8) The deadline for submitting the reports referred to in the seventh paragraph of this article is the remittance date for annual information set out in Article 3 of the ITS for supervisory reporting.

**3. REPORTING IN CONNECTION WITH REQUIREMENTS FROM REGULATION (EU)
NO 575/2013**

**Article 12
(entities excluded from scope of prudential consolidation)**

(1) Banks shall notify the Bank of Slovenia in advance of any entity that they wish to exclude from the scope of prudential consolidation pursuant to the first paragraph of Article 19 of Regulation (EU) No 575/2013, submitting the following information at the same time:

- (a) the name of the entity,
- (b) a description of the entity's business activities,
- (c) a description of the bank's most important transactions with the entity,
- (d) the amounts of the entity's on-balance-sheet assets and off-balance-sheet items as at the final day of the quarter of the current year,
- (e) the amounts of the on-balance-sheet assets and off-balance-sheet items of the parent undertaking or an undertaking that participates in the entity, as at the final day of the quarter of the current year,
- (f) the effective date of the exclusion of the entity from the scope of prudential consolidation.

(2) When the bank has already excluded one or more entities from the scope of prudential consolidation pursuant to the first paragraph of Article 19 of Regulation (EU) No 575/2013, in the notification referred to in the first paragraph of this article it shall also submit the information set out in point (d) of the first paragraph of this article on an aggregated basis, including the relevant amounts for all previously excluded entities and the entity that it intends to exclude.

(3) The bank shall submit the notification and information referred to in the first paragraph of this article at least 30 days before the intended date of the exclusion of the entity from the scope of prudential consolidation.

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(4) Should the conditions for the exclusion of an entity already excluded from the scope of prudential consolidation pursuant to the first paragraph of Article 19 of Regulation (EU) No 575/2013 no longer be met, the bank shall notify the Bank of Slovenia of this fact and of the reasons that the conditions are no longer met within five business days of the changed circumstances occurring.

Article 13

(sub-consolidation under Article 22 of Regulation (EU) No 575/2013)

(1) When a bank as a subsidiary institution is required to apply sub-consolidation of entities from third countries and to meet requirements on the basis of its sub-consolidated situation pursuant to Article 22 of Regulation (EU) No 575/2013, it shall submit the relevant reports set out in the ITS for supervisory reporting and in Article 16 of this regulation to the Bank of Slovenia on a quarterly basis.

(2) The deadline for submitting the reports referred to in the first paragraph of this article is the remittance date for quarterly information set out in Article 3 of the ITS for supervisory reporting.

(3) Banks referred to in the first paragraph of this article shall send the relevant reports set out in the ITS for supervisory reporting in accordance with the Technical instructions for the electronic submission of ITS reports (<http://www.bsi.si/porocanje.asp?MapaId=1624>).

Article 14

(payment of returns on capital instruments)

(1) Banks shall notify the Bank of Slovenia of the intended payment of interim dividends on common equity Tier 1 instruments referred to in point (a) of the first paragraph of Article 26 of Regulation (EU) No 575/2013 that reduces the amount of items of common equity Tier 1 capital or total capital on an individual basis at least one month before the date of the intended payment, submitting the resolution passed by the bank's governing body and other evidence related to the amount of interim dividends pursuant to the Companies Act (Official Gazette of the Republic of Slovenia, Nos. 65/09 [official consolidated version], 33/11, 91/11, 32/12, 57/12, 44/13 [constitutional court judgement], 82/13 and 55/15; hereinafter: the ZGD-1) at the same time.

(2) In addition to the notification referred to in the first paragraph of this article, banks shall also notify the Bank of Slovenia of the intended payment of interim dividends on preference shares that reduces the amount of items of total capital on an individual basis at least one month before the date of the payment, submitting the resolution passed by the bank's governing body and other evidence related to the amount of interim dividends pursuant to the ZGD-1 at the same time.

