

Pursuant to Article 89 of the Constitution of the Republic of Croatia, I hereby issue the

**DECISION**

**PROMULGATING THE ACT ON AMENDMENTS TO THE ACT ON THE RESOLUTION OF CREDIT INSTITUTIONS AND INVESTMENT FIRMS**

I hereby promulgate the Act on Amendments to the Act on the Resolution of Credit Institutions and Investment Firms passed by the Croatian Parliament at its session on 6 December 2024.

Class: 011-02/24-02/76

No: 71-10-01/1-24-2

Zagreb, 11 December 2024

The President of the Republic of Croatia  
Zoran Milanović, m. p.

**THE ACT ON AMENDMENTS TO THE ACT ON THE RESOLUTION OF CREDIT INSTITUTIONS AND INVESTMENT FIRMS**

Article 1

In the Act on the Resolution of Credit Institutions and Investment Firms (Official Gazette 146/2020, 21/2022 and 27/2024 ), in Article 2, paragraph (1), item (5), the full stop at the end of the sentence is deleted and items (6) and (7) are added after item (5) which read:

“6) Directive (EU) 2024/1174 of the European Parliament and of the Council of 11 April 2024 amending Directive 2014/59/EU and Regulation (EU) No 806/2014 as regards certain aspects of the minimum requirement for own funds and eligible liabilities (Text with EEA relevance) (OJ L 2024/1174, 22.4.2024);

7) Directive (EU) 2023/2864 of the European Parliament and of the Council of 13 December 2023 amending certain Directives as regards the establishment and functioning of the European single access point (Text with EEA relevance) (OJ L 2023/2864, 20.12.2023).”.

Article 2

In Article 4, paragraph (1), item (11) the full stop at the end of the sentence is deleted and item (12) is added after item (11) which reads:

“12) Regulation (EU) 2023/2859 to refer to Regulation (EU) 2023/2859 of the European Parliament and of the Council establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability (Text with EEA relevance) (OJ L 2023/2859, 20.12.2023).”.

In paragraph (2), after item (117), item (117a) is added which reads:

“117a) ‘*liquidation entity*’ means a legal person established in the European Union in respect of which the group resolution plan or, for entities that are not part of a group, the individual resolution plan provides that the entity is to be wound up under normal insolvency proceedings, or an entity, within a resolution group other than a resolution entity, in respect of which the group resolution plan does not provide for the exercise of write-down and conversion powers;”.

Article 3

In Article 19, paragraph (2), after the words “of this Article” the words “when reviewing the resolution plan after the application of a resolution action or write-down or conversion power referred to in Article 52, paragraph (1) of this Act” are inserted.

#### Article 4

In Article 22, paragraph (3), item (1) the words “Article (26), paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

#### Article 5

In Article 23, paragraph (6) after the words “notification,” the words “to the Croatian National Bank or the Croatian Financial Services Supervisory Agency as the group-level resolution authority” are inserted.

#### Article 6

In Article 26, paragraph (3) is deleted.

The former paragraph (4) becomes paragraph (3).

In the former paragraph (5), which becomes paragraph (4), the words “paragraph (2) or (3) of this Article” are replaced by the words “paragraph (2) of this Article”.

After the former paragraph (6), which becomes paragraph (5), a new paragraph (6) is inserted which reads:

“The Croatian National Bank or the Croatian Financial Services Supervisory Agency shall not determine the requirement referred to in Article 34, 35 or 36 of this Act for liquidation entities.”.

Paragraph (7) is amended to read:

“(7) By way of derogation from paragraph (6) of this Article, the Croatian National Bank or the Croatian Financial Services Supervisory Agency may assess whether it is justified to determine the requirement referred to in Article 34, 35 or 36 of this Act for a liquidation entity on an individual basis in an amount exceeding the amount sufficient to absorb losses in accordance with paragraph (2), item (1) of this Article, taking into account the possible impact on financial stability and on the risk of contagion to the financial system, including with regard to the financing capacity of deposit guarantee schemes.”.

After paragraph (7), paragraphs (8), (9) and (10) are added which read:

“(8) Article 77, paragraph (2) and Article 78a of Regulation (EU) No 575/2013 shall not apply to liquidation entities for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency has not determined the requirement referred to in Article 34, 35 or 36 of this Act.

