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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, Nos. 44/16 and 71/16 [constitutional court ruling]; hereinafter: the ZRPPB) 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 Final Guidelines on the treatment of shareholders in bail-in or the write-down and conversion of capital instruments

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 (OJ L 331 of 15 December 2010, p 12), on 11 July 2017 the European Banking Authority issued the Final Guidelines on the treatment of shareholders in bail-in or the write-down and conversion of capital instruments (hereinafter: the guidelines), which are published on its website.

(2) Pursuant to Article 47(6) of Directive 2014/59/EU, the guidelines referred to in the first paragraph of this article set out the circumstances in which it would be appropriate, when applying the bail-in tool set out in Article 43 of Directive 2014/59/EU or the write-down or conversion of capital instruments set out in Article 59 of Directive 2014/59/EU, to take one or both of the following actions: (a) cancelling existing shares or other instruments of ownership or transferring them to bailed-in creditors, or (b) diluting existing shareholders and holders of other instruments of ownership as a result of the conversion.

(3) The guidelines apply to resolution authorities referred to in point (iv) 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 the Bank of Slovenia sets out the application of the guidelines to the Bank of Slovenia, when in accordance with the ZRPPB it is exercising the powers and tasks of the resolution authority.

(2) In exercising the powers and tasks of the resolution authority in accordance with the ZRPPB, the Bank of Slovenia shall take full account of the provisions of the guidelines in those parts relating to the exercise of the powers and tasks of resolution authorities.

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**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, 29 August 2017

Boštjan Jazbec
President,
Governing Board of the Bank of Slovenia