

12
DECREE
of Národná banka Slovenska
of 25 September 2018

**on the register of financial agents, financial advisers, financial intermediaries
from other Member States operating in the insurance or reinsurance sector,
and financial intermediaries from other Member States engaged
in the provision of housing loans**

Národná banka Slovenska, in accordance with Article 16(13) of Act No 186/2009 Coll. on financial intermediation and financial advisory services (and amending certain laws), as amended (hereinafter “the Act”), has adopted this Decree:

Article 1
Applications for entry in the register

(1) An application for entry in the register of financial agents, financial advisers, financial intermediaries from other Member States operating in the insurance or reinsurance sector, and financial intermediaries from other Member States engaged in the provision of housing loans (hereinafter the “register”) shall include the following information:

- (a) if it is for the registration of a legal person as a tied financial agent, subordinate financial agent, tied investment agent or ancillary insurance intermediary:
1. that the application is for entry in the register;
 2. that the application concerns a legal person;
 3. the legal person’s business name;
 4. the legal person’s registration number (IČO), if assigned;
 5. the legal person’s registered office address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country; if the legal person is established outside the Slovak Republic, the application shall also include the address of its organisational unit in the Slovak Republic, including the street name, Land Registry number, postal code, municipality and country;
 6. the legal person’s telephone number and, if the legal person is established outside the Slovak Republic, also the telephone number of its organisational unit in the Slovak Republic;
 7. the legal person’s email address and, if the legal person is established outside the Slovak Republic, also the email address of its organisational unit in the Slovak Republic;
 8. the full name of the member of the legal person’s statutory body responsible for the performance of financial intermediation, and that member’s personal identification number (or date of birth if a personal identification number has not been assigned) and permanent address;
 9. the full name of the head of the legal person’s organisational unit in the Slovak Republic and that head’s personal identification number (or date of birth if a personal identification number has not been assigned);

10. the date on which the head of the legal person's organisational unit in the Slovak Republic assumed that position;
- (b) if it is for the registration of a financial intermediary from another Member State operating in the insurance or reinsurance sector, or a financial intermediary from another Member State engaged in the provision of housing loans:
1. that the application is for entry in the register;
 2. the person's registration number assigned by the supervisory authority of its home Member State;
 3. whether the application concerns a legal person or a natural person;
 4. the intermediary's business name;
 5. if the intermediary is a natural person, that natural person's full name and place of business address;
 6. the intermediary's registered office address, including the street name, Land Registry number, postal code, municipality and country;
 7. the telephone number of the intermediary's registered office outside the Slovak Republic;
 8. the email address of the intermediary's registered office outside the Slovak Republic;
 9. the address of the intermediary's organisational unit in the Slovak Republic, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 10. the telephone number of the intermediary's organisational unit in the Slovak Republic;
 11. the email address of the intermediary's organisational unit in the Slovak Republic;
 12. the full name of the head of the intermediary's organisational unit in the Slovak Republic;
 13. the category of the financial agent operating in the insurance or reinsurance sector;
 14. the business name of the insurance or reinsurance undertaking represented by the intermediary operating in the insurance or reinsurance sector;
 15. the corresponding insurance types in the insurance or reinsurance sector;
 16. if the intermediary is engaged in the provision of housing loans, the business name of the creditor it represents;
 17. the name and address of the intermediary's supervisory authority in its home Member State;
 18. the date on which the notification referred to in Article 11(2) of the Act was served;
 19. the date of entry in the register;
 20. the date on which the entry in the register is amended;
 21. the date on which the entry in the register is cancelled;
- (c) if it is for the registration of a natural person as a tied financial agent, subordinate financial agent, tied investment agent or ancillary insurance intermediary:
1. that the application is for entry in the register;
 2. that the application concerns a natural person;
 3. the natural person's full name;
 4. the natural person's personal identification number (or date of birth if a personal identification number has not been assigned) and registration number (IČO), if assigned;
 5. the natural person's permanent address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a

- street number has been assigned, the street name, street number, postal code, municipality and country;
6. the natural person's place of business address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 7. the natural person's telephone number;
 8. the natural person's email address.