(3) Banks shall notify the Bank of Slovenia of the cancellation of distributions on additional Tier 1 instruments as envisaged in point (1) of the first paragraph of Article 52 of Regulation (EU) No 575/2013 within five business days of the passing of the relevant resolution by the bank's governing body.

Article 15

(deleted)

Article 16

(qualifying holdings outside financial sector)

(1) For the purposes of monitoring the fulfilment of requirements with regard to qualifying holdings outside the financial sector set out in Articles 89 to 91 of Regulation (EU) No 575/2013, banks shall report quarterly to the Bank of Slovenia on their qualifying holdings outside the financial sector on the

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POR-5 form, which is an integral part of this regulation, as at the reference dates for quarterly reporting set out in Article 2 of the ITS for supervisory reporting.

(2) The obligation set out in the first paragraph of this article shall also apply to subsidiary banks that in accordance with Article 22 of Regulation (EU) No 575/2013 are required to apply sub-consolidation of entities from third countries, on the basis of their sub-consolidated situation.

(3) The deadline for submitting the report referred to in the first paragraph of this article is the remittance date for quarterly information set out in Article 3 of the ITS for supervisory reporting.

Article 17

**(nomination of ECAI for purposes of calculating capital requirements for credit risk under
standardised approach)**

(1) Banks shall notify the Bank of Slovenia in accordance with Article 138 of Regulation (EU) No 575/2013 of the nomination of external credit assessment institutions (hereinafter: ECAIs) and in accordance with Article 137 of Regulation (EU) No 575/2013 of the nomination of export credit agencies (hereinafter: ECAs), of the revocation of the nomination of an ECAI and ECA, respectively, and of any changes in exposure classes set out in Article 112 of Regulation (EU) No 575/2013 for the nominated ECAIs within five business days of the decision being taken by the bank's governing body.

(2) Banks shall cite the following in the notification referred to in the first paragraph of this article:

- (a) during nomination: the name of the ECAI or ECA and the exposure classes set out in Article 112 of Regulation (EU) No 575/2013 to which the external credit assessments of the ECAI will apply;
- (b) during revocation: the name of the nominated ECAI or ECA and the relevant arguments for the decision;
- (c) during changes in exposure class: the name of the ECAI, the exposure class set out in Article 112 of Regulation (EU) No 575/2013, and the arguments for the change.

Article 18

(exposure to concentration risk)

(1) Banks shall report quarterly to the Bank of Slovenia on their total exposure to individual clients or to groups of connected clients when the exposure reaches or exceeds 10% of the bank's eligible capital as defined in point 71(b) of the first paragraph of Article 4 of Regulation (EU) No 575/2013 on the POR-6 form, which is an integral part of this regulation, as at the reference dates for quarterly reporting set out in Article 2 of the ITS for supervisory reporting. The total exposure to an individual client or a group of connected clients is the sum of direct and indirect exposure to the client or the group of connected clients.

(2) For the purposes referred to in the previous paragraph of this article, banks shall:

- (a) take account of the exposure value prior to any reduction for impairments and provisions,
- (b) not take account of connections with central government in identifying a group of connected clients,
- (c) not take account of indirect exposures to clients included in the same group of connected clients as the underlying debtor for which credit protection has been provided.

(3) In the report referred to in the first paragraph of this article banks shall also report on any significant findings from analysis of concentration risk from:

(a) indirect exposures as defined in the third paragraph of Article 2 of this regulation,

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- (b) indirect exposures to collateral issuers and guarantee providers (where the bank has applied the substitution approach) and exposures from transactions with underlying assets in accordance with the fourth paragraph of Article 399 of Regulation (EU) No 575/2013.
- (4) The deadline for submitting the report referred to in the first paragraph of this article is the remittance date for reporting quarterly information set out in Article 3 of the ITS for supervisory reporting.

