

DECREE
of Národná banka Slovenska
of 27 September 2016

**laying down the elements of an application to register a representative office of a foreign bank
or of a similar foreign financial institution engaged in banking activities**

Národná banka Slovenska, in accordance with Article 22(6) of the Banking Act (No 483/2001 Coll.), has adopted this Decree:

Article 1

An application to register a representative office of a foreign bank or of a similar foreign financial institution engaged in banking activities (hereinafter 'an application') shall state:

- (a) the business name, legal form and registered office address of the foreign bank or of the similar foreign financial institution engaged in banking activities (each hereinafter referred to as the 'foreign bank');
- (b) information about the official registration of the foreign bank, for example the name of the court or other institution that registered the foreign bank in the country where it has its registered office;
- (c) the scope of business of the foreign bank as stated in the authorisation issued to the bank by the competent authority in the country where it has its registered office;
- (d) the first name, last name and position of each member of the foreign bank's statutory body;
- (e) the first name, last name and permanent address of the natural person, or the business name, registered office address and identification number of the legal entity, authorised to act on behalf of the foreign bank in the establishment of its representative office;
- (f) if known when the application is lodged, the first name, last name and permanent address of the person nominated as head of the foreign bank's representative office, and that person's service address in Slovakia if different from their permanent address, telephone number, and e-mail address; if not known at that time, this information must be notified not later than 30 days after the registration;
- (g) the reason for the establishment of the foreign bank's representative office;
- (h) the scope and extent of activities that the foreign bank's representative office will perform;
- (i) the registered office address of the foreign bank's representative office;
- (j) the number of people expected to be employed at the foreign bank's representative office;
- (k) when and where the application was drafted and the certified signatures of the persons authorised to represent the foreign bank.

Article 2

The following must be annexed to the application under Article 1:

- (a) a copy, not older than three months, of the foreign bank's entry in a commercial register or other official register;
- (b) the authorisation under which the foreign bank was established and operates;
- (c) the power of attorney granted to the person or entity who will act on behalf of the foreign bank in the establishment of its representative office, bearing the certified signatures of the persons authorised to represent the foreign bank;
- (d) the articles of association, or similar constitutional document, regulating the operation of the foreign bank, and the date on which this document was adopted by the foreign bank's competent authority;

- (e) the assessment of the foreign bank produced by the supervisory authority in the country in which the bank has its registered office, if such assessment has been produced;
- (f) the decision of the foreign bank's competent authority to establish the bank's representative office in Slovakia, stating the date on which this decision was adopted;
- (g) a curriculum vitae of the person nominated as head of the foreign bank's representative office;
- (h) proof, not older than three months, that the person nominated as head of the foreign bank's representative office has a clean criminal record, provided either as an extract from the Slovak Criminal Register or, if the person is a foreigner, as a similar document issued by the competent authority in the country in which he or she usually resides;
- (i) the foreign bank's Annual Report for the previous year.

Article 3

This Decree repeals Decree No 14/2001 of Národná banka Slovenska of 21 December 2001 laying down the elements of an application to register a representative office of a foreign bank or of a similar foreign financial institution engaged in banking activities (Notification No 591/2001 Coll.).

Article 4

This Decree enters into force on 1 January 2017.

Jozef Makúch
Governor

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