Annex No 2 of the methodological guideline No 4/2024

Template – Appointee’s declaration for his/her fit and proper assessment

**APPOINTEE’S DECLARATION FOR HIS/HER FIT AND PROPER ASSESSMENT**

**Submitted with the application: Please select**

**Company identification data**

Business name:

Registered office address:

Company registration number (IČO):

Legal Entity Identifier (LEI):

Is the company (supervised entity) under the direct supervision of the European Central Bank pursuant to specific legislation?[[1]](#footnote-1)

Yes  No

(hereinafter referred to as ‘**the** **applicant’** or ‘**the bank’**)

**Appointee identification data**

Title, first name(s), family name:

Sex:  Male  Female

Date of birth: Please select

Identity document number:

Title of 1st position appointed to:

Choose an item.

Title of 2nd position appointed to (if appointed to two positions):

Please select

**PART A –** **APPOINTEE’S DECLARATION FOR THE ASSESSMENT OF HIS/HER GOOD REPUTE**

**A-I.** **To be completed by each appointee**

1. Have you in the past ten years held the position of *member of the statutory body (**board of directors)*, *authorised representative*, *member of the supervisory board*, *manager*,[[2]](#footnote-2) *chief internal control officer* or *chief internal audit officer* or *person responsible for the performance of AML/CFT tasks[[3]](#footnote-3)* at a bank, a foreign bank or other financial institution,[[4]](#footnote-4) or the position of *head* of a foreign bank branch or *manager*2at a foreign bank branch, at any time within one year before the banking authorisation or other operational authorisation of that entity was withdrawn?

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; and the start and end dates of the position.

1. Have you in the past ten years held the position of *member of the statutory body*, *authorised representative*, *member of the supervisory board*, *manager*,2 *chief internal control officer* or *chief internal audit officer* or *person responsible for the performance of AML/CFT tasks3* at a bank, a foreign bank or other financial institution3 at any time within one year before that entity was placed into receivership or was subjected to a foreign reorganisation order pursuant to Article 53(9) of the Banking Act?

No

Yes

If ‘yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; and the start and end dates of the position.

1. Have you in the past ten years held the position of *member of the statutory body*, *authorised representative*, *member of the supervisory board*, *manager*,2 *chief internal control officer* or *chief internal audit officer* or *person* *responsible for the performance of AML/CFT tasks3* at a bank, a foreign bank or other financial institution3 at any time within one year before that entity entered into liquidation or was declared insolvent, before a bankruptcy order was made against it, before it was admitted to restructuring proceedings, before a compulsory arrangement with its creditors was approved or it entered into a voluntary arrangement, before a petition for a bankruptcy order against it was refused on grounds of insufficient assets, or before bankruptcy proceedings against it were suspended or discontinued on grounds of insufficient assets?

No

Yes

If ‘yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; and the start and end dates of the position.

1. Are you deemed to be a person of good repute as defined in specific legislation[[5]](#footnote-5) concerning the financial market?

Yes

No

If ‘No’ is selected, please provide details.

1. Have you in the past ten years been fined under Section 50(2) of the Banking Act (No 483/2001) an amount exceeding 50% of the maximum fine under that provision?

No

Yes

If ‘Yes’ is selected, please provide details.

1. Have you during the past ten years performed your duties and conducted your business reliably, honestly and without infringing any legislation of general application, and, these facts being taken into account, do you guarantee that you will perform the duties of the position to which you have been appointed in a reliable and honest manner, without infringing any legislation of general application, and in fulfilment of your obligations under legislation of general application, under the articles of association of the bank, and under the internal regulations and management directives of the bank?

Yes

No

If ‘No’ is selected, please provide details.

**A-II. To be filled by each appointee**

1. Are you or have you been subject to any criminal,[[6]](#footnote-6) civil or administrative proceedings?

No

Yes

If ‘Yes’ is selected, please provide the following details: a brief description of the charge, of the nature of the (alleged) wrongdoing and of the stage of the proceedings; the authority in charge of the proceedings; details of your personal involvement; the sanction or penalty received (or likely if convicted in the case of pending proceedings); a description of any mitigating or aggravating factors; a description of subsequent proceedings, including precautionary or corrective measures taken).