**Article 19
(compliance with liquidity requirements)**

- (1) Banks shall send the Bank of Slovenia a plan for the timely restoration of compliance referred to in Article 414 of Regulation (EU) No 575/2013 with regard to the liquidity coverage requirement set out in Article 412 of Regulation (EU) No 575/2013 within three business days and with regard to the stable funding requirement set out in the first paragraph of Article 413 of Regulation (EU) No 575/2013 within seven business days of the day when the bank no longer complied or when it expected that it would no longer meet the requirements set out in one or both of the aforementioned articles of Regulation (EU) No 575/2013 and officially notified the Bank of Slovenia accordingly.
- (2) The plan referred to in the first paragraph of this article shall encompass:
- (a) the timeframe in which the bank intends to restore compliance with Article 412 or with the first paragraph of Article 413 of Regulation (EU) No 575/2013, and
 - (b) the bank's measures to comply with the requirements set out in Article 412 and the first paragraph of Article 413 of Regulation (EU) No 575/2013.

**Article 20
(inclusion of shares or units in CIUs in liquidity buffer)**

- (1) Banks that intend to report shares or units in collective investment undertakings (hereinafter: CIUs) as liquid assets for the purposes of the liquidity coverage requirement in accordance with the first paragraph of Article 15 of Delegated Regulation (EU) No 2015/61 shall send the Bank of Slovenia documentation with the methodology and procedures to calculate the market value and haircuts for shares or units in CIUs referred to in the fourth paragraph of Article 15 of Delegated Regulation (EU) No 2015/61, by the remittance date of the report regarding the liquidity coverage requirement in which the shares or units in CIUs are being included as liquid assets for the first time.
- (2) Banks that do not intend to develop methodologies to calculate the market value and haircuts for shares or units in CIUs that they wish to report as liquid assets for the purposes of the liquidity coverage requirement shall send the Bank of Slovenia, at least two months before the planned reporting, an explanation with their arguments that the materiality of the exposures in such shares or units in CIUs does not justify the development of internal methodologies. Banks may report shares or units in CIUs as liquid assets without the development of methodologies and procedures referred to in the fourth paragraph of Article 15 of Delegated Regulation (EU) No 2015/61 only on the basis of having obtained the Bank of Slovenia's consent.
- (3) For the purposes of the explanation referred to in the second paragraph of this article, the bank shall submit:
- (a) an indication of the CIU whose shares or units it wishes to report as liquid assets for the purposes of the liquidity coverage requirement,
 - (b) the defined materiality threshold for exposures in shares or units in CIUs referred to in point (a) of this paragraph, including the bank's internal policies and other bylaws with regard to the definition of the materiality of an exposure,

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- (c) the stock of investments in shares or units in CIUs referred to in point (a) of this paragraph and the ratio of the stock of investments in shares or units in CIUs to the stock of liquid assets for the purposes of the liquidity coverage requirement plus the stock of investments in shares or units in CIUs as at the final day of the month for a period of one year before the submission of the explanation,
- (d) an indication of the third party referred to in point (a) or (b) of the fourth paragraph of Article 15 of Delegated Regulation (EU) No 2015/61 that will calculate and report the market values and haircuts for shares or units in CIUs referred to in point (a) of this paragraph.

