



NÁRODNÁ BANKA SLOVENSKA  
EUROSYSTEM

CHAPTER 9

# LEGISLATION



## 9 LEGISLATION

In 2010, Národná banka Slovenska continued to implement its legislative and approximation competences in the field of monetary matters, currency, currency circulation, foreign exchange management, banking, capital market, insurance, and retirement pension saving.

### LEGISLATIVE AMENDMENTS PREPARED AND IMPLEMENTED IN 2010 TO LAWS ON MATTERS WITHIN THE COMPETENCE OF NÁRODNÁ BANKA SLOVENSKA

Act No. 566/1992 Coll. on Národná banka Slovenska, as amended, was amended in 2010 by Act No. 403/2010 Coll. The new law amended Section 13 of the Act by deleting the provision under which the NBS Governor or, in his absence, the Deputy Governor authorised by him had the right to attend meetings of the Government of the Slovak Republic.

Act No. 483/2001 Coll. on banks and on amendments to certain laws, as amended, was amended in 2010 by Act No. 129/2010 Coll. The new law amended the Act by introducing a basic banking product containing the banking services that banks are required to offer customers/consumers and also by modifying certain prudential banking rules, particularly in the use of the internal ratings-based approach for credit risk.

Act No. 566/2001 Coll. on securities and investment services and on amendments to certain laws (the Securities Act), as amended, was amended in 2010 by Act No. 129/2010 Coll. and Act No. 505/2010 Coll. In the case of Act No. 129/2010 Coll., the principal amendment concerned the central depository's new task of recording foreign securities issued by the European Central Bank or by the European Central Bank in cooperation with Národná banka Slovenska. This law also modified the position and roles of credit rating agencies in accordance with EU law. As for Act No. 505/2010 Coll., the main amendment concerned the protection provided to customer assets of up to €50,000 by the Investment Guarantee Fund.

Act No. 747/2004 Coll. on supervision of the financial market and on amendments to certain laws, as amended, was amended in 2010 by Act No. 129/2010 Coll. Under this amendment, credit rating agencies were included among the entities that come under the supervision of Národná banka Slovenska; in addition, the position of the Financial Market Supervision Unit ("FMSU") of Národná banka Slovenska and the FMSU's new organisational integration in Národná banka Slovenska were modified, and it was made obligatory for Národná banka Slovenska to maintain a register of creditors providing consumer credits and a sub-register of other creditors providing loans other than consumer credits.

Act No. 8/2008 Coll. on insurance and on amendments to certain laws, as amended, was amended in 2010 by Act No. 129/2010 Coll. This amendment allowed insurance companies to perform reinsurance activities under legally defined conditions on the basis of an authorisation for reinsurance activities, and it also made it obligatory for insurance companies to inform the policyholder about the key terms of the insurance contract prior to its signature.

Act No. 43/2004 Coll. on retirement pension saving and on amendments to certain laws, as amended, was amended in 2010 by Act No. 105/2010 Coll. and Act No. 543/2010 Coll. In the case of Act No. 105/2010 Coll., the amendment concerned the rules on investments by pension fund management companies in transferable securities and money market instruments. As for Act No. 543/2010 Coll., it introduced transitional provisions that enable savers to change their participation in retirement pension schemes.

Act No. 186/2009 Coll. on financial intermediation and financial counselling and on amendments to certain laws was amended in 2010 by Act No. 129/2010 Coll. This law specified the position and roles of financial agents, financial advisers, and financial intermediaries in line with EU requirements.

Act No. 381/2001 Coll. on compulsory contractual motor vehicle third party liability insurance and



on amendments to certain laws, as amended, was amended in 2010 by Act No. 144/2010 Coll. This amendment made it obligatory for the insurer to provide the policyholder, without delay, with a form for writing down the details of a motor vehicle accident or an incident causing damage.

Act No. 118/1996 Coll. on deposit protection and on amendments to certain laws, as amended, was amended in 2010 by Act No. 70/2010 Coll. and Act No. 505/2010 Coll. Under Act No. 70/2010 Coll., the deposits of apartment building administrators held in apartment building accounts were classified as protected deposits. As for Act No. 505/2010 Coll., it mainly changed the level of compensation for an inaccessible deposit of more than €100,000, in line with the European Union's requirement that such compensation be set at the same level throughout the EU.