(9) Investments in own funds instruments and eligible liabilities instruments issued by a subsidiary institution which is a liquidation entity for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency has not determined the requirement referred to in Article 34, 35 or 36 of this Act shall not be deducted under Article 72e, paragraph (5) of Regulation (EU) No 575/2013.

(10) By way of derogation from the paragraph (9) of this Article, an institution or entity referred to in Article 3, item (2), (3) or (4) of this Act, that is not itself a resolution entity but is a subsidiary of a resolution entity or of a third-country entity that would be a resolution entity if it were established in the European Union shall deduct its investments in own funds instruments in subsidiary institutions that belong to the same resolution group and that are liquidation entities for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency has not determined the requirement referred to in Article 34, 35 or 36 of this Act where the aggregate amount of those investments is equal to or exceeds 7% of the total amount of its own funds and liabilities that comply with the eligibility criteria set out in Article 31 of this Act, calculated annually as of 31 December as an average over the previous 12 months.”.

#### Article 7

In Article 27, paragraph (1), in the introductory sentence the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

In paragraph (3), in the introductory sentence the words “Article 26, paragraph (4), item (2)” are replaced by the words “Article 26, paragraph (3), item (2)”.

In paragraph (10), item (1) the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

In item (2) the words “Article 26, paragraph (4), item (2)” are replaced by the words “Article 26, paragraph (3), item (2)”.

In paragraph (11) the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”, and the words “Article 26, paragraph (4), item (2)” are replaced by the words “Article 26, paragraph (3), item (2)”.

#### Article 8

In Article 28, paragraph (1), in the introductory sentence the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

In paragraph (3), in the introductory sentence the words “Article 26, paragraph (4), item (2)” are replaced by the words “Article 26, paragraph (3), item (2)”.

In paragraph (10) the words “Article 30” are replaced by the words “Article 31”.

#### Article 9

In Article 31, after paragraph (3), paragraphs (4) and (5) are added which read:

“(4) Where an institution that is a subsidiary of a resolution entity or of a third-country resolution entity but is not itself the resolution entity meets the minimum requirement on a consolidated basis, the amount of own funds and eligible liabilities of that institutions shall include the following liabilities issued in accordance with paragraph (2) of this Article by a subsidiary established in the European Union included in the consolidation of that institution:

1) liabilities issued to and bought by the resolution entity, either directly, or indirectly through other entities in the same resolution group that are not included in the consolidation of the entity complying with the requirement on a consolidated basis; and

2) liabilities issued to an existing shareholder that is not part of the same resolution group.

(5) The amount of liabilities referred to in paragraph 4, items (1) and (2) of this Article shall not exceed the amount determined by subtracting from the amount of the minimum requirement applicable to the subsidiary included in the consolidation the sum of all of the following:

a) the liabilities issued to and bought by the institution that is a subsidiary of a resolution entity or of a third-country resolution entity but is not itself the resolution entity complying with the minimum requirement on a consolidated basis, either directly, or indirectly through other entities in the same resolution group that are included in the consolidation of that institution; and

b) the amount of own funds that are issued in accordance with paragraph (3) of this Article.”.

#### Article 10

After Article 31 Article 31a and the title above it are inserted which read:

##### *“Eligible liabilities and own funds of liquidation entities*

##### Article 31a

Where the Croatian National Bank or the Croatian Financial Services Supervisory Agency in accordance with Article 26, paragraph (7) of this Act determines the requirement referred to in Article

34, 35 or 36 for the liquidation entity, the liquidation entity shall meet that requirement by using the following:

- 1) own funds;
- 2) liabilities that fulfil the eligibility criteria referred to in Article 72a of Regulation (EU) No 575/2013, with the exception of Article 72b, paragraph (2), items (b) and (d), of that Regulation; or
- 3) the liabilities referred to in Article 30, paragraph (3) of this Act.“

#### Article 11

Article 34 is amended to read:

“(1) The Council of the Croatian National Bank or the Board of the Croatian Financial Services Supervisory Agency shall adopt, in accordance with Article 27 of this Act, a decision on the minimum requirement for institutions with a registered office in the Republic of Croatia which are resolution entities and are not part of a group and for which the Single Resolution Board is not directly responsible.

(2) An institution that is a resolution entity and is not part of a group, shall continuously meet the minimum requirement in accordance with the decision referred to in paragraph (1) of this Article on an individual basis in accordance with the provisions of Article 30 of this Act.

