

**1**  
**DECREE**  
**of Národná banka Slovenska**  
**of 15 March 2011**  
**on the Register of Bank Loans and Guarantees**

In accordance with Section 38(5) of Act No. 483/2001 Coll. on banks and on amendments to certain acts as amended (hereinafter “the Act”), Národná banka Slovenska stipulates as follows:

**Article 1**

In accordance with Section 38(1) of the Act and with a separate regulation,<sup>1)</sup> the following data are reported to the Register of Bank Loans and Guarantees (hereinafter “the Register”):

a) data on bank loans granted, including–

1. the code of the bank, branch of a foreign bank or Export-Import Bank of the Slovak Republic (hereinafter “the Bank”),
2. the number of the loan contract,
3. the type of loan contract,
4. the date on which the loan contract was entered into,
5. the loan maturity date,
6. the loan value,
7. the type of collateral used to secure the loan,<sup>2)</sup>
8. the value of the collateral,<sup>3)</sup>
9. the currency in which the loan is denominated (ISO code),
10. the outstanding amount of the loan,
11. the value of past due principal payments,
12. the value of past due interest payments, including interest on arrears,
13. the period of default,
14. the loan's classification,
15. the code of the loan status as defined in Annex 1; the code shall indicate the state of the rights and obligations arising under the contract, from their origination to their expiry,

b) data on liabilities undertaken, including

1. the Bank's code,
2. the number of the contract establishing the liability relationship,
3. the type of contract,
4. the date on which the contract was entered into,
5. the expiry date of the contract,

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<sup>1)</sup> Section 18(3) of Act No. 80/1997 Coll. on Export-Import Bank of the Slovak Republic as amended by Act No. 492/2009 Coll.

<sup>2)</sup> Article 1(1)(x) of Decree No. 6/2009 of Národná banka Slovenska on the submission of statements, reports and other disclosures by banks, branches of foreign banks, investment firms and branches of foreign investment firms for supervision purposes, and on the amendment of Decree No. 26/2008 of Národná banka Slovenska on the submission of statements by banks, branches of foreign banks, investment firms and branches of foreign investment firms for statistical purposes (Notification No.520/2009 Coll.).

<sup>3)</sup> Article 12(2)(f) and Article 12(6)(b) of Decree of Národná banka Slovenska No. 13/2010 on additional types of risk, on details of the risk management system of banks and branches of foreign banks, and on defining a sudden and unexpected change in market interest rates (Notification No. 367/2010 Coll.).

6. the value of the liability,
  7. the currency in which the liability is denominated (ISO code),
  8. the liability's classification,
  9. the code of the liability's status as defined in Annex 1,
- c) data on business legal entities, including their–
1. business name,
  2. legal form,
  3. registered office,
  4. company registration number,
  5. the country in which the registered office is located (ISO code),
  6. list of shareholders, meaning a list of legal entities and natural persons holding more than 10% of the share capital or voting rights in the legal entity and information about them; if the shareholder is a legal entity, the list shall include its business name, legal form, company registration number, address of registered office (including the ISO code of the country), and if the shareholder is a natural person, the list shall include his first and last name, business name, identification number or birth registration number (or date of birth in the absence of a birth registration number), address of permanent residence and place of business if different from the address of permanent residence (including the ISO code of the country);
  7. the date as at which the list of shareholders under (6) is valid,
- d) data on natural persons running a business, including their–
1. first and last name and business name,
  2. identification number,
  3. address of permanent residence and place of business if different from the address of permanent residence,
  4. country of permanent residence or place of business (ISO code),
- e) data on other legal entities, including their
1. name,
  2. identification number,
  3. registered office,
  4. country of registered office (ISO code).

## **Article 2**

(1) The following data on a business owner or legal entity (hereinafter “the Client”) shall be provided from the Register to the Bank upon request in accordance with Section 38(3) of the Act:

- a) the Client's identification number,
- b) the Client's country of permanent residence or place of business or registered office (ISO code),
- c) the total number of registered loans and liabilities,
- d) the total value of registered loans and liabilities,
- e) the total outstanding amount of registered loans,
- f) the type of collateral used to secure the registered loans and the total value of the collateral,
- g) the currency of the registered loans and liabilities,
- h) the classification of the registered loans and liabilities,
- i) the total number of registered loans with past due payments,
- j) the period of default on registered loans,
- k) the total value of past due principal payments,
- l) the total value of past due interest payments, including interest on arrears.

