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SOLVING ANY DISPUTE**

- Official Gazette of the Republic of Slovenia, No. 42/24 of 17 May 2024 (in force since 18 May 2024)

Pursuant to the third paragraph of Article 13 of the Banking Act (*Official Gazette of the Republic of Slovenia*, Nos. 92/21 and 123/21 [ZBNIP]; hereinafter: the ZBan-3), and the first paragraph of Article 31 of the Banka Slovenije Act (*Official Gazette of the Republic of Slovenia*, Nos. 72/06 [official consolidated version], 59/11 and 55/17), the Governing Board of Banka Slovenije hereby issues the following

REGULATION

on the application of the Guidelines on benchmarking of diversity practices, including diversity policies and gender pay gap, under Directive 2013/36/EU and Directive (EU) 2019/2034

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), on 18 December 2023 the European Banking Authority published the Guidelines on benchmarking of diversity practices, including diversity policies and gender pay gap, under Directive 2013/36/EU and Directive (EU) 2019/2034 (EBA/GL/2023/08; hereinafter: the guidelines) on its website.

(2) The guidelines specify the following:

- (a) in accordance with Article 91(11) of Directive 2013/36/EU and Article 26 of Directive (EU) 2019/2034, the information to be provided by institutions and investment firms, unless they are small and non-interconnected, to competent authorities and from competent authorities to the EBA for benchmarking diversity practices, including information disclosed in accordance with Article 435(2)(c) of Regulation (EU) No 575/2013 and under Article 48 of Regulation (EU) 2019/2033;
- (b) for the purposes of the harmonised benchmarking of the gender pay gap at the level of the management body, the information to be provided by institutions and investment firms, unless they are small and non-interconnected, to competent authorities in accordance with Article 75(1) of Directive 2013/36/EU and Article 34(1) of Directive (EU) 2019/2034 and from competent authorities to the EBA.

(3) The guidelines apply in relation to the information that competent authorities should collect from institutions and investment firms on an individual basis on diversity practices at the level of the management body, including the composition of the management body, diversity policies and the gender pay gap at the level of the management body, and submit it to the EBA for the purposes of publishing that information at the Union level and country by country. The guidelines apply on an individual basis as set out in Articles 6 to 10 of Regulation (EU) No 575/2013 and in Articles 5 and 6 of Regulation (EU) 2019/2033.

(4) The guidelines are addressed to:

- 1. financial institutions as defined in Article 4(1) of Regulation (EU) No 1093/2010 that are institutions as defined in Article 4(1) (3) of Regulation (EU) 575/2013, having regard to investment firms subject to Articles 1(2) or (5) of Regulation (EU) 2019/2033, and to investment firms as defined in point (1) of Article 4(1) of Directive (EU) 2014/65, unless they are small and non-interconnected as specified in Article 12(1) of Regulation (EU) 2019/2033 and are therefore subject to the provisions on internal governance, transparency, treatment of

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risks and remuneration under Chapter 2, Section 2 of Directive (EU) 2019/2034 and in particular Articles 25 and 34 thereof;

2. competent authorities as referred to in Article 4(2), points (i) and (viii) of Regulation (EU) No 1093/2010.

Article 2

(Content of regulation and scope of application of guidelines)

(1) By virtue of this regulation Banka Slovenije sets out the application of the guidelines, and all future amendments thereto unless provided otherwise by Banka Slovenije in respect of a particular amendment to the guidelines, to:

1. banks and savings banks for whose supervision Banka Slovenije is responsible in accordance with the ZBan-3 and 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: banks); and
2. Banka Slovenije, when in accordance with the ZBan-3 in its role as the competent authority it is exercising supervisory powers and tasks over banks referred to in point 1 of this paragraph.

(2) Banks referred to in point 1 of the first paragraph of this article shall take full account of the provisions of the guidelines in the parts addressed to banks.

(3) When exercising supervisory powers and tasks in accordance with the ZBan-3 and 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), Banka Slovenije shall take full account of the provisions of the guidelines in the parts addressed 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 27 June 2024.

Ljubljana, 14 May 2024

Boštjan Vasle
President,
Governing Board of Banka Slovenije