1. Are you or have you been subject to any bankruptcy, insolvency, disciplinary or similar procedures?

No

Yes

If ‘Yes’ is selected, please provide the following details: the type of the procedure; the stages of the procedure; the business name, registered office address and company registration number (IČO) of the entity(ies) involved in the procedure; details of your personal involvement; the outcome of the procedure, including any mitigating or aggravating factors.

1. Have you ever been included in a register of unreliable debtors or have you been subject to an enforcement measure for a debt?

No,

Yes

If ‘Yes’ is selected, please provide the following details: the name of the register; the reason for your entry in the register; the date of your entry in the register and, where applicable, deletion from the register).

1. Have you ever been the subject of a refusal of registration, authorisation, membership or licence to carry out a trade, business or profession, or have you had such a registration, authorisation, membership or licence, withdrawn or terminated as a sanction measure, or have you been subject to an exclusion order pursuant to Section 13a of the Commercial Code (Act No 513/1991)?

No

Yes

If ‘Yes’ is selected, please provide the following details: the type of authorisation; the reason for the refusal, withdrawal or exclusion order; the validity period of the authorisation.

1. Have you been sanctioned by any public authorities or have you been the subject of any investigation or proceedings conducted by a public authority?

No

Yes

If ‘Yes’ is selected, please provide the following details: the subject matter of the sanction; the date when the sanction was imposed; the duration of the investigation or proceedings).

1. Apart from the cases already mentioned elsewhere in your replies, have you been directly or indirectly involved in a situation that led to concerns or suspicions of money laundering or terrorist financing?

No

Yes

If ‘Yes’ is selected, please provide details.

1. Have you personally ever failed to appropriately disclose any information of which the supervisor would reasonably have expected notice?

No

Yes

If ‘Yes’ is selected, please provide details.

**A-III. To be completed by appointees for the position of *member of the statutory body (board of directors) responsible for the performance of activities under the Securities Act (No 566/2001)***

1. Have you held the position of *member of the board of directors*, *member of the supervisory board, manager reporting directly to the statutory body*, *chief compliance officer*, *chief risk officer* or *chief internal audit officer* at an investment firm, bank, foreign bank branch, asset management company, insurance undertaking, supplementary pension insurance company, supplementary pension management company or central securities depository, or at an entity established outside Slovakia which performs a similar activity, or at a pension fund management company, at any time within one year before the authorisation of that entity was withdrawn; or have you held the position of *head* of a foreign investment firm’s branch at any time within one year before that branch’s authorisation to perform the activities of a foreign investment firm in Slovakia was withdrawn?

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start and end dates of the position.

1. Have you held the position of *member of the board of directors*, *member of the supervisory board,* *manager reporting directly to the statutory body*, *chief compliance officer*, *chief risk officer*, *chief internal audit officer* or *chief internal control officer* at an investment firm, bank, foreign bank branch, asset management company, insurance undertaking, supplementary pension insurance company, supplementary pension management company or central securities depository, or at an entity established outside Slovakia which performs a similar activity, or at a pension fund management company, at any time within one year before that entity was placed into receivership:

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start and end dates of the position.

1. Have you held the position of *member of the board of directors*, *member of the supervisory board, manager reporting directly to the statutory body*, *chief compliance officer*, *chief risk officer* or *chief internal audit officer* at an investment firm, bank, foreign bank branch, asset management company, insurance undertaking, supplementary pension insurance company, supplementary pension management company, central securities depository, or at an entity established outside Slovakia which performs a similar activity, or at a pension fund management company, at any time within one year before a bankruptcy order was made against that entity or before it entered into liquidation**?**

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start and end dates of the position.

1. Have you been fined under Section 144(7) of the Securities Act an amount exceeding 50% of the maximum fine under that provision?