(2) The data from the Register referred to in paragraph (1) and Article 1 concerning the Client’s own person shall be provided to the client upon request in accordance with Section 38(3) of the Act.

(3) The data referred to in paragraph (1) are provided in a structure divided into two parts, i.e. the data on loans and liabilities reported to the Register

- a) by banks that have not updated the data in the Register within the preceding three months,
- b) by other banks.

### **Article 3**

(1) Where a bank reports data to the Register in accordance with Section 1 or receives data from the Register in accordance with Section 2, the data shall be transmitted either

- a) by means of the Register of Bank Loans and Guarantees information system (hereinafter “the information system”), or
- b) by means of data transfer from data carriers at a designated workplace at Národná banka Slovenska.

(2) Data from the Register specified in Article 2(2) shall be provided to the Client on the basis of a written *Application for data from the Register*; a template of such application can be found in Annex 2. The Client, or a person authorised by him, may receive the requested data either in person or by post.

(3) The Annexes to the *Application for Data from the Register* comprise:

- a) a document entitled *Protocol on the personal receipt of data provided from the Register*; a template of such protocol can be found in Annex 3,
- b) an officially certified authorisation for a designated person to receive, in person, data from the Register, which shall be enclosed with the *Application for Data from the Register*; a template of such authorisation can be found in Annex 4,
- c) a copy of an entry in the Business Register or other official register in which the client is entered, issued not earlier than one month before the delivery of the *Application*.

(4) The documents referred to in paragraph 3(c) shall be presented in original copies or in officially certified copies. Documents in a foreign language shall be presented together with a certified official translation into the state language.

(5) The data referred to in Article 1, or any changes thereto, shall be reported to the Register according to their status as at the last day of the respective month and shall be sent by the 15<sup>th</sup> day of the following calendar month.

(6) The data referred to in paragraph 5 shall include the value in euro of the loan granted or liability undertaken or of the past due principal payment or past due interest payment (including interest on arrears); the value in a foreign currency of loans granted or liabilities undertaken shall be converted to euro using the exchange rate applied by the Bank as at the last day of the calendar month for which the data referred to in paragraph 5 are reported.

### **Article 4**

The data in the Register which are referred to in Article 1 shall be kept in the Register for a period of five years following the repayment or cancellation of the loan or following the discharge of the liability undertaken.

### **Article 5**

- At the technical level, the protection of data sources shall be ensured by measures aimed at:
- a) protecting the information system against possible modifications that would impair its functionality, and at protecting the contents of the information system;
  - b) establishing access to the information system only for
    - 1. users of the information system (hereinafter “the User”), i.e. the persons designated by the Bank to report data to the Register and to receive data provided from the Register,
    - 2. administrators of the information system (hereinafter “the Administrator”), i.e. the persons designated by the Bank to take the steps necessary to ensure the proper and safe operation of the information system;
  - c) preparing the technical means used to authenticate users and administrators and to protect data entered in the Register;
  - d) preparing the notification system and registration of users and administrators in order to inform Národná banka Slovenska of
    - 1. any loss, theft or misuse of the means for authenticating information system users and administrators or for protecting data entered in the Register,
    - 2. the fact that a person has ceased to be a user or administrator – a person shall cease to be a user or administrator when the Bank's notification of the cancellation of their status as a user or administrator is delivered to Národná banka Slovenska;
  - e) ensuring that the technical means for authenticating users and administrators and the technical means for protecting data entered in the Register are used only by users and administrators and that they are protected against access and misuse by unauthorised persons; unauthorised persons are persons that are not authorised to be informed about the content and the technical aspects of the information system,
  - f) ensuring that unauthorised persons neither receive nor have access to the software, user and operational documents (delivered by Národná banka Slovenska), and information concerning the information system.

