

## APPENDIX 2: KVALI QUESTIONNAIRE FOR GRANTING OF AUTHORISATION TO ACQUIRE QUALIFYING HOLDING

### Introductory notes

The answers in the questionnaire are used in the assessment of the suitability of a future qualifying holder who is a natural person, and members of the management of a future qualifying holder that is a legal person, from the perspective of their reputation, encompassing their integrity and professional competence.

The information obtained by this questionnaire shall be treated as confidential in accordance with Article 14 of the Banking Act (hereinafter: the ZBan-2), and shall be used solely for the purposes set out in Article 15 of the ZBan-2. Confidential information may only be forwarded or disclosed to third parties under the conditions set out in the ZBan-2.

The ECB privacy statement is available on the Bank of Slovenia website.<sup>1</sup>

The questionnaire should be completed accurately and in full. Whether provided by intent or negligence, false, incomplete or misleading information may lead to doubts as to the future qualifying holder's suitability.

In addition to the aforementioned information, it is necessary to disclose all matters of which it can reasonably be presumed that the Bank of Slovenia and the ECB should be informed.

### 1 Personal information

Name	
Title	
Surname	
First name	
Middle name(s)	

Previous name	
Surname	
First name	
Middle name(s)	
Date of and reason for change	

Permanent residence	
Address	
City	
Country	
Starting date of residence at this address	

<sup>1</sup> <http://www.bsi.si/nadzor-bank.asp?MapaId=2087>

<b>Temporary residence (if any)</b>	
Address	
City	
Country	
Starting date of residence at this address	

<b>Other information</b>	
Date of birth	
Country and city of birth	
Nationality	
Current valid ID card / passport number	
Country of issue of ID card / passport	
Date of expiry of ID card / passport	

**2 Information in connection with authorisations for the financial sector in Slovenia or in the rest of the world**

<b>Previous regulatory authorisations granted/refused for the financial sector in Slovenia or in the rest of the world:</b>					
<b>Competent/supervisory authority deciding on authorisation</b>	<b>Institution involved</b>	<b>Candidate's function to which authorisation related</b>	<b>Start date of function</b>	<b>Date of assessment by competent/supervisory authority</b>	<b>Result of assessment (in the case of rejection or refusal, cite reasons in the space below)</b>
<i>Add rows as required</i>					
<b>Reasons for rejection or refusal of request for granting of authorisation:</b>					
<b>Have you ever had any of the above authorisations withdrawn, conditionally withdrawn, revoked or terminated?</b>					<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details.					

<b>Have you ever been disqualified from performing the function of member of a bank's supervisory board?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details.	

**3 Reputation**

- all questions in this section also include undertakings at which a future qualifying holder who is a natural person has in the last ten years been a member of the management body or supervisory body or a holder of a qualifying holding of 50% or more;
- all questions also relate to proceedings in Slovenia and in the rest of the world.

<b>a)</b>	<b>Do you have any previous convictions in criminal proceedings or relevant civil or administrative proceedings (where there is an adverse impact on your reputation or a significant impact on your financial soundness), including convictions under appeal?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please provide details, in particular: the nature of the charge, the length of time since the alleged criminal offence, the likely penalty in the event of conviction, your conduct since the alleged criminal offence, your insight into the offence, the stage of court proceedings, any mitigating or aggravating factors.		
<b>b)</b>	<b>Do you have any pending criminal proceedings or relevant civil or administrative proceedings (including any formal notification of criminal investigation or other relevant committal or notice)?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please provide details, in particular: the nature of the charge, the length of time since the alleged criminal offence, the likely penalty in the event of conviction, the stage of court proceedings, any mitigating or aggravating factors.		
<b>c)</b>	<b>Have you ever been the subject of disciplinary proceedings, labour law proceedings or similar proceedings, including proceedings that led to disqualification as a company director or discharge from a position of trust?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details.		
<b>d)</b>	<b>Have you ever declared personal bankruptcy or are you currently undergoing personal bankruptcy proceedings?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details (including whether the bankruptcy proceedings were voluntary).		
<b>e)</b>	<b>Have any of the proceedings referred to in this section been settled out of court or within the framework of alternative dispute resolution (e.g. mediation)?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details.		
<b>f)</b>	<b>Have you ever been included in a list of unreliable debtors or do you have a negative record on a list established by a recognised credit bureau (including in the rest of the world), or have you received an enforcement measure for any such debt?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please give details.		