No

Yes

If ‘Yes’ is selected, please provide details.

**PART B – APPOINTEE’S DECLARATION FOR THE ASSESSMENT OF HIS/HER INDEPENDENCE**

**B-I. To be completed by each appointee**

1. Are you an employee of the bank, the parent undertaking or their subsidiaries, or of another bank, foreign bank or financial institution?

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start and end dates of the position.

1. While holding the position which this declaration relates to, will you hold any other position which, under Slovak law, is incompatible with that position?

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start date and (if applicable) end date of the position.

1. Do you have a close person[[7]](#footnote-7) who, at the filing date of the application, is in an employment or similar relationship with the bank, the parent company or their subsidiaries, or with another bank, foreign bank or financial institution?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity with which the close person has the employment or similar relationship; the close person’s relationship to the candidate, full name, and employment position.

1. Have you in the past two years been the statutory body of a legal entity, a member of the statutory body, supervisory body or oversight body of a legal entity, an authorised representative of a legal entity, or another person named in the Commercial Register as a one authorised to act on behalf of a legal entity?

No

Yes

If ‘Yes’ is selected, please provide the following details: the position(s) held; the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the entity’s main activities; the type of relationship between the entity and the bank; the start and end dates of the position.

1. Do you have any financial interest (such as ownership or investment)[[8]](#footnote-8) in the bank, the parent undertaking or their subsidiaries?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the entity’s main activities; the type of relationship between the entity and the bank; the start date of the financial interest; the size of the financial interest (expressed as a percentage of the capital and voting rights of the entity or value of the investment).

1. Are you using a significant proportion of your own assets to guarantee the liabilities of a legal entity?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the entity’s main activities; the amount of the entity’s share capital; the amount of your guarantee; the type of relationship between the entity and the bank.

1. Are you subject to any cooling-off period (either under an agreement or under the law)?

No

Yes

If ‘Yes’ is selected, please provide details.

**B-II. To be completed by each appointee**

1. Do you in any way represent a shareholder of the bank, the parent undertaking or their subsidiaries:

No

Yes

If ‘Yes’ is selected, please provide the following details: the shareholder’s first name(s) and family name or its business name, registered office address and company registration number; the size of the participation (as a percentage of the capital and voting rights); the nature of the representation.

1. Do you have any financial obligations towards the bank, the parent undertaking or their subsidiaries cumulatively exceeding EUR 200,000 (excluding private mortgages[[9]](#footnote-9)) or any loans of any value that are not negotiated ‘at arm’s length’ or that are non-performing (including mortgages)?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the nature of the obligation(s); the amount of the obligation(s); the type and amount of the guarantee (if any); the status of the obligation(s); the conditions of the obligation(s);[[10]](#footnote-10) the duration of the obligation.

1. Do you personally have or have you had in the past two years any position of high political influence[[11]](#footnote-11) (internationally, nationally or locally)?

No

Yes

If ‘Yes’ is selected, please provide the following details: the nature of the position; the specific role and responsibilities of the position; the relationship between the position (or the entity where the position is or was held) and the bank, the parent undertaking or their subsidiaries; the start and end dates of position.

1. Are you currently involved either directly or indirectly in any legal proceedings against the bank, the parent undertaking or their subsidiaries?

No

Yes

If ‘Yes’ is selected, please provide the following details: the content and current status of the proceedings in question; the business name, registered office address and company registration number (IČO) of the entity(ies) involved.

1. Do you personally or through a legal entity have any business, professional[[12]](#footnote-12) or similar relationship with the bank, the parent undertaking or their subsidiaries?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the entity’s main activities; the type of relationship with the entity; the start date and (if applicable) end date of the relationship.

1. Have you in the past two years been in an employment or other similar relationship with another legal entity?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the entity’s main activities; the nature of the relationship; the position held and the activities it entailed; the start and end dates of the position.

1. Do you have any other relationships, positions or involvement that are not covered in the questions above and could affect the interests of the bank?