#### **Article 6**

The Bank shall bring its reporting of data into line with the provisions of this Decree within three months from its entry into force.

#### **Article 7**

This Decree repeals Decree No. 2/2003 of Národná banka Slovenska of 30 May 2003 on the Register of Loans and Guarantees (Notification No. 237/2003 Coll.) as amended by Decree No. 7/2004 (Notification No. 322/2004 Coll.), Decree No. 4/2005 (Notification No. 420/2005 Coll.) and Decree No. 2/2006 (Notification No. 462/2006 Coll.).

#### **Article 8**

The Decree shall enter into force on 15 April 2011.

**Jozef Makúch**  
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**Code of the current status of the loan or liability****CODE DESCRIPTION OF THE CURRENT STATUS OF THE LOAN OR LIABILITY**

<b>CU</b>	Valid loan contract on the basis of which funds are or have not yet been drawn; or a claim arising from the fulfilment of a guarantee issued in favour of a business owner or a legal entity (debtor), or a liability arising from a letter of credit.
<b>SU</b>	Fully repaid loan (termination of loan relationship).
<b>OU</b>	Loan terminated in a way other than by repayment (termination of loan relationship).
<b>PB</b>	Assignment, transfer or conveyance of a claim to a bank (termination of loan relationship).
<b>PN</b>	Assignment, transfer or conveyance of a claim to any person other than a bank or a foreign bank (termination of loan relationship).
<b>PZ</b>	Valid guarantee issued in favour of a business owner or a legal entity.
<b>NZ</b>	Expiry of a guarantee issued in favour of a business owner or a legal entity without performance (termination of a guarantee without obligation of its performance, or any claim arising).
<b>RZ</b>	Performance arising from a guarantee issued in favour of a business owner or a legal entity (termination of a guarantee by its performance, or transformation of a guarantee into a claim).
<b>OA</b>	Valid contract of a letter of credit.
<b>UA</b>	Discharge of a letter of credit contract.
<b>RA</b>	Performance arising from a letter of credit contract.
<b>ZP</b>	Claims which were deleted from the Register by Národná banka Slovenska on grounds of the revocation of a bank licence.

**TEMPLATE**  
**Application of a Client for data from the Register of Bank Loans and Guarantees**  
 (hereinafter “the Register”)

Registration No. of the Application \*)

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PART 1 Data on the Client	
Name or business name of the Client <sup>1)</sup>	
Registered office / Place of business of the Client	Street and number
	Town and post code
	Country
Company registration number (ICO) <sup>2)</sup>	
Tax identification number (DIČ)	

PART 2 Data on a natural person authorised to act on behalf of the Client (hereinafter “the Applicant”)	
First and last name of the Applicant	
Identification number of the Applicant / Date of birth <sup>3)</sup>	
Permanent residence	Street and number
	Municipality (town/city) and Post code
	Country
Telephone number <sup>4)</sup>	
E-mail address <sup>4)</sup>	

PART 3 Specification of the Application for data from the Register	
Periods to which pertain the data requested from the Register	<input type="checkbox"/> current status
	<input type="checkbox"/> for the periods specified <sup>5)</sup>
Means of delivery / receipt of data provided from the Register	<input type="checkbox"/> regular post
	<input type="checkbox"/> in person <sup>6)</sup>
	<input type="checkbox"/> by an authorised person <sup>6) 7)</sup>
Date of payment of the fee for provision of data from the Register	

I hereby affirm that I am

- a statutory body,
- a member of a statutory body,
- an authorised representative of the Client (legal entity) that is neither a statutory body nor a member of a statutory body,

and that I hold an authorisation to act on behalf of the legal entity as stated in Part 1 with regard to the *Application for data from the Register of Bank Loans and Guarantees* operated by Národná banka Slovenska, or

a Client – natural person running a business.

At

Date

First and last name of the Applicant
Signature of the Applicant <sup>8)</sup>

Explanatory notes

1) For a legal entity, fill in the name or business name; for a natural person running a business, fill in the first and last name and the business name if different from the first and last name.

2) Company registration number of the Client to be filled in only if one has been assigned.