(3) The decision referred to in paragraph (1) of this Article shall contain an explanation, including an assessment of the elements referred to in Article 26, paragraph (2) and Article 27 of this Act and the deadline to meet the minimum requirement.

(4) The Croatian National Bank or the Croatian Financial Services Supervisory Agency shall review the decision referred to in paragraph (1) of this Article without delay in case of a change in the additional requirement for own funds that the institution is required to meet in accordance with the regulation governing the operation of credit institutions or the regulation governing the capital market.

(5) The Council of the Croatian National Bank or the Board of the Croatian Financial Services Supervisory Agency may adopt a decision on a minimum requirement for a liquidation entity with a registered office in the Republic of Croatia which is not part of a group and for which the Single Resolution Board is not directly responsible in accordance with the assessment referred to in Article 26, paragraph (7) of this Act.

(6) The liquidation entity for which the Croatian National Bank or the Board of the Croatian Financial Services Supervisory Agency determined the minimum requirement shall in accordance with the decision referred to in paragraph (5) of this Article continuously meet this requirement on an individual basis in accordance with the provisions of Article 31a of this Act.

(7) The decision referred to in paragraph (5) of this Article shall contain an explanation, including an assessment of the elements referred to in Article 26, paragraph (7) of this Act and the deadline to meet the minimum requirement.

(8) The Croatian National Bank or the Croatian Financial Services Supervisory Agency shall monitor whether the institution meets the minimum requirement referred to in this Article.

(9) The decisions on the minimum requirement referred to in paragraphs (1) and (5) of this Article shall be adopted in parallel with the drawing up and revision of the resolution plan.

(10) The Croatian National Bank shall submit the draft decisions on the minimum requirement referred to in paragraphs (1) and (5) of this Article to the Single Resolution Board for opinion in the manner and within the time limit laid down in Regulation (EU) No 806/2014 and when adopting these decisions shall act in accordance with the opinion of the Single Resolution Board regarding compliance with Regulation (EU) No 806/2014 and general instructions of the Single Resolution Board referred to in Article 31, paragraph (1), item (a) of Regulation (EU) No 806/2014.

(11) The Croatian National Bank shall inform the European Banking Authority on the minimum requirement that was imposed in accordance with paragraph (1) of this Article for each individual institution and the Croatian Financial Services Supervisory Agency shall, for the purpose of informing the European Banking Authority, deliver to the Croatian National Bank information about decisions on the minimum requirement it adopted in accordance with paragraphs (1) and (5) of this Article.“.

## Article 12

In Article 35, paragraph (1) after the words “in accordance with” the words “Article 26, paragraph (7) or“ are inserted,

In paragraph (3) after the words “not itself the resolution entity” the words “or liquidation entity” are inserted.

After paragraph (8), paragraphs (9), (10) and (11) are added which read:

“(9) By way of derogation from paragraph (3) of this Article, an institution that is a subsidiary of a resolution entity or of a third-country resolution entity but is not itself the resolution entity shall, in accordance with the decision referred to in paragraph (1) of this Article, meet the minimum requirement on a consolidated basis in accordance with the provisions of Article 31 of this Act where the Croatian National Bank or the Croatian Financial Services Supervisory Agency has ordered that the minimum requirement to be applied on a consolidated basis in accordance with paragraph (10) of this Article.

(10) The Croatian National Bank or the Croatian Financial Services Supervisory Agency may order the subsidiary with a registered office in the Republic of Croatia that is not a resolution entity to apply the minimum requirement on a consolidated basis where:

– the subsidiary meets one of the following conditions:

1) the subsidiary is held directly by the resolution entity and:

a) the resolution entity is an EU parent financial holding company or an EU parent mixed financial holding company;

b) both the subsidiary and the resolution entity are established in the Republic of Croatia and are part of the same resolution group;

c) besides that subsidiary the resolution entity does not hold directly any institution that is a subsidiary or any entity as referred to in Article 3, item (2), (3) or (4) of this Act, where that entity is subject to the minimum requirement; and

d) the subsidiary would be disproportionately affected by the deductions required pursuant to Article 72e, paragraph (5) of Regulation (EU) No 575/2013; or

2) the subsidiary is subject to the requirement for additional requirement for own funds that the institution is required to meet in accordance with the regulation governing the operation of credit institutions or the regulation governing the capital market on a consolidated basis only and the determination of the requirement on a consolidated basis would not, for the purposes of Article 26, paragraph (1), item (2) of this Act, lead to overstating the recapitalisation needs of the subgroup consisting of entities within the consolidation perimeter concerned, in particular where there is a prevalence of liquidation entities within the same consolidation perimeter;

