

Disclosure of information regarding measure imposed on a legal person on 10 May 2017

Information regarding person responsible for breach	
Business name and registered office of legal person	
Information regarding breach	
Description of the circumstances and conduct that represent a breach of the ZBan-2 or Regulation (EU) No 575/2013	<p>Based on publicly available information, the Bank of Slovenia determined that the company in question accepts deposits from the public by offering the conclusion of loan agreements as a service on its website and by entering into loan agreements with uninformed persons, which represents a breach of Article 96 of the ZBan-2.</p> <p>For this reason, the company was issued an order on the rectification of breaches (resolution adopted at the 578th session of the Governing Board of the Bank of Slovenia). Point 1 of the aforementioned order on the rectification of breaches states that the company in question is in breach of Article 96 of the ZBan-2 by accepting deposits and/or other repayable funds from the public.</p>
Nature of identified breaches	<p>Pursuant to the provisions of Article 95 of the ZBan-2, only a bank or savings bank that has obtained authorisation to provide banking services in accordance with the aforementioned law may accept deposits or other repayable funds from the public in the territory of the Republic of Slovenia. Article 96 of the ZBan-2 further states that no one other than the persons referred to in Article 95 of the same law may accept deposits and/or other repayable funds from the public in the territory of the Republic of Slovenia.</p> <p>The prohibition on the provision of banking services set out in Article 96 of the above-stated law protects investors who do not possess the necessary expertise and experience to assess the risks associated with the borrowing of money (i.e. uninformed persons and the public) against the excessive taking up of risks, and in this way protects the public interest. In view of the above, the identified breach represents a serious breach of the ZBan-2.</p>
Operational part of the decision by which the relevant proceedings are completed	
<ol style="list-style-type: none"> 1. ■ registration no.: ■ (hereinafter: the company) is in breach of the first paragraph of Article 96 of the ZBan-2 by accepting deposits and/or other repayable funds from the public. 2. The company shall cease accepting deposits and/or other repayable funds from the public on the day this order is served. 3. Within 15 (fifteen) days following the service of this order, the company shall submit to the Bank of Slovenia a report in which it must describe the measures it has implemented in connection with the cessation of the acceptance of deposits and/or other repayable funds from the public. During the aforementioned period, the company may also issue a statement regarding the grounds for the issue of the order. 4. The company shall enclose with the aforementioned report evidence from which it is clear that it has implemented measures in connection with the cessation of the acceptance of deposits and/or other repayable funds from the public, and documentation (a list of depositors, with the amounts of funds accepted and the maturities of deposits) presenting the balance of deposits by individual depositor on the day this order is served. 5. An objection to this order shall not stay its enforcement. 	

If the legal person in question does not comply with the order on the cessation of the acceptance of deposits from the public, the Bank of Slovenia shall issue a decision in accordance with Article 314 of the ZBan-2 finding that reasons exist to initiate compulsory liquidation proceedings against that person.

In accordance with the first paragraph of Article 277 of the ZBan-2, the following information in connection with this supervisory measure shall be published on the Bank of Slovenia's website after these proceedings have been completed:

- information regarding the person responsible for the breach; business name and registered office of the legal person or name of the natural person;
- information regarding the breach; description of the circumstances and conduct representing the breach, and the nature of identified breaches;
- the operational part of the decision by which the relevant proceedings were completed; and
- information as to whether judicial protection proceedings have been initiated against the decision in accordance with the ZBan-2.

In accordance with the first paragraph of Article 278 of the ZBan-2, the identity of the person responsible for the breach need not be published, if:

- a supervisory measure is imposed on a natural person, and the publication of data regarding the person responsible for the breach is not proportionate to the gravity of the breach; or
- the publication of information regarding the person responsible for the breach would jeopardise the stability of the financial markets or impede a criminal investigation; or
- publication would likely result in disproportionate damage to the parties involved.

In accordance with the third paragraph of Article 278 of the ZBan-2, the Bank of Slovenia calls on the company to state the reasons set out in the first paragraph of Article 278 of the ZBan-2 in its appeal, if those reasons exist.

In accordance with point 1 of the first paragraph of Article 375 of the ZBan-2 in connection with the first paragraph of Article 380 of the ZBan-2, the Bank of Slovenia shall also be obliged to initiate misdemeanour proceedings against the company.

Information as to whether judicial protection proceedings have been initiated against the decision in accordance with the ZBan-2

Judicial protection proceedings have been initiated against the decision.