#### **DECREES ISSUED BY NÁRODNÁ BANKA SLOVENSKA IN 2010 UNDER ITS LEGISLATIVE COMPETENCES TO ISSUE IMPLEMENTING LEGAL REGULATIONS OF GENERAL APPLICATION**

- Decree No. 69/2010 Coll. of Národná banka Slovenska which amends Decree No. 91/2008 Coll. governing the provision of information on transactions in pension fund assets and on the balance of pension fund assets by pension fund management companies and their depositories, and amending Decree No. 567/2006 Coll. specifying the contents of reports on the management of pension fund assets, the management of own funds by a pension fund management company, the manner and scope of their publication, and the contents of daily information on each transaction in pension fund assets, as amended by Decree No. 523/2008 Coll.
- Decree No. 467/2010 Coll. of Národná banka Slovenska on the submission of reports in accordance with the Foreign Exchange Act.
- Decree No. 1/2010 of Národná banka Slovenska of 26 January 2010 on the method of demonstrating compliance with the conditions for the granting of an authorisation to perform the activities of an independent financial agent and for the granting of an authorisation to perform the activities of a financial adviser (Notification No. 39/2010 Coll.).
- Decree No. 2/2010 of Národná banka Slovenska of 26 January 2010 on the content, structure and method of submitting a report on the performance of financial intermediation and a report on the performance of financial counselling (Notification No. 40/2010 Coll.).
- Decree No. 3/2010 of Národná banka Slovenska of 16 February 2010 on the submission of reports by insurance undertakings from other Member States for statistical purposes (Notification No. 59/2010 Coll.).
- Decree No. 4/2010 of Národná banka Slovenska of 9 March 2010 stipulating the template for insurance policy terms (Notification No. 87/2010 Coll.).
- Decree No. 5/2010 of Národná banka Slovenska of 9 March 2010 stipulating details of the internal control system and activities of the internal audit department of an insurance undertaking, reinsurance undertaking, branch of a foreign insurance undertaking and branch of a foreign reinsurance undertaking (Notification No. 88/2010 Coll.).
- Decree No. 6/2010 of Národná banka Slovenska of 11 May 2010 stipulating the elements of an application for prior approval of Národná banka Slovenska pursuant to Section 28(1) of the Act on Banks (Notification No. 219/2010 Coll.).
- Decree No. 7/2010 of Národná banka Slovenska of 11 May 2010 stipulating the elements of an application for prior approval of Národná banka Slovenska pursuant to Section 70(1) (Notification No. 220/2010 Coll.).
- Decree No. 8/2010 of Národná banka Slovenska of 11 May 2010 stipulating the elements of an application for prior approval of Národná banka Slovenska pursuant to Section 45(1) of Act No. 8/2008 Coll. on insurance and on amendments to certain laws, as amended (Notification No. 221/2010 Coll.).
- Decree No. 9/2010 of Národná banka Slovenska of 25 May 2010 on the professional examination and certification examination for the purposes of the Act on Financial Intermediation and Financial Counselling (Notification No. 259/2010 Coll.).
- Decree No. 10/2010 of Národná banka Slovenska of 15 June 2010 amending Decree No. 8/2008 of Národná banka Slovenska on fees for acts performed by Národná banka Slovenska, as amended (Notification No. 277/2010 Coll.).



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- Decree No. 11/2010 of Národná banka Slovenska of 8 June 2010 stipulating methods of valuing positions recorded in the banking book and details of the valuation of positions recorded in the banking book, including the frequency of such valuations (Notification No. 278/2010 Coll.).
- Decree No. 12/2010 of Národná banka Slovenska of 8 June 2010 amending Decree No. 4/2007 of Národná banka Slovenska on banks' own funds of financing and banks' capital requirements and on investment firms' own funds of financing and investment firms' capital requirements (Notification No. 279/2010 Coll.).
- Decree No. 13/2010 of Národná banka Slovenska of 31 August 2010 on additional types of risk, on details of the risk management system of banks and branches of foreign banks, and on defining a sudden and unexpected change in market interest rates (Notification No. 367/2010 Coll.).
- Decree No. 14/2010 of Národná banka Slovenska of 31 August 2010 amending Decree No. 18/2008 of Národná banka Slovenska on the liquidity of banks and branches of foreign banks and the liquidity risk management process of banks and branches of foreign banks and on the amendment of Decree no. 11/2007 of Národná banka Slovenska on the submission of statements, reports and other disclosures by banks, branches of foreign banks, investment firms, and branches of foreign investment firms for supervision and statistical purposes, as amended by Decree No. 5/2009 (Notification No. 368/2010 Coll.).
- Decree No. 15/2010 of Národná banka Slovenska of 21 September 2010 on disclosures by banks and branches of foreign banks (Notification No. 387/2010 Coll.).
- Decree No. 16/2010 of Národná banka Slovenska of 21 September 2010 on disclosures by investment firms and branches of foreign investment firms (Notification No. 388/2010 Coll.).
- Decree No. 17/2010 of Národná banka Slovenska of 28 September 2010 stipulating the elements of a notification regarding persons in a special relationship with an insurance undertaking, foreign insurance undertaking, reinsurance undertaking or branch of a foreign reinsurance undertaking (Notification No. 389/2010 Coll.).
- Decree No. 18/2010 of Národná banka Slovenska of 28 September 2010 on the average level of expenses related to financial intermediation in life insurance (Notification No. 390/2010 Coll.).
- Decree No. 19/2010 of Národná banka Slovenska of 14 December 2010 on fees for acts performed by Národná banka Slovenska (Notification No. 521/2010 Coll.).