

# BANKA SLOVENIJE

Oznaka: 1/24  
Datum: 30.11.2000

Na podlagi osmega odstavka 240. člena v zvezi z 39. členom zakona o bančništvu (Uradni list RS, št. 7/99) in na podlagi drugega odstavka 20. člena zakona o Banki Slovenije (Uradni list RS, št. 1/91-I) izdaja Banka Slovenije Hranilnici Lon, d.d., Kranj na podlagi sklepa Sveta Banke Slovenije z dne 12.09.2000

## ODLOČBO

### **o izdaji dovoljenja za opravljanje bančnih in drugih finančnih storitev**

1. Hranilnici Lon, d.d., Kranj, Bleiweisova 2, 4000 Kranj (v nadaljevanju: hranilnica) se izda dovoljenje za opravljanje bančnih storitev po zakonu o bančništvu (v nadaljevanju: ZBan):
  - sprejemanje depozitov od fizičnih in pravnih oseb ter dajanje kreditov iz teh sredstev za svoj račun.
2. Hranilnici se izda dovoljenje za opravljanje naslednjih drugih finančnih storitev po ZBan:
  - kreditiranje, vključno s potrošniškimi krediti, hipotekarnimi krediti in financiranjem komercialnih poslov;
  - trgovanje s tujimi plačilnimi sredstvi, vključno z menjalniškimi posli;
  - izdajanje in upravljanje s plačilnimi instrumenti (npr. plačilne in kreditne kartice, potovalni čeki, bančne menice).
  - oddajanje sefov.
3. Hranilnica lahko opravlja storitve iz 1. in 2. točke te odločbe samo v tolarjih razen menjalniških poslov.
4. Hranilnica sme opravljati storitve iz 1. in 2. točke te odločbe samo za fizične osebe, podjetnike posameznike in majhne gospodarske družbe ter osebe, ki ne opravljajo gospodarske dejavnosti.
5. Ta odločba je dokončna v upravnem postopku.

04 -12- 2000

# BANKA SLOVENIJE

## OBRAZLOŽITEV:

Hranilnica je dne 17.08.2000 vložila poročilo o uskladitvah z ZBan. Hranilnica je dne 23.08.2000, 25.08.2000, 01.09.2000, 05.09.2000, 11.10.2000 in 28.11.2000 poročilo dopolnila. Poročilu je tako priložila vso zahtevano dokumentacijo, ki jo določa šesti odstavek 240. člena ZBan.

Komisija Sveta Banke Slovenije za obravnavanje vlog in pripravo mnenj za izdajo dovoljenj za poslovanje bank in hranilnic (v nadaljevanju: komisija) je vlogo obravnavala na seji dne 05.09.2000. Pri pregledu poročila o uskladitvah je ugotovila, da hranilnica ni predložila sklepa registrskega sodišča o vpisu povečanja osnovnega kapitala in spremembe statuta ter odločbe o vpisu delnic v centralni register vrednostnih papirjev. Komisija je sprejela pozitivno mnenje pod pogojem, da predloži izpisek iz sodnega registra o vpisu povečanja osnovnega kapitala in odločbo o vpisu delnic v nematerializirani obliki pri KDD Centralno-klirinški depotni družbi, d.d., Ljubljana

Svet Banke Slovenije je poročilo obravnaval dne 12.09.2000 ter sprejel sklep, da se hranilnici izda dovoljenje za opravljanje bančnih in drugih finančnih storitev po prejemu sklepa registrskega sodišča o vpisu povečanja osnovnega kapitala in spremembe statuta ter odločbe o vpisu delnic v centralni register vrednostnih papirjev. Hranilnica je dne 11.10.2000 predložila sklep Okrožnega sodišča v Kranju, SRG. 2000/02838, z dne 10.10.2000 o vpisu povečanja osnovnega kapitala in spremembe statuta ter 28.11.2000 Odločbo KDD Centralno-klirinške depotne družbe, d.d., Ljubljana, št. R-1002/IH/00 z dne 23.11.2000 o vpisu delnic v centralni register vrednostnih papirjev.