<b>g)</b>	<b>Has a company in which you have or had a participating interest or at which you are or were a member of the management or supervisory body or the procurator ever been included in a list referred to in point f)?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>h)</b>	<b>Have you ever been the subject of a refusal of registration, authorisation, membership or licence to carry out a trade, business or profession, or have you had such withdrawn, revoked or terminated?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>i)</b>	<b>Have you ever been sanctioned by any public authorities or professional bodies or are/were you the subject of any pending investigations or past investigations?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>j)</b>	<b>Have you ever been dismissed or required to resign from the function of a member of the management or supervisory body of a company, or has your entitlement to direct the business or act as statutory representative of a company ever been withdrawn?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>k)</b>	<b>Has your employment ever been terminated owing to a breach of work obligations?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>l)</b>	<b>Have you ever had to resign from the (paid or unpaid) function of procurator or any other authorised person of a company owing to a breach of work obligations?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>m)</b>	<b>Has any company in which you have or had a participating interest, are or were the founder, or are or were a member of the management body had its membership of any professional body refused or revoked, or has the company been sanctioned in any way by such authorities in Slovenia or in the rest of the world?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>n)</b>	<b>Has a competent authority or supervisory authority in Slovenia or in the rest of the world ever prohibited you or a company at which you were a member of the management or supervisory body from pursuing any activity?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>o)</b>	<b>Has the management body of the bank engaged in any specific deliberations regarding any aspects of your reputation, or are such deliberations underway?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details of the content and outcome of such deliberations.	
<b>p)</b>	<b>Do you have any major investments, financial exposures or loan borrowings that could have a significant impact on your financial position?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	

<b>r)</b>	<b>Has a company at which you were a member of the management or supervisory body ever had an authorisation to pursue activities for which a special authorisation is required withdrawn during your term of office or within five years of your departure from the company?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>s)</b>	<b>Have you or a company in which you have or had a participating interest or are or were a member of the management or supervisory body, procurator or other authorised statutory representative ever had an authorisation for a qualifying holding refused or withdrawn, or been found liable via a final or pending judicial or other decision for a breach of the obligations and duties of a qualifying holder?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>t)</b>	<b>Have you ever been a member of the management or supervisory body at a company against which insolvency or compulsory wind-down proceedings were initiated or a resolution tool<sup>2</sup> applied and/or at which a special administration was appointed in Slovenia or in the rest of the world during your term of office or within five years of your departure from the company?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	
<b>u)</b>	<b>Has a supervisory authority, in the scope of its powers, ever initiated proceedings against you to withdraw an authorisation to perform a function, proceedings to disqualify you from performing a function or other similar proceedings that were subsequently halted due to your resignation or another form of termination of your term of office?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details.	

#### 4 Knowledge and experience

Official degree / certificate	Field of study	Qualification achieved	Date	Educational institution (university, centre of studies, etc.)
<i>Add rows as required</i>				

<sup>2</sup> Resolution tools mean the tools under 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, as transposed to national legislation.

Previous employment								
Your function at the company	Main duties/responsibilities	Company's business name, address and primary business activity	Company size <sup>3</sup>	Number of direct subordinates	Area of work	From	To	Reason for termination
<i>Add rows as required</i>								
<b>Total years of service (years and months)</b>								

Membership of management bodies in supervisory function of other companies					
Company's business name and address	Primary business activity and size of company	From	To	Reason for termination	
<i>Add rows as required</i>					
<b>Total supervisory experience (years and months)</b>					

Membership of other bodies and professional associations					
Name and address of body or association	Purpose and area of activity of body or association	From	To	Reason for termination	
<i>Add rows as required</i>					

<sup>3</sup> E.g. total assets at year end for financial institutions, total turnover and presence on international markets for other companies.

<b>Other experience</b>
<i>Add rows as required</i>

<b>Other additional education and training, particularly in the fields of banking, finance, economics, law, administration, financial regulations, mathematics and statistics (in particular please state education and training in the area of the functioning of supervisory boards and corporate governance)</b>	<b>Period of education/training</b>
<i>Add rows as required</i>	

**5 Conflicts of interest**

<b>a)</b>	<b>Do you have any personal relationship with:</b> – other members of the management body and/or key function holders at the target bank, its parent undertaking or its subsidiaries? – a person that has a qualifying holding in the target bank, its parent undertaking or its subsidiaries?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details below.	
<b>b)</b>	<b>Do you have, or have you had in the last two years, any professional or commercial relationship (either yourself or via a company) with the target bank, its parent undertaking or its subsidiaries?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give details below.	
<b>c)</b>	<b>Are you currently involved directly or indirectly in any legal proceedings against the target bank, its parent undertaking or its subsidiaries, either yourself or through a company that you represent?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please provide information on the content and status of the legal proceedings and the entity involved.	
<b>d)</b>	<b>Do you, in any way, represent a shareholder of the target bank, its parent undertaking or its subsidiaries?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please provide the following information: 1. the name of shareholder; 2. the percentage participation (percentage of capital and percentage of voting rights); 3. the nature of the representation.	

<b>e)</b>	<b>Do you have any substantial financial obligations to the target bank, its parent undertaking or its subsidiaries?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please provide the following information: 1. the type of obligation; 2. the value of the obligation; 3. the relevant period of the obligation.	
<b>f)</b>	<b>Do you have any other relationships, positions, functions or involvement not addressed in the questions above that could adversely affect the interests of the target bank?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	If YES, please give all necessary details.	

**6 Additional information and appendices**

<b>If there is any other information that you consider to be relevant to the assessment, please include it below:</b>

Date of completion of questionnaire: \_\_\_\_\_

Signature:\* \_\_\_\_\_

\*By signing, I confirm that the information provided in this questionnaire is accurate and complete to the best of my knowledge.