

Pursuant to the third paragraph of Article 9 of the Resolution and Compulsory Winding-Up of Banks Act (Official Gazette of the Republic of Slovenia, No. 92/21; hereinafter: the ZRPPB-1) 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 Banka Slovenije hereby issues the following

## **REGULATION**

### **on the application of the Guidelines to resolution authorities on the publication of the write-down and conversion and bail-in exchange mechanic**

#### **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), last amended by Regulation (EU) 2019/2175 of the European Parliament and of the Council of 18 December 2019 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority), Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority), Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds, and Regulation (EU) 2015/847 on information accompanying transfers of funds (OJ L 334 of 27 December 2019, p. 1) (hereinafter: Regulation (EU) No 1093/2010), on 9 February 2023 the European Banking Authority (hereinafter: the EBA) published the Guidelines to resolution authorities on the publication of the write-down and conversion and bail-in exchange mechanic (EBA/GL/2023/01; hereinafter: the guidelines) on its website.

(2) Having regard for Articles 10(5) and 11(1) of Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012 of the European Parliament and of the Council (OJ L 173 of 12 June 2014, p. 190), last amended by Regulation (EU) 2022/2036 of the European Parliament and of the Council of 19 October 2022 amending Regulation (EU) No 575/2013 and Directive 2014/59/EU as regards the prudential treatment of global systemically important institutions with a multiple-point-of-entry resolution strategy and methods for the indirect subscription of instruments eligible for meeting the minimum requirement for own funds and eligible liabilities (OJ L 275 of 25 October 2022, p. 1) (hereinafter: Directive 2014/59/EU), the guidelines define the measures pursuant to Articles 43 and 44, 46 to 50 and 59 to 62 of Directive 2014/59/EU, in particular where the strategy envisages bail-in resolution.

(3) The guidelines are addressed to the resolution authorities referred to in point (v) of Article 4(2) 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 stipulated otherwise by Banka Slovenije in respect of a particular amendment to the guidelines.

(2) In exercising the powers and tasks of the resolution authority in accordance with the ZRPPB-1, Banka Slovenije shall take full account of the provisions of the guidelines in those parts relating to the exercise of the powers and tasks of the resolution 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 2025**.

Ljubljana, 25 April 2023

**Boštjan Vasle**  
President  
Governing Board of Banka Slovenije