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Uvodnik

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Dr. Črt Lenarčič

Direktiva (EU) 2022/2555 o ukrepih za visoko skupno raven kibernetiske varnosti – direktiva NIS 2 in prihajajoči novi Zakon o informacijski varnosti – kaj morajo vedeti notranji revizorji in revizorji informacijskih sistemov

The state of the real estate market in Slovenia.

What are the prospects?

POVZETEK • Na podlagi statističnih podatkov in kazalnikov je podan kratek pregled stanja na trgu stanovanjskih in poslovnih nepremičnin v Sloveniji. Bolj se osredotočimo na strukturnejo analizo s sestavljenimi kazalniki precenjenosti oziroma podcenjenosti stanovanjskih nepremičnin (po metodologiji Lenarčiča in Damjanoviča, 2023) ter poslovnih nepremičnin (Rozman, 2023). Nato na podlagi metodologije Lenarčiča in drugih (2017) predstavimo obete za trg nepremičnin v Sloveniji, ki nakazujejo, da bo dinamika na slovenskem nepremičinskem trgu nekoliko drugačna kot v zadnjih petih letih. To storimo z ekonometričnim modelom za napovedovanje gibanja cen stanovanjskih nepremičnin v Sloveniji, ki temelji na bayesianškem modelu vektorske avtoregresije. Strukturirani metodološki pristopi pri pojasnjevanju dinamike trga nepremičnin omogočajo oblikovalcem ekonomskih politik dodatno, predvsem pa kakovostno informacijo pri vodenju ustreznih ekonomskih politik.

Ključne besede • trg stanovanjskih nepremičnin, trg poslovnih nepremičnin, cene stanovanjskih in poslovnih nepremičnin, precenjenost, podcenjenost, napovedovanje cen

SUMMARY • Based on statistical data and indicators we present a brief survey of the residential and commercial real estate market in Slovenia. Nevertheless, the focus of the article is on a more structural analysis utilizing misalignment indicators of over-/under-valuation of prices for residential real estate (based on methodology of Lenarčič and Damjanović, 2023) and commercial real estate (Rozman, 2023). Further on, based on the methodology of Lenarčič et al. (2017) we provide the prospects for the real estate market in Slovenia in the near future. The results show that the future real estate prospects might have a different dynamic than

the real estate dynamics in the last five years. We show this by utilizing a Bayesian vector autoregressive model. Structural methodological approach in explaining the dynamics of the real estate market is from our perspective a very important tool for policy makers as it provides an additional but most importantly quality information in decision process with respect to relevant economic policies.

Key words • *residential real estate market, commercial real estate market, real estate prices, overvaluation, undervaluation, forecast of prices*

Dr. Jaka Cepec

Vloga ocenjevalcev vrednosti v postopkih zaradi insolventnosti – kratka empirična vaja

Amendments of the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act ZFPIPP-H, and the role of business appraisers

POVZETEK • Članek analizira vlogo pooblaščenih ocenjevalcev vrednosti v postopkih zaradi insolventnosti, s posebnim poudarkom na prisilni poravnavi in stečaju. V prvem delu prispevka je predstavljen zakonodajni okvir v Sloveniji, pri čemer so na kratko predstavljene naloge in pooblastila pooblaščenih ocenjevalcev vrednosti v obeh postopkih. Pri tem je poudarjena ključna vloga teh strokovnjakov v postopkih zaradi insolventnosti, in to tako v postopku finančnega prestrukturiranja kot v stečaju. V drugem delu prispevka so s primarnimi podatki predstavljeni posamični empirični podatki in ugotovitve, ki nakazujejo, da kljub zelo pomembnemu normativnemu položaju, ki ga zakon namenjena pooblaščenim ocenjevalcem vrednosti, obstajajo področja za izboljšanje prakse, usmerjena v povečanje zanesljivosti in izidov teh postopkov.

Ključne besede • ZFPIPP, stečaj, insolventnost, pooblaščeni ocenjevalec vrednosti, prisilna poravnava, otvoritveno poročilo

SUMMARY • The article examines the role of certified appraisers in insolvency proceedings, with a particular emphasis on compulsory settlements and bankruptcy procedures. Initially, it presents the legislative framework in the Republic of Slovenia, succinctly outlining the tasks and authorities granted to certified appraisers in both contexts. The author emphasizes the vital role of these experts in insolvency proceedings, both in financial restructuring and in bankruptcy. In the subsequent section, through the utilization of primary data, the paper presents individual empirical findings that suggest that, despite the significant normative position accorded to certified appraisers by law, there are potential areas for practice improvement aimed at enhancing the reliability and outcomes of these procedures.

