

THIS TEXT IS UNOFFICIAL TRANSLATION AND MAY NOT BE USED AS A BASIS FOR SOLVING ANY DISPUTE

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Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, No. 25/15; 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] and 59/11), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION

on the application of the Guidelines specifying the conditions for group financial support under Article 23 of Directive 2014/59/EU

Article 1

(purpose and field of application)

(1) Pursuant to the first paragraph of Article 16 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), on 8 December 2015 the European Banking Authority issued the Guidelines specifying the conditions for group financial support under Article 23 of Directive 2014/59/EU (hereinafter: the guidelines), which are published on its website.

(2) The guidelines referred to in the first paragraph of this article set out the conditions for providing group financial support, in connection with the effect of the financial support on the financial stability of the group or entities within it, the receiving entity's ability to repay, and the effect of the financial support on the fulfilment of prudential requirements by the group entity providing the support and on the financial stability of the country in which the aforementioned entity is established.

(3) The guidelines shall apply to:

1. institutions as defined in point 3 of the first paragraph of Article 4 of 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), when they are parties to a group financial support agreement,

2. competent authorities as defined in point 40 of the first paragraph of Article 4 of Regulation (EU) No 575/2013, when they exercise powers and tasks in connection with a group financial support agreement.

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, when meeting the requirements set out in Section 6.7.2 of the ZBan-2; and

2. the Bank of Slovenia, when in accordance with the ZBan-2 in its role as the competent authority it is exercising the supervisory powers and tasks set out in Section 6.7.2 of the ZBan-2.

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(2) In meeting obligations in connection with a group financial support agreement, banks and savings banks shall take full account of the provisions of the guidelines in the parts addressed to banks.

(3) In exercising its supervisory powers and tasks in connection with a group financial support agreement in accordance with the ZBan-2 and Regulation (EU) No 575/2013, 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.

Ljubljana, 23 February 2016

Boštjan Jazbec
President,
Governing Board of the Bank
of Slovenia