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DECREE
of Národná banka Slovenska
of 10 July 2017

on the elements of a notification required to identify other persons who, by virtue of their relationship to the notifier, have a special relationship with a bank or foreign bank branch

Národná banka Slovenska, in accordance with Article 35(3) of Act No 483/2001 Coll. on banks (and amending certain laws) (hereinafter ‘the Act’), has adopted this Decree:

Article 1

(1) The notifications given by a member of the bank’s statutory body, a senior employee of the bank, another employee of the bank specified in its articles of association or an authorised representative of the bank, as referred to in Article 35(4)(a) of the Act, or by a member of the bank’s supervisory board, as referred to in Article 35(4)(b) of the Act, or by a natural person exercising control over the bank, a member of the statutory body or a senior employee of a legal person exercising control over the bank, as referred to in Article 35(4)(c) of the Act, shall state the following information about each of the notifier’s next of kin¹:

- (a) their full name;
- (b) their date of birth, place of birth and, unless the person is a foreigner², personal identification number;
- (c) their nationality;
- (d) their address of permanent residence and, if the person is a foreigner, also their address of temporary residence in the Slovak Republic, if any;
- (e) their relationship to the notifier.

(2) Notifications given by legal persons exercising control over the bank, as referred to in Article 35(4)(c) of the Act, shall state the following information about each member of the person’s statutory body and about each of its senior employees³:

- (a) their full name;
- (b) their date of birth, place of birth and, unless the person is a foreigner², personal identification number;
- (c) their nationality;
- (d) their address of permanent residence and, if the person is a foreigner, also their address of temporary residence in the Slovak Republic, if any.

(3) Notifications given by shareholders with a qualifying holding in the bank, as referred to in Article 35(4)(f) of the Act, shall state the following information:

- (a) about each legal person they control: its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned;
- (b) their shareholding in the legal person referred to in subparagraph (a);
- (c) about the legal person exercising control over the shareholder: its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned,

¹ Article 116 of the Civil Code.

² Article 2(2) of Act No 404/2011 Coll. on the temporary residence of foreigners (and amending certain laws).

³ Article 9(3) of the Labour Code, as amended.

(d) the size of shareholding that the legal person referred to in subparagraph (c) holds in the shareholder.

(4) Notifications given by persons referred to in Article 35(4)(a), (b), (c) and (f) of the Act shall state the following information about each legal person in which a member of the bank's statutory body, a senior employee³ of the bank, another employee of the bank specified in its articles of association, an authorised representative of the bank, a member of the bank's supervisory board, a person exercising control over the bank, or a member of the statutory body or a senior employee of such legal person, or a next of kin¹ to a member of the bank's statutory body, to a member of the bank's supervisory board, to a senior employee³ of the bank or to a natural person exercising control over the bank, has a qualifying holding, as referred to in Article 35(4)(e) of the Act:

- (a) its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned,
- (b) the size of the shareholding in the legal person held by the person(s) listed.

Article 2

(1) Notifications given by the chief executive officer of the foreign bank branch, as referred to in Article 35(5)(a) of the Act, by a member of the foreign bank's statutory body or supervisory board, as referred to in Article 35(5)(b) of the Act, by a natural person exercising control over the foreign bank or a member of a statutory body of a legal person exercising control over the foreign bank, as referred to in Article 35(5)(c) of the Act, shall state the following information about each of the notifier's next of kin¹:

- (a) their full name;
- (b) their date of birth, place of birth and, unless the person is a foreigner², personal identification number²;
- (c) their nationality;
- (d) their address of permanent residence and, if the person is a foreigner, also their address of temporary residence in the Slovak Republic, if any;
- (e) their relationship to the notifier.

(2) Notifications given by legal persons exercising control over the foreign bank shall state the following information about each member of the person's statutory body:

- (a) their full name;
- (b) their date of birth, place of birth and, unless the person is a foreigner², personal identification number;
- (c) their nationality;
- (d) their address of permanent residence and, if the person is a foreigner, also their address of temporary residence in the Slovak Republic, if any;
- (e) the specification of the legal person's statutory body of which they are a member.

(3) Notifications given by shareholders with a qualifying holding in the foreign bank, as referred to in Article 35(5)(f) of the Act, shall state the following information:

- (a) about each legal person they control: its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned;
- (b) their shareholding in the legal person referred to in subparagraph (a);
- (c) about the legal person exercising control over the shareholder: its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned;

(d) the size of shareholding that the legal person referred to in subparagraph (c) holds in the shareholder.

(4) Notifications given by persons referred to in Article 35(5)(a), (b), (c) and (f) of the Act shall state the following information about each legal person in which the chief executive officer of the foreign bank branch, a member of the foreign bank's statutory body or supervisory board, a person exercising control over the foreign bank, a member of the statutory body of a legal person exercising control over the foreign bank, or a next of kin¹ to the chief executive officer of the foreign bank branch, to a member of the foreign bank's statutory body, to a member of the foreign bank's supervisory board or to a natural person exercising control over the foreign bank, has a qualifying holding, as referred to in Article 35(5)(e) of the Act:

- (a) its business name, legal form, registered office address and company registration number, if assigned, the register in which it is registered, and the number of its entry in that register, if assigned;
- (b) the size of the shareholding in the legal person held by the person(s) listed.

Article 3

This Decree repeals Decree No 17/2001 of Národná banka Slovenska of 21 December 2001 on the elements of a notification required to identify other persons who, by virtue of their relationship to the notifier, have a special relationship with a bank or a foreign bank branch (Notification No 32/2001 Coll.).

Article 4

This Decree enters into force on 1 October 2017.

Jozef Makúch
Governor

Issuing unit:

Regulation Department
Banking and Payment Services Regulation Section

Tel.: +421 2 5787 3301

Fax: +421 2 5787 1118