Key words • Insolvency Act, insolvency, Certified Business Appraiser, financial restructuring procedure

Dr. Samo Javornik

Presoja položaja grozeče insolventnosti (1. del)

Assessment of the impending insolvency situation (Part 1)

Povzetek • Novela Zakona o spremembah in dopolnitvah Zakona o finančnem poslovanju, postopkih zaradi insolventnosti in prisilnem prenehanju je v slovensko poslovno prakso uvedla dve novi temi. V 13.a členu je v zakon dodana opredelitev položaja grozeče insolventnosti, to je položaja, ki nastane, če je verjetno, da bo v enem letu dolžnik postal insolventen, v 30. členu pa zaveza revizorjev, računovodij in drugih oseb, da morajo, če ugotovijo, da je nastal položaj grozeče insolventnosti ali insolventnosti, o tem pisno obvestiti poslovodstvo družbe. V zakonu ni jasnih kriterijev, kdaj je družba v položaju grozeče insolventnosti. V prvem, pričajočem delu prispevka je predstavljenih nekaj kazalnikov, modelov in načinov merjenja solventnosti družbe.

Ključne besede • ZFPIPP-H, revizor, pooblaščeni ocenjevalec vrednosti podjetij, insolventnost, položaj grozeče insolventnosti, kazalniki solventnosti

SUMMARY • The amended Slovenian insolvency law (FPIPP-H) introduced two new topics into Slovenian business practice. In Article 13a, a definition of the situation of impending insolvency is added as a situation arising if it is likely that the debtor will become insolvent within a period of one year, and in Article 30, the obligation of auditors, accountants and other persons to notify the company's management in writing in case of an impending insolvency situation. The Act does not specify clear criteria about when a company is in a situation of impending insolvency. The Part 1 of this paper presents some indicators, models and methods of measuring the company's solvency.

Key words • ZFPIPP-H, auditor, certified business valuer, insolvency, imminent insolvency situation, solvency indicators

Dr. Živa Jezernik in Roman Zidarn

Odgovorno investiranje: kako spremi-nja investicijske kriterije

How responsible investing is changing the investment criteria

POVZETEK • Za koncept odgovornega investiranja je v zadnjih letih značilen znaten razvoj, vse bolj pa je tudi vključen v investicijske strategije in investicijske procese družb za upravljanje premoženja. Odgovorno investiranje poudarja pomen okoljskih, družbenih in upravljavskih dejavnikov pri investicijskih odločitvah. S tem prispeva ne le k trajnostnemu razvoju, ampak tudi k višji dolgoročni tveganju prilagojeni donosnosti naložb in s tem k izpolnjevanju fiduciарne dolžnosti, ki jo imajo družbe za upravljanje. V članku obravnavamo, kako odgovorno investiranje spreminja tradicionalne investicijske kriterije, predstavimo glavne strategije odgovornega investiranja ter raziskemo vpliv teh pristopov na vrednotenje podjetij.

Ključne besede • odgovorno investiranje, trajnostni razvoj, dejavniki ESG-ja, fiduciарna dolžnost, investicijske strategije, regulativni okvir, tržni trendi, družbeno odgovorne naložbe

SUMMARY • The concept of responsible investing has experienced significant development in recent years and is becoming increasingly integrated into the investment strategies and investment processes of asset management companies. Responsible investing emphasizes the importance of environmental, social, and governance factors in investment decisions. This contributes not only to sustainable development but also to higher long-term risk-adjusted returns of investments and fulfilment of the fiduciary duty of asset management companies. The article addresses how responsible investing is changing traditional investment criteria, presents the main strategies of responsible investing, and explores the impact of these approaches on corporate valuation.

Key words • responsible investing, sustainable development, ESG factors, fiduciary duty, investment strategies, regulatory framework, market trends, socially responsible investment

Sašo Belšak

Vpliv rekonstrukcij na vrednost strojev in opreme – primer rekonstrukcije varnostnih zapornic na hidroenergetskih objektih

*Impact of reconstructions on the value of machinery and equipment
– Example of the reconstruction of safety gates on hydropower facilities*

Povzetek • Pri ocenjevanju opreme na hidroenergetskih objektih je odločilnega pomena za vrednost stanje opreme na dan ocenjevanja. Ugotavljanje stanja opreme zahteva visokostrokovni tehnični pristop, mikroidentifikacija opreme pa je ključna. Ocenjena vrednost rekonstruirane opreme je lahko mnogo višja, kot bi bila glede na kronološko starost. Bistven je nabavnovrednostni način za določitev nadomestitvenih vrednosti opreme in izvajanje. Ključen dejavnik za oceno vrednosti je ugotavljanje zastarelosti in depreciacije. Na ocenjeno vrednost lahko pomembno vplivajo obseg rekonstrukcijskih del ter dokazljive evidence o izvedenih rekonstrukcijah, obsegu, kakovosti in stopnji rekonstrukcije.