– compliance with the requirement on a consolidated basis as a substitute for compliance with that requirement on an individual basis does not impair in a material way any of the following:

1) the credibility and feasibility of the group resolution strategy;

2) the subsidiary’s capacity to comply with its own funds requirement after the exercise of write-down and conversion powers; and

3) the adequacy of the internal loss transfer and recapitalisation mechanism, including, in accordance with Article 52 of this Act, the write-down or conversion, of relevant capital instruments and eligible liabilities of the subsidiary concerned or of other entities in the resolution group.

(11) The liquidation entity for which the Croatian National Bank or the Board of the Croatian Financial Services Supervisory Agency has determined the minimum requirement shall in accordance with the decision referred to in paragraph (1) of this Article continuously meet this requirement on an individual basis in accordance with the provisions of Article 31a of this Act.”

In the former paragraph (9), which becomes paragraph (12) the words “Article 26, paragraph (2) or (3)” are replaced by the words “Article 26, paragraph (2) or (7)”, and after the words “decision is reached” the words “and the deadline for meeting the minimum requirement” is inserted.

The former paragraphs (10) to (15) become paragraphs (13) to (18).

#### Article 13

In Article 36, paragraph (1), item (2) is amended to read:

“2) the level of the minimum requirement applied on an individual basis or, in cases where the conditions referred to in Article 35, paragraph (10) of this Act are met, on a consolidated basis to members of a resolution group that are not resolution entities themselves.”

Paragraph (2) is amended to read:

“(2) For the purpose of reaching a joint decision referred to in paragraph (1) of this Article, the Croatian National Bank or the Croatian Financial Services Supervisory Agency shall prepare:

1) a proposal of the minimum requirement for a resolution entity with a registered office in the Republic of Croatia on the basis of the criteria laid down in Article 27, Article 29, paragraph (1), item (2) and Article 30 of this Act and on the basis of whether the third-country subsidiary of that resolution entity is to be resolved separately under the resolution plan;

2) a proposal of the minimum requirement for a subsidiary with a registered office in the Republic of Croatia that is part of the resolution group but is not itself a resolution entity or liquidation entity, taking into account the criteria laid down in Article 28 of this Act;

3) a proposal of the minimum requirement for a subsidiary with a registered office in the Republic of Croatia that is part of the resolution group and is a liquidation entity, where necessary in accordance with the assessment referred to in Article 26, paragraph (7) of this Act.”

In paragraph (4), in the introductory sentence the words “Article 35, paragraph (3)” are replaced by the words “Article 35, paragraph (3), (9) or (11)”.

Paragraph (5) is amended to read:

“(5) The Council of the Croatian National Bank or the Board of Croatian Financial Services Supervisory Agency shall, in accordance with the joint decision referred to in paragraph (1) of this Article, adopt a decision imposing:

1) to an institution with a registered office in the Republic of Croatia that is the resolution entity to meet the minimum requirement on a consolidated basis;

2) to an institution with a registered office in the Republic of Croatia that is part of the resolution group but is not itself a resolution entity or liquidation entity to meet the minimum requirement on an individual basis or in cases where the conditions referred to in Article 35, paragraph (10) of this Act are met, on a consolidated basis;

3) to an institution with a registered office in the Republic of Croatia that is part of the resolution group and is a liquidation entity to meet the minimum requirement on an individual basis.”

In paragraph (6), items (1) and (2), after the words “where different from the former” the words “and which decision shall stipulate the deadline to meet the requirement” are added.

After paragraph (17), paragraph (18) is added which reads:

“(18) When maintaining the minimum requirement on a consolidated basis determined by the decision of the Croatian National Bank or the Croatian Financial Services Supervisory Agency reached in accordance with this Act, the institution with a registered office in the Republic of Croatia which is a resolution entity shall not include in the consolidation mortgage credit institutions exempted from complying with the minimum requirement by a decision of the resolution authority of the relevant

Member State in the case of mortgage credit institutions financed by covered bonds which are not permitted to take deposits under the national law of that Member State and the following conditions are met:

1) those institutions will be wound up under national insolvency proceedings and other types of proceedings laid down for those institutions that are carried out using the sale of business tool, the bridge institution tool or the asset separation tool; and

2) the procedures referred to in item (1) of this paragraph ensure that creditors of those institutions, including, where applicable, the holders of covered bonds bear losses in a way that meets the resolution objectives.”.