No

Yes

If ‘Yes’ is selected, please provide the following details: the nature, content and start date of the relationship, position or involvement, and how it may affect your appointment.

**B-III. To be completed by appointees to the position of *member of the supervisory board***

1. Are you an employee of the bank?

Yes  No

If ‘Yes’ is selected, will you be elected to the position as a representative of the bank’s employees?

Yes  No

1. Are you a member of the statutory body of the bank or another bank?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start date and (if applicable) end date of the position.

(The undersigned must also submit a written document certifying that s/he has ceased to hold the position of *member of the statutory body* of the bank or another bank and stating the date on which s/he ceased to do so. Alternatively, the undersigned may submit a declaration of honour stating that his/her membership of the statutory body will cease as of the date of his/her appointment as a member of the supervisory board.)

1. Are you a member of the supervisory board of another bank?

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the other bank; the start date and (if applicable) end date of the position.

1. Are you an authorised representative of, or another person named in the Commercial Register as one entitled to act on behalf of, a legal entity that is a client of the bank:

No

Yes

If ‘Yes’ is selected, please provide the following details: the business name, registered office address and company registration number (IČO) of the entity(ies) concerned; the start date and (if applicable) end date of the position.

(The undersigned must also submit a written document certifying that s/he have ceased to hold that position and stating the date on which s/he ceased to do so. Alternatively, the undersigned may submit a declaration of honour stating that s/he will cease to hold that position as of the date of his/her appointment as a member of the bank´s supervisory board.)

**PART C – APPOINTEE’S DECLARATION FOR THE ASSESSMENT OF HIS/HER PROFESSIONAL COMPETENCE**

**To be completed by each appointee**

Please provide details below of your education and practical experience.

**Table 1: Education**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Official degree or certificate** | **Field of study** | **Date issued** | **Level of education qualification obtained** | **Name and country of the educational organisation** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**Table 2: Practical experience related to banking and/or the financial sector gained in the last 12 years**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name and registered office address of the entity** | **Main activities of the entity** | **Position title and main responsibilities** | **Number of subordinates** | **Degree of seniority of the position/ hierarchical level (statutory body, senior or middle management position, or other)[[13]](#footnote-13)** | **Start and end dates of the position** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Table 3: Other relevant experience outside the financial sector (e.g. academic positions, political mandates, other non-commercial mandates, or other specialised experience)[[14]](#footnote-14)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name and registered office address of the entity** | **Main activities of the entity** | **Position title and main responsibilities** | **Number of subordinates** | **Degree of seniority of the position/ hierarchical level (statutory body, senior or middle management position, or other)13** | **Start and end dates of the position** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Table no. 4: General banking experience in the fields indicated in EBA/GL/2021/06[[15]](#footnote-15)**

|  |  |
| --- | --- |
| **Field of experience** | **Assessment by the appointee of the level of experience (high, medium, low), including justification for the answer** |
| 1. **banking and financial markets** |  |
| 1. **legal requirements and regulatory framework in the area of banking or financial market** |  |
| 1. **prevention and combating money laundering and financing of terrorism** |  |
| 1. **strategic planning, the understanding of a bank´s business strategy or business plan and accomplishment thereof** |  |
| 1. **risk management (identifying, assessing, monitoring, controlling and mitigating the main types of risk of a bank)** |  |
| 1. **knowledge and experience of climate-related and environmental risks (ESG risks)** |  |
| 1. **accounting and auditing** |  |
| 1. **assessing the effectiveness of a bank´s arrangements, ensuring effective governance, oversight and controls** |  |
| 1. **interpreting a bank´s financial information, identifying key issues based on this information and appropriate controls and measures** |  |
| 1. **information and communication technologies, including security risks** |  |

**Table 5: Will you undertake relevant training prior to or within the first year after assuming the position?**

1. I declare that I will undergo training either before assuming my duties or within the first year of my tenure.

No

Yes

If ‘Yes’ is selected, please provide the following details:

|  |  |  |  |
| --- | --- | --- | --- |
| **Content of the training** | **Training provider (specify whether the provider is internal or external and state the name and registered office address of external organisations)** | **Term (hours)** | **Start and end dates of training** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