**Article 21
(additional liquidity outflows for other products and services)**

- (1) Banks shall on an annual basis send the Bank of Slovenia a report on products and services referred to in the second paragraph of Article 23 of Delegated Regulation (EU) No 2015/61 as at the reference date for annual reporting set out in Article 2 of the ITS for supervisory reporting. Trade finance off-balance sheet related products as cited in the second paragraph of Article 420 and Appendix I of Regulation (EU) No 575/2013 and in the second paragraph of Article 23 of Delegated Regulation (EU) 2015/61 shall be exempted from the scope of this reporting.
- (2) The report referred to in the first paragraph of this article shall encompass:
 - (a) documentation or an explanation that makes evident how the bank defined the likelihood and potential volume of liquidity outflows in the next 30 calendar days and the estimated volume of liquidity outflows for individual products and services referred to in the first paragraph of this article in the next 30 calendar days, whereby it should be evident from the documentation or explanation how the bank takes account of the stress scenarios referred to in Article 5 of Delegated Regulation (EU) 2015/61 in the assessment;
 - (b) the stock of liabilities for each type of product and service referred to in the first paragraph of this article as at the final day of the month for each month of the previous year;
 - (c) the volume of liquidity outflows in connection with products and services referred to in the first paragraph of this article in each month of the previous year;
 - (d) the bank's proposal with regard to the level of outflows for each type of product and service referred to in the first paragraph of this article, whereby the proposed level of outflows reflects the ratio between the estimated volume of liquidity outflows in the next 30 calendar days referred to in point (a) of this paragraph and the stock of liabilities for each type of product and service referred to in point (b) of this paragraph.
- (3) The deadline for submitting the report referred to in the first paragraph of this article is the remittance date for annual information set out in Article 3 of the ITS for supervisory reporting.

**Article 22
(additional outflows)**

- (1) Banks shall notify the Bank of Slovenia of all concluded contracts referred to in the second paragraph of Article 30 of Delegated Regulation (EU) 2015/61 within three business days of:
 - (a) the day of the conclusion of the contract,
 - (b) the day of a change in the contractual terms relating to a deterioration in the bank's credit quality and the resulting liquidity outflows or additional collateral needs in the next 30 days.
- (2) The report referred to in the first paragraph of this article shall encompass:
 - (a) essential information from the contract encompassing at least the contracting parties, the amount, maturity and subject of the contract, and a description of the contractual terms that in the event of a deterioration in the bank's credit quality would result in liquidity outflows or additional collateral needs in the next 30 days,

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(b) the size of the outflows or additional collateral needs referred to in point (a) of this paragraph.

(3) In the event of a deterioration in the bank's credit quality in accordance with the second paragraph of Article 30 of Delegated Regulation (EU) 2015/61 that could result in liquidity outflows or additional collateral needs, the bank shall notify the Bank of Slovenia accordingly within three business days of the change occurring.

**Article 23
(disclosures by institutions)**

Banks that in accordance with Articles 6 and 13 of Regulation (EU) No 575/2013 are required to make the disclosures set out in Part Eight of Regulation (EU) No 575/2013 shall notify the Bank of Slovenia of the medium and place of the disclosure of the information set out in Title II of Part Eight of Regulation (EU) No 575/2013 within five business days of the date of the publication of the financial statements in accordance with Article 433 of Regulation (EU) No 575/2013.

**Article 23a
(notification of company restructuring)**

(1) The bank or the Bank Asset Management Company (hereinafter: the BAMC) shall notify the Bank of Slovenia of the restructuring of the company on the PRESTR form, which is an integral part of this appendix, within ten business days of the restructuring agreement being concluded or of the decision approving the financial restructuring agreement or approving compulsory composition or simplified compulsory composition becoming final. The restructuring agreement and the information and documentation referred to in the first and second paragraphs of the Article 37 of the Regulation on the credit risk management in banks and savings banks shall also be enclosed in the aforementioned form.

(2) The notification referred to in the first paragraph of this Article shall be required when companies of the following type are participating in the restructuring:

1. those that pursuant to Article 55 of the Companies Act (Official Gazette of the Republic of Slovenia, Nos. 65/09 [official consolidated version], 33/11, 91/11, 32/12, 57/12, 44/13 [constitutional court judgement], 82/13, 55/15 and 15/17; hereinafter: the ZGD-1) are classed as large or medium-size enterprises;
2. those classed as small enterprises pursuant to the ZGD-1, when the total exposure of all of the banks exposed to the company stands at more than 3 million euros and at least three banks are included in its restructuring; or
3. those that are entities in a group as defined in Article 63 of the ZGD-1, when any company in the group meets the conditions set out in points 1 or 2 of this paragraph.