#### Article 14

In Article 38, paragraph (7) is amended to read:

“(7) Were it comes to a change in the direct responsibility for the entity referred to in paragraph (1) of this Article, the decision referred to in paragraph (1) of this Article shall cease to have effect on the date of ceasing of the direct responsibility of the Single Resolution Board of which the Croatian National Bank shall notify the entity within seven working days of the change.”.

#### Article 15

In Article 39, paragraph (1), item (1) and paragraph (6), item (3) the words “Article 26, paragraph (4)” are replaced by the words “Article 26, paragraph (3)”.

Paragraph (8) is amended to read:

“(8) By way of derogation from paragraphs (1) and (6) of this Article, the liquidation entity for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency did not determine the requirement referred to in Article 34, 35 or 36 of this Act shall not be obligated to submit reports and publicly disclose information.”.

After paragraph (8), a new paragraph (9) is inserted which reads:

“(9) The Croatian National Bank or the Croatian Financial Services Supervisory Agency shall determine the content and frequency of the reporting and disclosure obligations regarding the information referred to in the Commission Implementing Regulation (EU) 2021/763 for the liquidation entity for which it, in accordance with Article 26, paragraph (7) of this Act, determined the requirement referred to in Article 34, 35 or 36 of this Act, within the scope necessary to monitor compliance with the meeting of the requirement determined, and shall communicate those obligations to the liquidation entity.”.

The former paragraphs (9) to (10) become paragraphs (10) to (11).

#### Article 16

In Article 41, paragraph (1) the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

In paragraph (2), item (2) the words “the institution failed to meet the combined buffer requirement” are replaced by the words “the institution or the entity referred to in Article 3, item (2), (3) or (4) of this Act failed to meet the combined buffer requirement;”.

#### Article 17

After Article 48 Article 48a and the title above it are inserted which read:

*“Accessibility of information on the European single access point*

Article 48a

(1) When an institution publicly discloses information in accordance with Article 39, paragraph (6) of this Act, it shall at the same time submit that information to the Croatian National Bank or the Croatian Financial Services Supervisory Agency for the purpose of making it accessible on the European single access point (ESAP) established under Regulation (EU) 2023/2859.

(2) The institution shall ensure that the information referred to in paragraph (1) of this Article complies with the following requirements:

– be submitted in a data extractable format as defined in Article 2, item (3) of Regulation (EU) 2023/2859 or, where required by Union law, in a machine-readable format, as defined in Article 2, item (4), of Regulation (EU) 2023/2859;

– be accompanied by the following metadata:

- 1) all the names of the institution to which the information relates;
- 2) the legal entity identifier of the institution, as specified pursuant to Article 7, paragraph (4), item (b) of Regulation (EU) 2023/2859;
- 3) the size of the institution by category, as specified pursuant to Article 7, paragraph (4), item (d) of Regulation (EU) 2023/2859;
- 4) the type of information, as classified pursuant to Article 7, paragraph (4), item (c) of Regulation (EU) 2023/2859;
- 5) an indication of whether the information contains personal data.

(3) Where an institution does not have a legal entity identifier as specified in accordance with Article 7, paragraph (4), item (b) of Regulation (EU) 2023/2859, it shall obtain one prior to the submission of information referred to in paragraph (1) of this Article.

(4) The Croatian National Bank or the Croatian Financial Services Supervisory Agency shall make the information referred to in Article 39, paragraph (6), Article 48, paragraphs (1) and (4), Article (60) paragraph (6) and Article 105, paragraph (5) of this Act accessible on the European single access point referred to in paragraph (1) of this Article.

(5) For the purposes of paragraph (4) of this Article, the Croatian National Bank or the Croatian Financial Services Supervisory Agency shall ensure that the information meets the requirements referred to in paragraph (2) of this Article.”.

#### Article 18

In Article 70, after paragraph (16), paragraph (17) is added which reads:

“(17) Where in a decision to open resolution proceedings referred to in Article 46 or 47 of this Act it decides to apply resolution tools to the institution or entity referred to in Article 3, item (2), (3) or (4) of this Act, and this resolution action would result in the coverage of losses being borne by creditors or their claims being converted, the Croatian National Bank or the Croatian Financial Services Supervisory Agency shall write down or convert the relevant capital instruments and eligible liabilities in accordance with Article 52 of this Act immediately before the application of the resolution tool or at the same time.”.