(2) An application for the entry of a financial agent in the register shall include the following information for each subregister:

- (a) that the application includes entry in a subregister;
- (b) whether the application concerns a natural person, a legal person established in the Slovak Republic, or a legal person established outside the Slovak Republic;
- (c) the title of the subregister;
- (d) the agent's registration number (IČO), if assigned, and, if the agent is a natural person, personal identification number (or date of birth if a personal identification number has not been assigned);
- (e) the type of financial agent;
- (f) the effective date of the agent's authorisation; in the case of the insurance or reinsurance sector, the authorisation date shall be stated separately for life insurance and non-life insurance;
- (g) the expiry date of the agent's authorisation; in the case of the insurance or reinsurance sector, the expiry date of the authorisation shall be stated separately for life insurance and non-life insurance;
- (h) the Member States where the agent is authorised to perform financial intermediation;
- (i) the effective date of the financial agent's authorisation to perform financial intermediation in other Member States;
- (j) the expiry date of the financial agent's authorisation to perform financial intermediation in other Member States;
- (k) details about the professional guarantor for the subregister, as follows:
 1. full name;
 2. permanent address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 3. personal identification number (or date of birth if a personal identification number has not been assigned);
 4. the date on which the professional guarantor assumed that position;
- (l) that the proposer has assumed liability for damage if this is the case;
- (m) if the proposer has not assumed liability for damage:
 1. the commencement date of the insurance contract;
 2. the effective date of the insurance contract;
 3. the insurer's business name;
 4. the insurer's registration number (IČO) or, if that number has not been assigned, the insurer's LEI code;
- (n) other additional information.

(3) The register shall include the following information on the proposer:

- (a) that is a legal person:

1. its business name;
 2. its registration number (IČO), if assigned;
 3. its registered office address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country; if the legal person is established outside the Slovak Republic, the register shall also state the address of its organisational unit in the Slovak Republic, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 4. its telephone number and, if the legal person is established outside the Slovak Republic, also the telephone number of its organisational unit in the Slovak Republic;
 5. its email address and, if the legal person is established outside the Slovak Republic, also the email address of its organisational unit in the Slovak Republic;
 6. the full name of the head of its organisational unit in the Slovak Republic, and that head's personal identification number (or date of birth if a personal identification number has not been assigned);
 7. the date on which the head of its organisational unit in the Slovak Republic assumed that position;
- (b) that is a natural person:
1. the natural person's full name;
 2. the natural person's personal identification number (or date of birth if a personal identification number has not been assigned), and registration number (IČO), if assigned;
 3. the natural person's permanent address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 4. the natural person's place of business address, including, if a street number has not been assigned, the Land Registry number, postal code, municipality and country, or, if a street number has been assigned, the street name, street number, postal code, municipality and country;
 5. the natural person's telephone number;
 6. the natural person's email address.

Article 2

Applications to amend an entry in the register

(1) An application to amend an entry in the register shall include the following information:

- (a) that the application is for the amendment of an entry in the register;
- (b) the register entry number of the financial agent, or the financial intermediary from another Member State operating in the insurance or reinsurance sector, or the financial intermediary from another Member State engaged in the provision of housing loans;
- (c) whether the application concerns a natural person, a legal person established in the Slovak Republic, or a legal person established outside the Slovak Republic;
- (d) if the financial agent is a legal person established in the Slovak Republic, that legal person's registration number (IČO), or, if the financial agent is a natural person, that natural person's

- personal identification number (or date of birth if a personal identification number has not been assigned);
- (e) any change to other information in the entry which is referred to in Article 1(1).

