

<p>ACT AMENDING THE FINANCIAL OPERATIONS, INSOLVENCY PROCEEDINGS AND COMPULSORY DISSOLUTION ACT (ZFPIPP-D)</p>
--

#### Article 1

In Article 87 of the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act (Official Gazette of the Republic of Slovenia – Uradni list RS, nos. 126/07, 40/09, 59/09, 52/10 and 106/10 – ORZFPIPP21), new paragraphs (2) and (3) shall be added to read as follows:

"(2) The creditors' committee shall be entitled to examine the books of account and documents accepted by the administrator in bankruptcy.

(3) The creditors' committee shall notify the creditors upon request of the available bankrupt's estate.

#### Article 2

In paragraph (1) of Article 143, the word "and" shall be replaced by the words "and/or".

Paragraph 1 shall be followed by a new paragraph (2) to read as follows:

"(2) The debtor's compulsory settlement proposal shall offer creditors at least 50 per cent repayment over a period not shorter than four years."

The current paragraphs (2) and (3) shall become paragraphs (3) and (4) respectively.

#### Article 3

In the introductory sentence of point 1, in point 2, and in the first indent of point 4 of paragraph (7) of Article 144, the words "of the third paragraph of Article 143 of this Act" shall be replaced by the words "paragraph (4) of Article 143", and in the second indent of point 4, the words "referred to in point 3 of the third paragraph of Article 143" shall be replaced by the words "referred to in point 3 of paragraph (4) of Article 143".

#### Article 4

In point 2 of Article 145, the words "referred to in the third paragraph" shall be replaced by the words "paragraph (4)".

#### Article 5

In paragraph (3) of Article 354, the word "fees" shall be followed by the words "and tasks exceeding the scope of urgent activities associated with such services".

New paragraphs (4) and (5) shall be added to read as follows:

"(4) The administrator shall not outsource the services referred to in paragraph (7) of Article 103 of this Act:

- to a person for whom the administrator or the person having the status of a closely related party to the administrator performs the service of legal representation, performs the function of a management member, member of a supervisory authority, or executive holding a general power of attorney, or is a silent partner to these persons;

- to a person for whom the administrator or the persons having the status of closely related parties to the administrator, jointly or separately, directly or through other legal persons holds more than a five per cent share of the founder's rights, management or equity, or are silent partners to these persons.

(5) A contract concluded in contravention of the preceding paragraph shall be deemed void."

#### Article 6

In the introductory sentence of paragraphs (1) and (3) of Article 489, the words "of EUR 800 to 4 100" shall be replaced by the words "of EUR 2 000 to 10 000".

### TRANSITIONAL AND FINAL PROVISIONS

#### Article 7

The provisions of the amended paragraph (1) and of the new paragraph (2) of Article 143 of the Act shall apply to:

1. compulsory settlement proceedings introduced after the effective date of this Act; and
2. compulsory settlement proceedings introduced prior to the effective date of this Act if the court has not yet decided upon the commencement of the proceedings.

#### Article 8

The provision of the new paragraph (4) of Article 354 of this Act shall apply to the provision of services for the purposes of bankruptcy proceedings pursuant to contracts entered into after the effective date of this Act.

#### Article 9

The provision of the amended Article 489a shall apply to offences committed after the effective date of this Act.

#### Article 10

This Act shall enter into force on the day following its publication in the Uradni list of the Republic of Slovenia.

no. 450-01/11-4/27

Ljubljana, 30 March 2011

EPA 1602-V

National Assembly  
of the Republic of Slovenia  
Dr Pavel Gantar, m.p.  
President