#### Article 19

In Article 93, paragraph (3) is amended to read:

“(3) The provision of paragraph (1) of this Article shall not apply to liquidation entities, in which case the liabilities to which paragraph (1) of this Article applies in accordance with paragraph (2) of this Article, and which do not include the contractual provision in accordance with paragraph (1) of this Article, may not be counted towards meeting the minimum requirement of the liquidation entity for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency determined the requirement referred to in Article 34, 35, 36 or 37 of this Act.”.



Paragraph (9) is amended to read:

“(9) The institution or entity referred to in Article 3, item (2), (3) or (4) of this Act may not make the assessment referred to in paragraph (5) of this Article on the impracticability of the inclusion of the contractual provision in relation to the common equity tier 1 instruments, additional tier 1 instruments, tier 2 instruments, to bonds and other forms of transferable debt and instruments creating or acknowledging a debt if these instruments are unsecured liabilities, but only in relation to the liabilities senior to unpreferred unsecured debt instruments and senior to the instruments of common equity tier 1 instruments, additional tier 1 and tier 2 capital and subordinated debt that is not additional tier 1 or tier 2 capital.”.

Paragraph (12) is amended to read:

“(12) Liabilities which, in accordance with paragraphs (1) and (5) of this Article do not include the contractual provision, may not be counted towards the meeting of the minimum requirement.”.

#### Article 20

In Article 143, paragraph (1), after item (91), item (91a) is inserted which reads:

“91a) where the liquidation entity for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency determined the minimum requirement fails to continuously meet that requirement pursuant to the decision of the Croatian National Bank or the Croatian Financial Services Supervisory Agency referred to in Article 34, paragraph (5) of this Act on an individual basis in accordance with the provisions of Article 31a of this Act, and thereby acts contrary to Article 34, paragraph (6) of this Act;”.

In item (93) the words “Article 34, paragraph (3)” are replaced by the words “Article 35, paragraph (3)”.

In item (94) the words “Article 34, paragraph (4)” are replaced by the words “Article 35, paragraph (4)”.

After item (94) items (94a) and (94b) are inserted which read:

“94a) where an institution that is a subsidiary of a resolution entity or of a third-country resolution entity but is not itself the resolution entity fails to continuously meet the minimum requirement pursuant to the decision of the Croatian National Bank or the Croatian Financial Services Supervisory Agency referred to in Article 34, paragraph (5) of this Act on a consolidated basis in accordance with the provisions of Article 31 of this Act, and thereby acts contrary to Article 35, paragraph (9) of this Act;

94b) where the liquidation entity for which the Croatian National Bank or the Croatian Financial Services Supervisory Agency determined the minimum requirement fails to continuously meet that requirement pursuant to the decision of the Croatian National Bank or the Croatian Financial Services Supervisory Agency referred to in Article 35, paragraph (1) of this Act on an individual basis in accordance with the provisions of Article 31a of this Act, and thereby acts contrary to Article 35, paragraph (11) of this Act;”.

In item (102) the words “Article 39, paragraph (9)” are replaced by the words “Article 39, paragraph (10)”.

In item (103) the words “Article 26, paragraph (4), item (1)” are replaced by the words “Article 26, paragraph (3), item (1)”.

#### TRANSITIONAL AND FINAL PROVISIONS

##### *Harmonisation of subordinate legislation with the provisions of this Act*

#### Article 21

The Croatian Financial Services Supervisory Agency shall harmonise the Ordinance on the resolution of investment firms (Official Gazette 100/2022) with the provisions of this Act within 12 months of the entry into force of this Act.

*Cessation of subordinate legislation*

Article 22

On the date of the entry into force of this Act, the Decision on the minimum requirement for own funds and eligible liabilities of credit institutions for which the resolution plan provides normal insolvency proceedings (Official Gazette 53/2021) shall cease to have effect.

*Entry into force*

Article 23

This Act shall enter into force on the eight day after the day of its publication in the Official Gazette, with the exception of Article 17 of this Act, which shall enter into force on 10 January 2030.

Class: 022-02/24-01/119  
Zagreb, 6 December 2024

CROATIAN PARLIAMENT

The President of the Croatian Parliament  
Gordan Jandroković, m. p.