(2) In addition to the information referred to in paragraph (1), an application to amend an entry in the register shall include the following information:

- (a) if the cancellation of a subregister entry is being applied for:
1. that the application is for the cancellation of a subregister entry;
 2. the register entry number;
 3. the title of the subregister;
 4. the registration number (IČO);
 5. if the entry is for a natural person, that natural person's personal identification number (or date of birth if a personal identification number has not been assigned);
- (b) if the amendment of a subregister entry is being applied for:
1. that the application is for the amendment of a subregister entry;
 2. the register entry number;
 3. the title of the subregister;
 4. the registration number (IČO);
 5. if the entry is for a natural person, that natural person's personal identification number (or date of birth if a personal identification number has not been assigned);
 6. any change to other information in the entry which is referred to in Article 1(2);
- (c) if entry in a new subregister is being applied for:
1. that the application is for entry in a subregister;
 2. the register entry number;
 3. the title of the subregister;
 4. the registration number (IČO);
 5. if the entry is for a natural person, that natural person's personal identification number (or date of birth if a personal identification number has not been assigned);
 6. details about the professional guarantor for the subregister as specified in Article 1(2)(k);
 7. that the proposer has assumed liability for damage if this is the case;
 8. if the proposer has not assumed liability for damage, the information specified in Article 1(2)(m);
 9. other additional information.

Article 3

Applications to cancel an entry in the register and requests for the cancellation of an entry in the register

(1) An application for the cancellation of an entry in the register shall include the following information:

- (a) that the application is for the cancellation of an entry in the register;
- (b) the register entry number of the financial agent, or the financial intermediary from another Member State operating in the insurance or reinsurance sector, or the financial intermediary from another Member State engaged in the provision of housing loans;
- (c) if the financial agent is a legal person established in the Slovak Republic, that legal person's registration number (IČO), or, if the financial agent is a natural person, that natural person's personal identification number (or date of birth if a personal identification number has not been assigned).

(2) For a request to cancel an entry in the register as referred to in Article 16(4)(e) of the Act, a template is given in the annex hereto.

Article 4

Submitting applications and requests

Applications for entry in the register, applications to amend an entry in the register, and applications to cancel an entry in the register shall be submitted via the appropriate online interface on the website of Národná banka Slovenska. Requests to cancel an entry in the register as referred to in Article 16(4)(e) of the Act shall be submitted in writing.

Article 5

Register entry numbers

(1) The register entry numbers of financial agents, financial advisers, financial intermediaries from other Member States operating in the insurance or reinsurance sector and financial intermediaries from other Member States engaged in the provision of housing loans shall be assigned in ascending numerical order.

(2) Where a person whose entry in the register was previously cancelled is re-entered in the register, that person shall be assigned a new registration number.

Article 6

Maximum number of persons

No more than fifty persons may be the subject of an application for entry in the register, or an application to amend an entry in the register, or an application to cancel an entry in the register.

Article 7

Entry into force

This Decree enters into force on 1 November 2018.

Jozef Makúch
Governor
represented by
Ludovít Ódor
Deputy Governor
[signed]

Issuing unit:	Regulation Department	+421 2 5787 3301
	Insurance Regulation Section	+421 2 5787 3412

Template request to cancel an entry in the register

Re: Request to cancel an entry in the register

Applicant

.....
(full name if a natural person / business name if a legal person)

.....
(permanent address and place of business address if a natural person / registered office address if a legal person)

Registration number (IČO):

Personal identification number (if a natural person):

Register entry number assigned by Národná banka Slovenska:

In accordance with Article 16(4)(e) of Act No 186/2009 Coll. on financial intermediation and financial advisory services (and amending certain laws), as amended, I, the applicant, hereby request that Národná banka Slovenska cancel my entry in the register on the ground that the following independent financial agent/financial institution*:

.....
whose register entry number assigned by Národná banka Slovenska is,
has failed to comply with its duty as a proposer referred to in Article 16(4)(d) of the Act by not submitting an application to cancel my entry in the register within 15 days after receiving a request to do so dated

The proposer received the request on

Done at on

.....
(signature of the applicant that is a natural person, or the signature of the person authorised to act on behalf of the applicant that is a legal person)

* Please state as appropriate, providing, if the agent/institution is a natural person, the natural person's full name, permanent address and place of business address, or, if the agent/institution is a legal person, the legal person's registered office address.

Enclosures:

1. The request to submit an application to cancel the entry in the register.
2. Documentary proof of the proposer's receipt of the request to submit an application to cancel the entry in the register (for example, an acknowledgement of receipt written on the request upon its delivery by hand, or proof of delivery).