B. Have you undertaken any relevant training in the last five years?

No

Yes

If ‘Yes’ is selected, please provide the following details:

|  |  |  |  |
| --- | --- | --- | --- |
| **Content of the training** | **Training provider (specify whether the provider is internal or external and state the name and registered office address of external organisations)** | **Term (hours)** | **Start and end dates of training** |
|  |  |  |  |
|  |  |  |  |

**PART D – APPOINTEE’S DECLARATION ON HIS/HER TIME COMMITMENT FOR THE POSITION**

**To be completed by each appointee**

I, the undersigned, declare that throughout the term of the position I will commit sufficient time to the performance of the duties attached to it.

Please provide the following details of all your current positions, whether or not remunerated, beginning with the position to which this declaration relates:

**Table 6: Appointee´s positions (table continues on next page)**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Name of the entity and the country in which its registered office is located** | **Main activities of the entity** | **Size of the entity (in EUR millions)[[16]](#footnote-16)** | **Position title** | **Application of the privileged counting under Section 25(14)(15) of the Banking Act (No 483/2001)[[17]](#footnote-17)** | **Additional responsibilities (such as membership of committees, chair functions, etc.)** | **Time commitment per week (in hours) and per year (in days) (including additional responsibilities)** | **Start and end dates of position** | **Number of meetings per year** | **Any additional information** |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| Total number of statutory body member positions held by the appointee if the privileged counting under Section 25(14)(15) of the Banking Act is counted | | | | | | | | | |  |
| Total number of supervisory board member positions held by the appointee if the **exception under Section 25(14)(15) of the Banking Act is counted** | | | | | | | | | |  |
| If the privileged counting under Section 25(14)(15) of the Banking Act is counted, please provide details of any synergies that exist between the different positions held by the appointee | | | | | | | | | | |
|  | | | | | | | | | | |
| Total hours per week of time committed to all positions over and above the position to which this declaration relates | | | | | | | | | |  |
| Total days per year of time committed to all positions **over and above the position to which this declaration relates** | | | | | | | | | |  |

**PART E – ADDITIONAL INFORMATION**

(Please provide additional information that might be relevant to your fit and proper assessment.)

**PART F – DECLARATION AND SIGNATURE**

I, the undersigned declare:

1. that the information provided in this declaration and in the annexes attached hereto is complete, accurate, true, authentic and up to date,
2. that I will notify the bank immediately if there is a material change[[18]](#footnote-18) in the information provided,
3. that I authorise Národná banka Slovenska and the ECB to make such enquiries and seek such further information as is deemed appropriate in accordance with European and national law in order to identify and verify information considered relevant to the fit and proper assessment,
4. that I am aware of my responsibilities arising from European and national legislation and international standards, including regulations, codes of practice, guidance notes, guidelines and any other rules or directives issued by Národná banka Slovenska or by the ECB and the European Banking Authority (EBA) and the European Securities and Markets Authority (ESMA), which are relevant to the position for which a positive assessment is sought, and also that I confirm the intention to ensure continued compliance with such responsibilities,
5. that I am aware of the processing and storage of personal data in accordance with the applicable data protection regulations and the privacy statement of Národná banka Slovenska[[19]](#footnote-19) and the ECB,[[20]](#footnote-20) and
6. that I am aware that providing false or incomplete information may constitute grounds for refusal or withdrawal of the fit and proper authorisation, without prejudice to the possible imposition of legal and administrative sanctions.