Na podlagi drugega odstavka 240. člena ZBan morajo hranilnice, ki so imele na dan uveljavitve ZBan dovoljenje za poslovanje, v roku osemnajstih mesecev od uveljavitve ZBan (20.08.2000) uskladiti svoje poslovanje z določbami ZBan. V skladu s šestim odstavkom 240. člena pa morajo hranilnice v roku osemnajstih mesecev od uveljavitve ZBan Banki Slovenije predložiti poročilo o uskladitvah iz drugega odstavka 240. člena ZBan.

Osmi odstavek 240. člena ZBan določa, da izda Banka Slovenije hranilnici dovoljenje za opravljanje bančnih storitev z vsebino določeno v 39. členu ZBan, če iz poročila in poročilu priloženih dokazov, ki ga mora hranilnica predložiti Banki Slovenije na podlagi šestega odstavka 240. člena ZBan izhaja, da se je hranilnica uskladila z določbami iz drugega odstavka 240. člena ZBan.

Na podlagi petega odstavka 240. člena ZBan morajo hranilnice uskladiti svoje poslovanje z določbo prvega odstavka 22. člena ZBan do 31.12.2000. Hranilnica je pridobila dovoljenje Banke Slovenije za opravljanje funkcije člana uprave hranilnice samo za enega člana, za drugega člana pa mora hranilnica pridobiti dovoljenje Banke Slovenije do 31.12.2000.

Na dan uveljavitve ZBan je hranilnica imela dovoljenje za opravljanje bančnih poslov iz 76. člena zakona o bankah in hranilnicah (Uradni list RS, št. 1/91-I) ter za druge bančne posle (kupovanje in prodajanje vrednostnih papirjev Republike Slovenije in Banke Slovenije, odkupovanje čekov in menic pod pogojem, da jih avalira banka, hranjenje vrednostnih papirjev in drugih vrednosti v skladu s tehničnimi možnostmi in opravljanje menjalniških poslov, opravljanje poslov po pooblastilu. V smislu določb ZBan je hranilnica po obstoječem dovoljenju opravljala poleg bančnih storitev iz 1. točke prvega odstavka 3. člena ZBan tudi naslednje druge finančne storitve:

- kreditiranje, vključno s potrošniškimi krediti, hipotekarnimi krediti in financiranjem komercialnih poslov;
- trgovanje s tujimi plačilnimi sredstvi, vključno z menjalniškimi posli;
- izdajanje in upravljanje s plačilnimi instrumenti (npr. plačilne in kreditne kartice, potovalni čeki, bančne menice);
- oddajanje sefov.

# BANKA SLOVENIJE

Na podlagi prvega odstavka 228. člena ZBan hranilnica lahko opravlja bančne in druge finančne storitve razen drugih finančnih storitev iz 13. točke prvega odstavka 6. člena ZBan. Drugi odstavek 228. člena ZBan določa, da hranilnica lahko opravlja bančne in druge finančne storitve samo v tolarjih razen menjalniških poslov. V skladu s tretjim odstavkom 228. člena ZBan pa hranilnica sme opravljati bančne in druge finančne storitve samo za fizične osebe, podjetnike posameznike in majhne gospodarske družbe ter osebe, ki ne opravljajo gospodarske dejavnosti.

Po pregledu poročila in priloženih dokazil je Banka Slovenije ugotovila, da se je hranilnica uskladila z določbami ZBan. Poslovanje hranilnice je prilagojeno zahtevam ZBan, zato se ji s to odločbo izdaja dovoljenje za opravljanje bančnih storitev po 1. točki prvega odstavka 3. člena ZBan in drugih finančnih storitev po 4., 5., 9. in 10. točki prvega odstavka 6. člena ZBan.

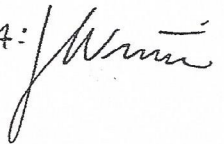
Odločbe Banke Slovenije so na podlagi določila 175. člena ZBan dokončne v upravnem postopku, zato zoper njih ni dovoljena pritožba. V skladu s prvim odstavkom 177. člena ZBan pa je dovoljeno začeti postopek sodnega varstva.

Pravni pouk:

Zoper to odločbo je mogoč upravni spor z vložitvijo tožbe na Vrhovno sodišče Republike Slovenije v roku 8 dni od dneva prejema odločbe.

dr. France Arhar  
Guverner



ZA: 

Notarka MARIJA MURNIK potrjuje, da je to prepis Odločbe o  
izdaji dovoljenja za opravljanje bančnih in drugih finančnih  
storitev z dne 30.11.2000. Listina je pisana z računalnikom.  
Listina ima 3 strani. Listina je opremljena z žigom.