Ključne besede • rekonstrukcija, stroškovni pristop, nadomestitvena vrednost, zastarelost

SUMMARY • When evaluating equipment at hydropower facilities, the condition of the equipment on the day of the evaluation is of decisive importance for the value. Determining the condition of the equipment requires a highly professional and technical approach, the micro-identification of the equipment is crucial. In cases of reconstructed equipment, the estimated value of the equipment alone can be much higher than it would otherwise be based on its chronological age. The key is the cost approach to determine the replacement value of the equipment, which is also completed according to the selected method of value assessment. Determining obsolescence and depreciation constitutes a completed factor for the assessment of value. The scope of the reconstruction works, demonstrable evidence of the reconstructions carried out, the extent, quality and level of the reconstruction can have a key influence on the estimated value.

Key words • reconstruction, cost approach, replacement value, obsolescence

Renato Vrenčur

Promet s kmetijskimi zemljišči, gozdovi in kmetijami

Legal transactions with agricultural land, forests and farms

POVZETEK • Za pravni promet kmetijskih zemljišč, gozdov in kmetij se uporabljajo posebna pravila, ki jih določata Zakon o kmetijskih zemljiščih – ZKZ in Zakon o gozdovih – ZG. Skladno z zakonom se za pravni promet kmetijskih zemljišč, gozdov ali kmetij šteje pridobitev lastninske pravice s pravnimi posli med živimi in v drugih primerih, ki jih določa zakon (prim. 17. člen ZKZ-ja). Zakon o spremembah in dopolnitvah Zakona o kmetijskih zemljiščih (v nadaljevanju: novela ZKZ-G) je v letu 2022 v veliki meri posegel v pravno ureditev prometa s kmetijskimi zemljišči, gozdovi in kmetijami. Ker gre za zelo pomembne spremembe in dopolnitve ZKZ-ja, so v članku predstavljene ključne novosti, ki jih prinaša novela ZKZ-G.

Ključne besede • pravni promet, lastninska pravica, nepremičnine, kmetijska zemljišča, gozdovi, kmetije

SUMMARY • Special rules set forth in the Agricultural Lands Act - ZKZ and the Forests Act - ZG apply to legal transaction of agricultural land, forests and farms. The legal transfer of agricultural land, forests or farms is considered to be the acquisition of ownership rights through legal transactions between the living and in other cases determined by law (compare Article 17 of the ZKZ). In 2022, the Act on Amendments and Supplements to the Act on Agricultural Lands - ZKZ-G (hereinafter: ZKZ-G) interfered to a large extent in the legal regulation of legal transactions with agricultural land, forests and farms. Since these are very important changes and additions to the ZKZ, we will present in this article the key innovations brought about by the ZKZ-G amendment.

Key words • legal transactions, property right, real estate, agricultural land, forests, farms

Robert Horvat

Računovodenje stroškov izposojanja (2. del)

Accounting for borrowing costs (Part 2)

Povzetek • V prispevku so sistematično in celovito obravnavana določila Slovenskih računovodskih standardov in Mednarodnih standardov računovodskega poročanja v zvezi z računovodenjem stroškov izposojanja. Ta tematika v domači strokovni literaturi še ni bila podrobneje obdelana, čeprav se v praksi v zvezi z njo pojavljajo številna vprašanja in dileme, posledično pa tudi napačno razumevanje in uporaba. Zato želimo poglobljeno in s praktičnimi primeri predstaviti rešitve računovodenja stroškov izposojanja po Slovenskih računovodskih standardih in Mednarodnih standardih računovodskega poročanja ter odgovoriti na najpogostejsa vprašanja in dileme v zvezi z njihovo uporabo. Gre za nadaljevanje prispevka, objavljenega v prejšnji številki, v naslednji številki pa bo sledil še tretji del. V pričujočem prispevku obravnavamo naslednje vsebine: (1) obdobje usredstvovanja stroškov izposojanja, (2) začasna prekinitev usredstvovanja stroškov izposojanja in (3) razdelitev stroškov izposojanja, ki so skupni več ločenim sredstvom v pripravi.

Ključne besede • stroški izposojanja, usredstvovanje, osnovna sredstva, neopredmetena sredstva, naložbene nepremičnine, nedokončana proizvodnja

SUMMARY • In the article, we systematically and comprehensively present and explain the provisions of Slovenian Accounting Standards and International Financial Reporting Standards regarding the accounting for borrowing costs. It is a topic, that, despite numerous questions and dilemmas, arising in practice, has not yet been covered in detail in domestic professional literature. For that purpose, an in-depth and systematic analysis of the provisions in the Slovenian Accounting Standards and International Financial Reporting Standards regarding the accounting for borrowing costs was performed, and the most common questions and dilemmas related to their application were addressed. It is the sequel of the first article on the topic presented in the previous issue. It covers the following issues: (1) period of the borrowing costs capitalisation, (2) temporary suspension of the borrowing costs capitalisation, and (3) allocation of the joint borrowing costs. Third part will follow in the next issue.