Date: Please select

Place:

|  |  |
| --- | --- |
| Appointee’s first name(s) and family name | Appointee’s signature[[21]](#footnote-21) |
|  |  |

**INFORMATION REQUIRED TO APPLY FOR A FULL COPY OF THE APPOINTEE'S CRIMINAL RECORD**

Sex:  Male  Female

First name(s):   
Family name:

Family name at birth:

Alias (if any):

Date of birth: Please select

Personal identification number:

Place of birth:

District of birth in Slovakia, or country of birth:

Permanent address:

Nationality:

Identity document:  ID card  passport

Identity document number:

Father's first name(s):

Father's family name:

Mother's first name(s):

Mother's family name:

Mother's family name at birth

1. REGULATION (EU) No 468/2014 OF THE EUROPEAN CENTRAL BANK of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17). [↑](#footnote-ref-1)
2. Section 7(21) of the Banking Act (No 483/2001). [↑](#footnote-ref-2)
3. Section 20 (2)(h) of the Act No. 297/2008 on the prevention of legalization of proceeds from criminal activity and terrorist financing. [↑](#footnote-ref-3)
4. Point 26 of Article 4(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012. [↑](#footnote-ref-4)
5. For instance: the Banking Act (No 483/2001); the Securities Act (No 566/2001); Act No 429/2002 Coll. on stock exchanges, as amended; Act No 43/2004 on the old-age pension scheme, as amended; Act No 650/2004 on the supplementary pension scheme, as amended; Act No 39/2015 on insurance, as amended; Act No 203/2011 on collective investment, as amended. [↑](#footnote-ref-5)
6. Criminal records that have been deleted from the official criminal register are not to be listed. Criminal records that have not been deleted are to be disclosed regardless of the time elapsed since the underlying facts. [↑](#footnote-ref-6)
7. Section 116 of the Civil Code (Act No 40/1964). [↑](#footnote-ref-7)
8. Current holdings not exceeding 1% or other investments of an equivalent value do not need to be disclosed. [↑](#footnote-ref-8)
9. Private mortgages of any value do not need to be disclosed (if they are performing, negotiated at arm’s length and not contrary to any internal credit approval rules) if they are not of a commercial/investment nature. Moreover, all personal loans (e.g. credit cards, overdraft facilities and car loans) granted to the appointee by the bank (if performing, negotiated at arm’s length and not contrary to any internal credit rules) do not need to be disclosed as long as they are cumulatively under the threshold of EUR 200,000. Note that such mortgages or loans are to be disclosed if they are, or are likely to become, non-performing for any reason. [↑](#footnote-ref-9)
10. For example: negotiated at arm’s length; special conditions; supported under the collective bargaining agreements; contracts with standardised terms applied together and on a regular basis to a large number of customers; other. [↑](#footnote-ref-10)
11. Section 6 of Act No 297/2008 on the prevention of money laundering and terrorist financing (and amending certain laws), as amended. [↑](#footnote-ref-11)
12. Such as holding a management or senior position. [↑](#footnote-ref-12)
13. Pursuant to Article 9(5) of Methodological Guideline No 8/2022 of Národná banka Slovenska; the hierarchical level of the position can be expressed, for example, in relation to the level of subordination to the statutory body (B-1, B-2, etc.). [↑](#footnote-ref-13)
14. Pursuant to Article 9 of Methodological Guideline No 8/2022 of Národná banka Slovenska. [↑](#footnote-ref-14)
15. Joint ESMA and EBA Guidelines on the assessment of the suitability of members of the management body and key function holders under Directive 2013/36/EU and Directive 2014/65/EU (EBA/GL/2021/06). [↑](#footnote-ref-15)
16. For example, year-end data on total assets for a financial entity or data on total turnover and international presence for other entities; number of employees if known. [↑](#footnote-ref-16)
17. Please mention, where relevant, the exception under Section 25(14) and (15) of the Banking Act which applies to the position to which this declaration relates. [↑](#footnote-ref-17)
18. A material change is any change that may affect the suitability of the appointee. [↑](#footnote-ref-18)
19. <https://nbs.sk/en/data-protection-policy/> [↑](#footnote-ref-19)
20. <https://www.bankingsupervision.europa.eu/services/data-protection/privacy-statements/html/ssm.privacy_statement_prudential_supervision.en.html> [↑](#footnote-ref-20)
21. The appointee's signature must be officially certified. [↑](#footnote-ref-21)