3) If the Applicant has no personal identification number, fill in the date of birth.

4) Non-obligatory. Filling it in is recommended where the data provided from the Register is received in person.

5) Specify the calendar month and year to which pertain the data required from the Register. Data from the Register are provided according to their status as at the last day of each calendar month for which the data are requested. Write for example “04/2008 – 08/2008”, “01/2009”.

6) The Applicant shall submit the completed form “*Protocol on the personal receipt of data provided from the Register of Bank Loans and Guarantees*”. Data provided from the Register may be received in person at the registry of Národná banka Slovenska, Imricha Karvaša 1, Bratislava.

7) The Applicant shall also submit the completed form “*Authorisation to receive data from the Register of Bank Loans and Guarantees*”.

8) The Applicant shall sign the application or declare the signature on the Application to be his/her own in the presence of the person authenticating the signature.

\*) Grey boxes are to be completed at Národná banka Slovenska.

Space for authentication of the Applicant’s signature.

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**TEMPLATE**  
**Protocol on the personal receipt of data provided from the Register of Bank Loans and Guarantees**  
 (hereinafter “the Register”)

Registration No. of the Application\*)

<b>Person receiving the data<sup>1)</sup></b>	
First and last name	
Personal identification number / Date of birth	
Permanent residence	Street and number
	Municipality (town/city) and post code
	Country
Telephone number (non-obligatory)	
E-mail address (non-obligatory)	
Number of identity document	

<b>Client requesting data from the Register<sup>2)</sup></b>	
Name or business name of the legal entity or name of the natural person running a business	
Registered office / Place of business	
Company registration number	

The Protocol shall be issued as an obligatory annex to the application when the data provided from the Register is received in person.

First name, last name and signature of the person verifying the data in the Protocol

First name, last name and signature of the person verifying the data in the identity document

Bratislava, date

Signature of the person receiving the data

### Explanatory notes

1) In the case of data from the Register that are received in person, they must correspond to the data under Part 2 of the “*Application of a client for data from the Register of Bank Loans and Guarantees*”. Where data from the Register are received by an authorised person, they must correspond to the data of the authorised person mentioned in Part 2 of the “*Authorisation to receive data from the Register of Bank Loans and Guarantees*”.

2) The data of the Client must correspond to the data referred to in Part 1 of the “*Application of a client for data from the Register of Bank Loans and Guarantees*”.

\*) Grey boxes to be completed in Národná banka Slovenska.

**TEMPLATE**  
**Authorisation to receive data from the Register of Bank Loans and Guarantees**  
(hereinafter “the Register”)

Registration No. of the Application <sup>\*)</sup>

**PART 1<sup>1)</sup>**

Applicant

First and last name

Permanent residence

Number of identity document

Date of birth

Personal  
identification  
number

**PART 2<sup>2)</sup>**

I hereby authorise:

First and last name

Permanent residence

to receive the data provided from the Register.

Number of identity document

Date of birth

Personal  
identification  
number

This authorisation shall be valid until ....., for a maximum period of one year.

At

Date

For the Applicant

First and last name of the Applicant
Signature of the Applicant <sup>3)</sup>

Space for authentication of the Applicant's signature.

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I hereby prepare and grant this Authorisation, as an obligatory annex to the *Application for data from the Register*, when the data are received by the authorised person.

For the authorised person

I accept this Authorisation in its entirety.

First and last name of the authorised person
Signature of the authorised person <sup>4)</sup>

Space for authentication of the authorised person's signature.

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Explanatory notes

1) The data of the Applicant must correspond to the data referred to in Part 2 of the “*Application of a client for data from the Register of Bank Loans and Guarantees*”.

2) The data must correspond to the data of the person receiving the data according to the “*Protocol on the personal receipt of the data provided from the Register of Bank Loans and Guarantees*”.

3) The Authorisation shall be signed in the presence of the person attesting the authenticity of the signature.

4) The authorised person shall sign the authorisation or declare the signature to be his/her own in the presence of the person attesting the authenticity of the signature.

\*) Grey boxes are to be completed at Národná banka Slovenska.