Key words • borrowing costs, capitalisation, property, plant and equipment, investment property, work in progress

Mag. Maja Hmelak, Uroš Žust

Direktiva (EU) 2022/2555 o ukrepih za visoko skupno raven kibernetiske varnosti – direktiva NIS 2 in prihajajoči novi Zakon o informacijski varnosti – kaj morajo vedeti notranji revizorji in revizorji informacijskih sistemov

Directive (EU) 2022/2555 on measures for a high common level of cybersecurity – NIS 2 Directive and the upcoming new Information Security Act – what internal auditors and information system auditors need to know

POVZETEK • Konec leta 2022 sta Evropski parlament in Svet sprejela dve direktivi za zaščito t. i. kritičnih subjektov – organizacij, ki so ključne za vzdrževanje pomembnih družbenih funkcij, gospodarskih dejavnosti, javnega zdravja, varnosti in okolja. To sta Direktiva (EU) 2022/2555 – NIS 2, ki je osredotočena na doseganje visoke ravni kibernetiske varnosti po celotni Evropski uniji, in Direktiva (EU) 2022/2557 – CER, ki krepi odpornost kritičnih subjektov na vseh drugih področjih. Ob pripravi tega prispevka je že v javni obravnavi tudi osnutek novega, na NIS 2 temelječega Zákona o informacijski varnosti (v nadaljevanju: ZInfV-1), ki bo zahteve direktive NIS 2 prenesel v slovensko okolje. Osnutek ZInfV-1 in direktiva NIS 2 razširjata obseg ukrepov za kibernetiko odpornost na več sektorjev, uvajata strožje zahteve za obvladovanje tveganj in poročanje o incidentih ter predvidevata višje kazni za kršitve. Ker je v času priprave prispevka novi ZInfV-1 šele v fazi osnutka, gre pričakovati, da se bodo nekatere določbe, ki jih predstavljam, še spremenile. Ker pa je časa za prilagoditev zavezancev zahtevam NIS 2 zelo malo, je ključno, da čim prej začnejo ocenjevati vrzeli svojih obstoječih postopkov glede na zahteve novih predpisov s predpostavko, da se ZInfV-1 v končni objavi ne bo pomembno spremenil. Notranji revizorji in predvsem revizorji informacijskih sistemov imajo ključno vlogo pri podpiranju organizacij z oceno upravljanja tveganj kibernetiske varnosti, preverjanjem

pripravljenosti na nove zahteve oziroma skladnosti z osnutkom ZInfV-1 in direktivo NIS 2 ter priporočanjem ukrepov za izboljšanje kibernetske odpornosti.

Ključne besede • kritični subjekti, direktiva NIS 2, direktiva CER, Zakon o informacijski varnosti (ZInfV-1), upravljanje tveganj kibernetske varnosti

SUMMARY • At the end of 2022, the European Parliament and the Council adopted two directives for the protection of so-called critical entities—organizations that are essential for maintaining important social functions, economic activities, public health, safety, and the environment. These are Directive (EU) 2022/2555 – NIS 2, which is focused on achieving a high level of cybersecurity throughout the European Union, and Directive (EU) 2022/2557 – CER, which strengthens the resilience of critical entities in all other areas. During the preparation of this article, a draft of a new law based on NIS 2, the Information Security Act (hereinafter: ZInfV-1), which will implement the requirements of the NIS 2 directive into the Slovenian environment, is already under public review. The draft ZInfV-1 and Directive NIS 2 expand the scope of measures for cyber resilience across multiple sectors, introduce stricter requirements for risk management and incident reporting, and envisage higher penalties for violations. Since the new ZInfV-1 is only in the draft stage at the time of writing this article, it can be expected that some of the provisions we present will still change. However, since there is very little time for entities to adjust to the requirements of NIS 2, it is crucial that they begin as soon as possible with gap assessments of their existing procedures against the requirements of the new regulations, assuming that ZInfV-1 will not change significantly in its final publication. Internal auditors and above all information system auditors play a crucial role in supporting organizations by assessing cyber risk management, verifying readiness for new requirements or compliance with the draft ZInfV-1 and NIS 2 Directive, and recommending improvements for enhancing cyber resilience.

Key words • critical entities, NIS 2 Directive, Directive CER, Information Security Act (ZInfV-1), cyber risk management