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(unofficial consolidated text)

- Official Gazette of the Republic of Slovenia, No. 81/16 of 16 December 2016 – basic text (in force since 17 December 2017)
- Official Gazette of the Republic of Slovenia, No. 12/17 of 10 March 2017– amendments (in force since 11 March 2017)

Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB] and 77/16 [ZCKR]; hereinafter: the ZBan-2), the eleventh paragraph of Article 182 of the Payment Services and Systems Act (Official Gazette of the Republic of Slovenia, Nos. 58/09, 34/10, 9/11, 32/12, 81/15 and 47/16; hereinafter: the ZPlaSS), Article 83 of the Consumer Credit Act (Official Gazette of the Republic of Slovenia, No. 77/16; hereinafter: the ZPotK-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] and 59/11), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION
on the application of the Guidelines on product oversight and governance arrangements for retail banking products

Article 1
(purpose and field of application)

(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, on 22 March 2016 the European Banking Authority issued the Guidelines on product oversight and governance arrangements for retail banking products (hereinafter: the guidelines), which are published on its website.

(2) The guidelines referred to in the first paragraph of this article deal with the establishment of product oversight and governance arrangements for both manufacturers and distributors as an integral part of the general organisational requirements linked to internal control systems, and refer to internal processes, functions and strategies aimed at designing products, bringing them to the market, and reviewing them over their life cycle.

(3) The guidelines apply to:

1. financial institutions as defined in Article 4(1) of Regulation (EU) No 1093/2010; and
2. competent authorities as defined in 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 the Bank of Slovenia sets out the application of the guidelines to:

1. banks and savings banks that in accordance with the ZBan-2 have obtained an authorisation to provide banking services in the Republic of Slovenia (hereinafter: banks);
2. payment institutions that in accordance with the ZPlaSS have obtained an authorisation to provide payment services as a payment institution in the Republic of Slovenia, and electronic money issuers that in accordance with the ZPlaSS have obtained an authorisation to provide services of electronic money issuance in the Republic of Slovenia;

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3. creditors that provide real estate finance leasing services in accordance with the ZPotK-2, and credit intermediaries in the provision of services of consumer credit intermediation for real estate in accordance with the ZPotK-2; and

4. the Bank of Slovenia, when, in accordance with the ZBan-2, 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), the ZPlaSS and the ZPotK-2, in its role as the competent authority it is exercising supervisory powers and tasks over entities referred to in points 1, 2 and 3 of this paragraph.

(2) In the design of products for consumers, the bringing of such products to the market and the review of such products, the entities referred to in points 1, 2 and 3 of the first paragraph of this article shall take full account of the provisions of the guidelines. The entities referred to in points 1, 2 and 3 of the first paragraph of this article shall ensure that the provisions of the guidelines are also taken into account by their distributors and external providers.

(3) In exercising its supervisory powers and tasks in accordance with the ZBan-2, Regulation (EU) No 575/2013, the ZPlaSS and the ZPotK-2, the Bank of Slovenia shall take full account of the provisions of the guidelines in the parts relating 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 3 January 2017.

Ljubljana, 8 December 2016

Boštjan Jazbec
President,
Governing Board of the Bank
of Slovenia

Regulation amending the Regulation on the application of the Guidelines on product oversight and governance arrangements for retail banking products (Official Gazette of the Republic of Slovenia, No. 12/17) contains the following final provision:

**"Article 2
(entry into force)**

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