



HNB

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## GOVERNOR

Pursuant to Article 50, paragraph (4), Article 101, paragraph (2), items (1) and (2), Article 102, paragraph (3) and Article 105, paragraph (3) of the Credit Institutions Act (Official Gazette 159/2013, 19/2015, 102/2015, 15/2018, 70/2019, 47/2020, 146/2020, 151/2022 and 145/2024, hereinafter referred to as 'Credit Institutions Act') and Article 43, paragraph (2), item (10) of the Act on the Croatian National Bank (Official Gazette 75/2008, 54/2013 and 47/2020), the Governor of the Croatian National Bank hereby issues the

### Decision on amendments to the Decision on governance arrangements

#### Article 1

In the Decision on governance arrangements (Official Gazette 96/2018, 67/2019, 145/2020, 145/2021, 51/2023 and 28/2024), Article 1a is amended to read:

"This Decision transposes into the legal system of the Republic of Croatia Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (Text with EEA relevance) (OJ L 176, 27.6.2013), as last amended by Directive (EU) 2022/2556 of the European Parliament and of the Council of 14 December 2022 as regards digital operational resilience for the financial sector (OJ L 333, 27.12.2022), hereinafter referred to as 'Directive 2013/36/EU'."

#### Article 2

In Article 4, item (10) is amended to read:

"10. 'legal risk' as defined in Article 4, paragraph (1), item (52a) of Regulation (EU) No 575/2013;"

Item (16) is amended to read:

"16. 'information system risk' ('ICT risk') as defined in Article 4, paragraph (1), item (52c) of Regulation (EU) No 575/2013;"

Item (18) is amended to read:

"18. 'model risk' as defined in Article 4, paragraph (1), item (52b) of Regulation (EU) No 575/2013;"

Item (31) is amended to read:

"31. 'governance risk' as defined in Article 4, paragraph (1), item (52i) of Regulation (EU) No 575/2013;"

After item (38), new items (39), (40), (41), (42) and (43) are added which read:

"39. 'environmental, social and governance risk' ('ESG risk') as defined in Article 4, paragraph (1), item (52d) of Regulation (EU) No 575/2013;

40. 'environmental risk' as defined in Article 4, paragraph (1), item (52e) of Regulation (EU) No 575/2013;

41. 'physical risk' as defined in Article 4, paragraph (1), item (52f) of Regulation (EU) No 575/2013;

42. 'transition risk' as defined in Article 4, paragraph (1), item (52g) of Regulation (EU) No 575/2013;

43. 'social risk' as defined in Article 4, paragraph (1), item (52h) of Regulation (EU) No 575/2013."

#### Article 3

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In Article 10, paragraph (3) is amended to read:

"(3) By way of derogation from paragraph (1) of this Article, the provisions of this Decision shall not apply to the audit committee whose functioning and composition are defined by the Audit Act (Official Gazette 127/2017, 27/2024 and 85/2024)."

#### **Article 4**

In Article 14, paragraph (1), the introductory sentence is amended to read:

"(1) In accordance with Article 51, item (6) of the Credit Institutions Act, the nomination committee shall perform the following activities:"

#### **Article 5**

In Article 38, paragraph (3) is amended to read:

"(3) A credit institution shall adopt policies and contingency plans and policies and business continuity plans ensuring its ability to operate on an ongoing basis and to limit losses in the event of serious disruption or discontinuation of operation."

After paragraph (3), new paragraph (4) is added which reads:

"(4) A credit institution shall, within the meaning of paragraph (3) of this Article, also adopt ICT policies and business continuity plans and ICT response and recovery plans for the technology it uses for the communication of information and ensure that those plans are established, tested and managed in accordance with Article 11 of Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (Text with EEA relevance) (OJ L 333, 27.12.2022)."

#### **Article 6**

In Article 66, paragraph (1), the word "and" at the end of item (6) is deleted.

Item (7) is amended to read:

"7) significant risks inherent in the existing products, activities, processes and systems; and".

After item (7), item (8) is added which reads:

"8) legal risk."

#### **Article 7**

In Article 82, paragraph (2), item (3), the Croatian word translated as "non-performing" is replaced by another Croatian word, with no relevance to the English translation.

#### **Article 8**

This Decision shall be published in the Official Gazette and shall enter into force on 1 January 2025, with the exception of the provisions of Article 5 of this Decision, which shall enter into force on 17 January 2025.

No.: 453-091/12-24/BV

Zagreb, 16 December 2024

**Boris Vujčić**

Governor