



C/2025/1993

2.4.2025

## DECISION OF THE CZECH NATIONAL BANK

(C/2025/1993)

In administrative proceedings conducted under Act No 500/2004, as amended ('the Code of Administrative Procedure'), involving (1) the insurance company **Servisní pojišťovna a.s., IČO [entity identification number] 253 45 150, registered office at tř. T. Bati 532, 763 02 Zlín – Louky** and (2) **Mr Jiří Zrůstek, IČO 067 19 872, registered office at Orlí 542/27, 602 00 Brno – město, regarding the appointment of a liquidator for a Czech insurance company under Section 123(2) of the Insurance Act**, the Czech National Bank ('ČNB') as the financial market surveillance authority pursuant to Act No 6/1993 on the Czech National Bank, as amended, and as the surveillance authority pursuant to Act No 277/2009 on insurance, as amended, ('the Insurance Act') has decided as follows:

**To appoint Mr Jiří Zrůstek, IČO 067 19 872, registered office at Orlí 542/27, 602 00 Brno – město, as the liquidator for Servisní pojišťovna a.s., IČO 253 45 150, registered office at tř. T. Bati 532, 763 02 Zlín – Louky, in accordance with Section 123(2) of the Insurance Act, with effect from 1 January 2025.**

### GROUNDS

- (1) Further to the application of 27 September 2024 from Servisní pojišťovna a.s., IČO 253 45 150, registered office at tř. T. Bati 532, 763 02 Zlín – Louky (**the Insurance Company**), on 30 October 2024 ČNB issued decision ref. 2024/121278/CNB/580 revoking the Insurance Company's licence to conduct insurance business (**the licence**) as of 31 December 2024. That decision became final on 16 November 2024.
- (2) Pursuant to Section 116(3) of the Insurance Act, on ČNB's revocation decision becoming final the insurance company enters liquidation. Under Section 74(1) of the Code of Administrative Procedure, a decision becomes enforceable on becoming final or on a later date stated in the operative part of the decision. Since its licence was revoked as of 31 December 2024, **the Insurance Company enters liquidation on 1 January 2025.**
- (3) Pursuant to Section 123(2) of the Insurance Act, liquidators for Czech insurance companies are appointed and dismissed by ČNB.
- (4) By serving notice ref. 2024/117588/CNB/580 of initiation of *ex officio* administrative proceedings in accordance with Section 46(1) of the Code of Administrative Procedure, ČNB initiated the administrative proceedings to appoint a liquidator for the Insurance Company on 25 November 2024.
- (5) In accordance with Section 27(1)(b) of the Code of Administrative Procedure, the other participant in the proceedings alongside the Insurance Company is Mr Jiří Zrůstek, IČO 067 19 872, registered office at Orlí 542/27, 602 00 Brno – město, as the person to be appointed as the Insurance Company's liquidator.
- (6) In the notice of initiation of the proceedings, ČNB informed the participants that it had already gathered the supporting documents necessary to decide on the case and, in accordance with Section 36(3) of the Code of Administrative Procedure, it advised them of their right to comment on the documents supporting the decision. Neither of the participants availed themselves of that procedural right.
- (7) Pursuant to Section 124(1) of the Insurance Act, ČNB appoints the insurance company's liquidator from a special part of the list of insolvency administrators maintained pursuant to Act No 312/2006 on Insolvency Administrators, as amended (**the special list**).
- (8) Under Section 124(2) of the Insurance Act, the liquidator of a Czech insurance company may not be a person who has been or is the auditor of the insurance company being wound up or who has participated in any way in the audit, or a person who is or has been a person with a key function or a forced administrator in that insurance company or who has or has had a relationship with it that may hinder the proper exercise of the function of liquidator.

- (9) Mr Jiří Zrůstek features on the special list. He passed the special exam on 21 March 2023, which he demonstrated by means of certificate ref. 0094//Zvl/2023 of 28 March 2023.
- (10) On the basis of the affidavit sworn by Mr Jiří Zrůstek declaring that he meets the requirements under Section 124(2) of the Insurance Act in respect of the Insurance Company, which was sent to ČNB on 8 October 2024, there are no impediments as referred to in Section 124(2) of the Insurance Act preventing Mr Jiří Zrůstek's appointment, and in the course of its official duties ČNB has not become aware of any facts indicating the contrary. At the same time Mr Jiří Zrůstek submitted documents to ČNB attesting to his professional competence and clean criminal record.
- (11) On the basis of the above, ČNB concluded that Mr Jiří Zrůstek was eligible to perform the function of liquidator for the Insurance Company. In view of the circumstance referred to in paragraph (2) the liquidator for the Insurance Company must be appointed with effect from 1 January 2025.
- (12) In the light of the above, ČNB has taken the decision as set out in the operative part.

#### APPEAL INSTRUCTIONS

Under Section 81 of the Code of Administrative Procedure in conjunction with Section 152(1) of the Code of Administrative Procedure, an appeal against this decision may be filed with ČNB at Na Příkopě 28, 115 03 Prague 1, via the Financial Market Surveillance Section. Under Section 83(1) of the Code of Administrative Procedure in conjunction with Section 152(5) of the Code of Administrative Procedure, the time limit for filing an appeal is 15 days from the date of service of the decision. The decision on the appeal is taken by the Board of ČNB.

Under Section 123(2) of the Insurance Act, filing an appeal does not have suspensive effect.

Prague, 10 December 2024.

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