Izvirnik listine se nahaja pri HRANILNICI LON d.d., Bleiweisova  
cesta 2, Kranj.

V Kranju, dne 7.11.2013.



BANK OF SLOVENIA

Mark: 1/24

Date: 30 November 2000

On the basis of paragraph eight of Article 240 with regard to Article 39 of the Banking Act (Official Gazette of the Republic of Slovenia, no. 7/99) and on the basis of the second paragraph of Article 20 of the Bank of Slovenia Act (Official Gazette of the Republic of Slovenia, no. 1/91-I), the Bank of Slovenia on the basis of the decision of the Governing Board of the Bank of Slovenia from 12 September 2000 issues to Hranilnica Lon, d.d., Kranj a

**DECISION**

**concerning the issue of a permit for banking services and other financial services**

1. To Hranilnica Lon, d.d., Kranj, Bleiweisova 2, 4000 Kranj (hereinafter: savings bank) permit for banking services according to the Banking Act is issued (hereinafter: ZBan):
  - taking deposits from natural and legal persons and giving credit from these funds for its own account.
2. To the savings bank a permit is issued for performing the following other financial services according to ZBan:
  - crediting, including consumer credit, mortgage credit and financing of commercial transactions;
  - trading with foreign means of payment, including with foreign exchange transactions;
  - issuing and management of payment instruments (e.g. charge and credit cards, travellers' cheques, bankers' drafts);
  - safe custody services.
3. The savings bank may perform services from point 1 and point 2 of this decision only in tolar with the exception of foreign exchange transactions.
4. The savings bank may perform services from point 1 and point 2 of this decision only for natural persons, sole traders and small corporate entities as well as persons that do not perform economic activities.
5. This decision is final in an administrative procedure.



BANK OF SLOVENIA

**EXPLANATION:**

On 17 August 2000 the savings bank filed a report regarding the reconciliation with ZBan. On 23 August 2000, 25 August 2000, 1 September 2000, 5 September 2000, 11 October 2000 and on 28 November 2000, the savings bank updated the report. Thus it enclosed all required documentation to the report that is defined in paragraph six of Article 240 of ZBan.

The commission of the Governing Board of the Bank of Slovenia for the processing of applications and preparation of opinions for the issuing of permits for the operation of banks and savings banks (hereinafter: commission) processed the application at the meeting on 5 September 2000. While reviewing the report concerning the reconciliation, the commission ascertained that the savings bank did not enclose the register court's decision concerning the registration of the capital increase and the change of the statute, as well as the decision concerning the registration of shares in the Central Securities Depository. The commission gave a favourable opinion under the condition, that the savings bank encloses the extract from judicial records concerning the registration of the capital increase and the decision concerning the registration of shares in a dematerialised form at KDD Centralno-klirinško depotna družba, d.d., Ljubljana.

The Governing Board of the Bank of Slovenia processed the report on 12 September 2000 and decided to issue to the savings bank a permit for banking services and other financial services after receiving the register court's decision concerning the registration of the capital increase and the change of the statute as well as the decision concerning the registration of shares in the Central Securities Depository. On 11 October 2000 the savings bank enclosed the decision of the Kranj District Court, SRG. 2000/02838 from 10 October 2000 concerning the registration of the capital increase and the change of the statute, and on 28 November 2000 the Decision of KDD Centralna-klirinško depotna družba, d.d., Ljubljana, no. R-1002/IH/00 from 23 November 2000 concerning the registration of shares in the Central Securities Depository.

On the basis of the second paragraph of Article 240 of ZBan, the savings banks that had an operating license on the day of the implementation of ZBan must reconcile their operations with the provisions of ZBan within eighteen months after the implementation of ZBan (20 August 2000). In accordance with paragraph six of Article 240 of ZBan the savings banks must submit a report concerning the reconciliation from the second paragraph of Article 240 of ZBan to the Bank of Slovenia within eighteen months after the implementation of ZBan.

Paragraph eight of Article 240 of Zban provides that the Bank of Slovenia issues to the savings bank a permit for performing banking services with the content provided in Article 39 of ZBan under the condition that it is evident from the report and the report of the enclosed evidence which the savings bank must submit to the Bank of Slovenia on the basis of



paragraph six of Article 240 of ZBan, that the savings bank reconciled with the provisions of the second paragraph of Article 240 of Zban.

