

1. **Disclosure of information on sanction imposed on credit institution and responsible person, dated 10 October 2107**

a) **Misdemeanour decision against credit institution and responsible person**

Information on person responsible for breach	
Business name and registered office of legal person	-
Name of natural person	-
Information on breach	
Description of circumstances and conduct entailing breach of ZBan-2 or Regulation (EU) No 575/2013	By virtue of a misdemeanour decision, the Bank of Slovenia imposed a fine in the amount of EUR 500,000 on the legal person, for reason of the failure to dispose of shares by the deadline stipulated by an order pursuant to Article 267 of the ZBan-2 (misdemeanour pursuant to the first paragraph of Article 374 of the ZBan-2).
Nature of identified breaches	Failure to dispose of shares by the deadline stipulated in an order.
Operational part of the decision by which the relevant proceedings are completed	
<p>As the misdemeanours authority pursuant to Article 380 of the Banking Act,¹ pursuant to the second paragraph of Article 51 and Article 46 of the Misdemeanours Act,² via the authorised official ■ acting <i>ex officio</i> in misdemeanours proceedings against the legal person ■ with a registered office in Ljubljana and the responsible persons ■ and ■, for reason of a misdemeanour pursuant to the first paragraph of Article 374 of the ZBan-2, the Bank of Slovenia hereby:</p> <p style="text-align: center;">rules that:</p> <p>1. the legal person ■ (the undertaking)</p> <p style="text-align: center;">bears liability for the following:</p> <p>the responsible persons ■ and ■, in performing the function of members of the undertaking's management board, having been authorised to dispose of the undertaking's assets on behalf of and for the account of the undertaking, failed to dispose of the shares that the undertaking held in contravention of the ZBan-2 (i.e. as an unqualified holder), that is all ■ shares held directly and indirectly, by the deadline of six months after the delivery of ■ (hereinafter: decision ■), which passed on 21 March 2016, as the undertaking was instructed by point 3 of the Bank of Slovenia decision that was delivered to the undertaking on 21 September 2015, the undertaking thereby breaching the Bank of Slovenia decision referred to in Article 267 of the ZBan-2.</p> <p>The undertaking thereby committed a misdemeanour pursuant to the first paragraph of Article 374 of the ZBan-2.</p> <p>2. the responsible person ■, employed at ■ at the time that the misdemeanour was committed (hereinafter: the perpetrator or the responsible person)</p>	

¹ Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB] and 77/16 [ZCKR]; hereinafter: the ZBan-2).

² Misdemeanours Act (Official Gazette of the Republic of Slovenia, Nos. 29/11 [official consolidated version], 21/13, 111/13, 74/14 [constitutional court ruling], 92/14 [constitutional court ruling] and 32/16; hereinafter: the ZP-1).

bears liability for the following:

as a responsible person in performing the function of a member of the undertaking's management board and having been authorised to dispose of the undertaking's assets on behalf of and for the account of the undertaking, between 19 November 2015 and 21 March 2016 he failed to ensure that by the deadline of six months after the delivery of the Bank of Slovenia decision, which passed on 21 March 2016, the undertaking had disposed of the shares that it held in contravention of the ZBan-2, that is all ■ shares held directly and indirectly, as the undertaking had been instructed by point 3 of the Bank of Slovenia decision that was delivered to the undertaking on 21 September 2015, thereby breaching the Bank of Slovenia decision referred to in Article 267 of the ZBan-2.

The perpetrator thereby committed a misdemeanour pursuant to the fifth paragraph of Article 374 of the ZBan-2 in connection with the first paragraph of the same article.

3. the **responsible person** ■, employed at ■ at the time that the misdemeanour was committed (hereinafter: the perpetrator or the responsible person)

bears liability for the following:

as a responsible person in performing the function of the president of the undertaking's management board and having been authorised to dispose of the undertaking's assets on behalf of and for the account of the undertaking, between 19 November 2015 and 21 March 2016 he failed to ensure that by the deadline of six months after the delivery of the Bank of Slovenia decision, which passed on 21 March 2016, the undertaking had disposed of the shares that it held in contravention of the ZBan-2, that is all ■ shares held directly and indirectly, as the undertaking had been instructed by point 3 of the Bank of Slovenia decision that was delivered to the undertaking on 21 September 2015, thereby breaching the Bank of Slovenia decision referred to in Article 267 of the ZBan-2.

The perpetrator thereby committed a misdemeanour pursuant to the fifth paragraph of Article 374 of the ZBan-2 in connection with the first paragraph of the same article.

The following are imposed pursuant to the first paragraph in connection with the fifth paragraph of Article 374 of the ZBan-2, in connection with the third paragraph of Article 52 of the ZP-1, and pursuant to Article 382 of the ZBan-2:

a fine in the amount of EUR 500,000 on the legal person ■;

a fine in the amount of EUR 5,000 on the responsible person ■;

a fine in the amount of EUR 5,000 on the responsible person ■.

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

Pursuant to the ZBan-2, judicial protection proceedings are not admissible against a misdemeanour

decision.³

³ The fourth indent of the second paragraph of Article 277 of the ZBan-2 stipulates that information as to whether judicial protection proceedings have been initiated against a decision in accordance with the aforementioned act is published by the Bank of Slovenia. In so doing the Bank of Slovenia clarifies that the misdemeanour decision may be challenged in accordance with the Misdemeanours Act (and not the ZBan-2), which does not envisage the disclosure of information, for which reason the Bank of Slovenia may not disclose information about any judicial protection proceedings.