

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

Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15 and 44/16 [ZRPPB]; hereinafter: the ZBan-2), the third paragraph of Article 9 of the Resolution and Compulsory Winding-Up of Banks Act (Official Gazette of the Republic of Slovenia, No. 44/16; 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 Guidelines on the application of simplified obligations under Article 4(5) 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; hereinafter: Regulation (EU) No 1093/2010), on 16 October 2015 the European Banking Authority issued the Guidelines on the application of simplified obligations under Article 4(5) 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 criteria for the decision by the competent authority and the resolution authority as to the applicability of simplified obligations in the preparation of recovery plans and resolution plans for a particular institution. To this end the guidelines set out the set of mandatory indicators on the basis of which the impact of the potential failure of the institution on the functioning of the financial markets, the operations of other institutions, funding conditions and the wider economy is assessed. The annex to the guidelines also sets out a set of optional indicators that may be applied if competent authorities and resolution authorities assess that they are reasonable and relevant to the particular institution.

(3) The guidelines are addressed to:

- competent authorities as defined in point (i) of Article 4(2) of Regulation (EU) No 1093/2010, and
- resolution authorities as defined 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:

1. 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 6.7.1 of the ZBan-2;
2. in accordance with the ZRPPB it is exercising the powers and tasks of the resolution authority set out in Section 2.2.4 of the ZRPPB.

(2) In exercising its supervisory powers and tasks in connection with the application of simplified obligations in the preparation of rescue plans in accordance with the ZBan-2, the Bank of Slovenia

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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.

(3) In exercising the powers and tasks of the resolution authority in connection with the application of simplified obligations in the preparation of resolution plans 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 the resolution 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, 22 November 2016

Boštjan Jazbec  
President,  
Governing Board of the Bank of Slovenia