#### BANK OF SLOVENIA

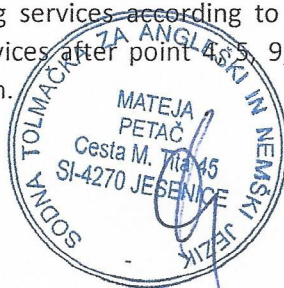
On the basis of the fifth paragraph of Article 240 of ZBan, the savings banks must reconcile their operations with the provision of the first paragraph of Article 22 of Zban until 31 December 2000. The savings bank acquired the permit from the Bank of Slovenia for performing the function of a member of the board of the savings bank for only one member. The savings bank has to acquire the permit for the second member from the Bank of Slovenia until 31 December 2000.

On the day of ZBan implementation, the savings bank had a permit for performing banking transactions from Article 76 of the Banks and Savings Banks Act (Official Gazette of the Republic of Slovenia, no. 1/91-I) and for other banking transactions (buying and selling of securities of the Republic of Slovenia and the Bank of Slovenia, repurchase of cheques and bills of exchange under the condition, that the bank provides surety; storage of securities and other things of value in accordance with the technical possibilities and conducting foreign exchange transactions, conducting transactions by authority. According to the ZBan provisions and with regard to the existent permit, the savings bank conducted, in addition to banking services from point 1 of the first paragraph of Article 3 of ZBan, also the following other financial services:

- crediting, including consumer credit, mortgage credit and financing of commercial transactions;
- trading with foreign means of payment, including with foreign exchange transactions;
- issuing and management of payment instruments (e.g. charge and credit cards, travellers' cheques, bankers' drafts);
- safe custody services.

On the basis of the first paragraph of Article 228 of ZBan, the savings bank may perform banking and other financial services with the exception of other financial services from point 13 of the first paragraph of Article 6 of ZBan. The second paragraph of Article 228 of ZBan states that the savings bank may perform banking and other financial services only in tolar with the exception of foreign exchange transactions. In accordance with the third paragraph of Article 228 of ZBan, the savings bank may perform banking and other financial services only for natural persons, sole traders and small corporate entities as well as persons that do not perform economic activities.

After reviewing the report and the enclosed evidence, the Bank of Slovenia ascertained that the savings bank has reconciled with the ZBan provisions. The savings bank operations are adapted to the ZBan requirements therefore a permit for banking services according to point 1 of the first paragraph of Article 3 of ZBan and other financial services after point 4, 5, 9, and 10 of the first paragraph of Article 6 of ZBan, is issued with this decision.



The decisions of the Bank of Slovenia are on the basis of the provision of Article 175 of ZBan final in an administrative procedure therefore no complaint is permissible against them. In accordance with the first paragraph of Article 177 of ZBan, it is permissible to initiate the procedure for redress.

BANK OF SLOVENIA

Legal instruction:

An administrative dispute against this decision is possible by lodging an action with the Supreme Court of the Republic of Slovenia within 8 days from the day of the receipt of this decision.

dr. France Arhar

Governor





Notary MARIJA MURNIK confirms that this is the transcript of the Decision concerning the issue of a permit for banking services and other financial services from 30 November 2000. The document is written on a computer. The document has 3 pages. The document is stamped.

The original document is at HRANILNICA LON d.d., Bleiweisova cesta 2, Kranj.

In Kranj, 7 November 2013.

Podpisana Mateja Petač, z odločbo Ministrstva za pravosodje z dne 10.11.1992 št. 756-6/92 imenovana stalni sodni tolmač za angleški in nemški jezik, potrjujem, da se ta prevod ujema z izvirnikom, ki je sestavljen v slovenskem jeziku.

I undersigned Mateja Petač, by the Decision of Ministry of Justice of the R of Slovenia, No. 756-6/92 of Nov. 11<sup>th</sup> 1992 nominated permanent court interpreter for the English language, hereby certify that this translation corresponds exactly to its original written in Slovene language.

Jesenice, 11/11/2013

Mateja Petač





MATEJJA  
PETIČ

Cesta M. Tila 45  
SI-4270 JESENICE