(3) Whenever several creditor banks are involved in the restructuring of an exposure to a specific company, the coordinator referred to in the fourth paragraph of the Article 37 of the Regulation on the credit risk management in banks and savings banks shall be responsible for notifying to the Bank of Slovenia, unless mutually agreed otherwise by the banks.

(4) Should a company be more than 90 days in arrears in the settlement of a material liability according to the new amortisation schedule drafted during the restructuring of the exposure, and the bank or the BAMC assesses that further restructuring of the exposure to this company is no longer reasonable, the bank or the BAMC shall inform the Bank of Slovenia accordingly within thirty days of the day on which the aforementioned arrears in repayment occurred.

4. OTHER REPORTING

Article 24 (other reporting requirements)

Banks shall notify the Bank of Slovenia of all other requirements deriving directly from regulations pursuant to the second paragraph of Article 9 of the ZBan-2 that are not regulated in detail in the aforementioned regulations, within five business days of the circumstances arising or the changes occurring.

5. METHOD OF REPORTING

Article 25 (general)

Banks shall submit the Bank of Slovenia notifications, reports and other information referred to in this regulation by the prescribed deadlines via the B2B system into the Individual Facts and Circumstances (PDO) field by means of a digital certificate. Banks shall submit reports with the POR designation, which are an integral part of this regulation, in the form of Excel files. The instructions for obtaining the digital certificate and for sending files are specified in more detail with the technical instructions available on the Bank of Slovenia website (Reporting).

6. TRANSITIONAL AND FINAL PROVISIONS

Article 26 (revisions after audit of annual report)

(1) Should any of the information in the reports cited in this regulation change as a result of auditor's revisions, the bank shall send the Bank of Slovenia revisions of the previously submitted reports or new reports including the revised information within five business days of the revised information arising.

(2) The provisions of the first paragraph of this article shall also apply *mutatis mutandis* to the action of a bank after an audit for a period that is shorter than a financial year.

Article 27 (application of regulation)

(1) On the day that this regulation enters into force, the Regulation on the reporting of individual facts and circumstances of banks and savings banks (Official Gazette of the Republic of Slovenia, Nos. 42/09, 85/10, 62/11, 105/11, 17/12, 71/12, 38/13, 73/13, 80/13, 13/15 and 19/15) shall cease to be applied, with the exception of the provisions of Article 14b of the aforementioned regulation.

(2) Article 17 of this regulation notwithstanding, banks shall send the notification of the nomination of ECAs for individual exposure classes set out in Article 112 of Regulation (EU) No 575/2013 for the purposes of calculating the capital requirements for credit risk under the standardised approach for the situation as at 30 September 2015 by the deadline for the remittance of quarterly information set out in Article 3 of the ITS for supervisory reporting.

Article 28 (entry into force of regulation)

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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, 25 August 2015

Dr Janez Fabijan
Deputy-President,
Governing Board of the Bank of
Slovenia

The Regulation amending the Regulation on the reporting of individual facts and circumstances of banks and savings banks (Official Gazette of the Republic of Slovenia, No. 104/15 of 28 December 2015) also includes the following provision:

"Article 2

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

The Regulation amending the Regulation on the reporting of individual facts and circumstances of banks and savings banks (Official Gazette of the Republic of Slovenia, No. 42/16 of 17 June 2016) also includes the following provision:

"Article 11

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

(2) The first paragraph of this article notwithstanding, the bank shall report in the manner set out in Article 9 of this regulation as of 30 June 2016."

The Regulation amending the Regulation on the reporting of individual facts and circumstances of banks and savings banks (Official Gazette of the Republic of Slovenia, No. 68/17 of 1 December 2017) also includes the following provision:

"Article 5

This regulation shall enter into force on 1 January 2018".

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The Regulation amending the Regulation on the reporting of individual facts and circumstances of banks and savings banks (Official Gazette of the Republic of Slovenia, No. 33/18 of 18 May 2018) also includes the following provision:

"Article 4

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