

NTB FORM ON THE PREVENTION OF MONEY LAUNDERING AND TERRORIST FINANCING¹

1. Details on the person completing the form

Academic degree:

Name:

Date of birth:

Domicile or habitual residence:

Proof of identification:

Nationality/ies:

2. PURPOSE OF THE TRANSACTION / USE OF FUNDS

Please specify the planned economic purpose of the transaction. What will the funds be used for (including EZ, KG, developed/undeveloped regarding real estate transactions)?

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.....

.....

3. AGENCY

This part of the questionnaire serves to identify any agency relation (acting on behalf of a legal entity or natural person).

3.1 Acting on behalf of a legal entity

Information on the legal entity represented:

Company name / name of the legal person:

Registered office:

Company register no:

Register number in the register of beneficial owners (if available)

Role of the legal entity represented in the specific transaction (buyer, seller, other):

.....

In which function are you acting for the legal entity:

Please go on to question 4!

3.2 Acting on behalf of a natural person

Information on the natural person represented:

Academic degree:

Name:

Date of birth:.....

Nationality/ies:.....

Domicile or habitual residence:

Proof of identification:.....

Role of the natural person represented in the specific transaction (buyer, seller, other):

.....

In which function are you acting for the natural person:

4. BENEFICIAL OWNER

This part of the questionnaire serves to identify the ultimate beneficial owner(s) of a legal person involved in the transaction.

Please provide as accurate information as possible (names, addresses, dates of birth, nationalities) on all natural persons who hold more than 25% of the shares and/or voting rights in the legal entity:

.....
.....
.....

If no natural person holds more than 25% of the shares and/or voting rights in the legal entity, please specify the concrete distribution of shares and/or voting rights:

.....
.....
.....

Which natural persons belong to the management level of the legal entity?

Please provide as accurate information as possible (names, addresses, dates of birth, nationalities) of the natural persons who belong to the management level of the legal entity:

.....
.....
.....

Do one or more natural persons directly or indirectly control more than 50% of the shares, voting rights or participations in the legal person/entity (e.g. through shareholder's agreements, other forms of control)? Do one or more natural persons control the legal entity in any other way (e.g. controlling influence, voting rights, right of appointment and/or dismissal of the majority of the management or supervisory body)?

☐

yes

☐

no

If yes, please provide as accurate information as possible (names, addresses, dates of birth, nationalities) of these persons:

.....

.....

.....

5. SOURCE OF FUNDS

This part of the questionnaire serves to identify how the financial means used for the transactions were generated (source of funds).

What is the amount of funds used for the specific transaction?

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Please describe the source of the funds as precisely as possible (e.g. employed /self-employed activity) and enclose appropriate supporting documents (e.g. pay slips, bank statements, income tax return, loan agreement, grant decision, bank confirmation).

Note: Pursuant to the legal provisions in force, generally worded terms such as equity, savings, company profits, credit, loan, etc., are too imprecise and **insufficient!**

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Natural persons as clients: what is the current gross income per month/year? (please send us your most recent tax returns or payslips)

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.....

Other funds used as part of the legal transaction (including details regarding the amount of these funds and financial resources as well as **records** of the origin of these funds)

.....

.....

Legal entities as clients: Annual income or annual revenue according to the latest annual financial statements (please enclose the latest annual financial statements)?

What is your annual average income or revenue?

☐

up to € 1 m

☐

€ 1 - 10 m

☐

€ 10 - 100 m

If a company is involved in the transaction:

Is the company listed on the stock exchange of an EU member state or a comparable third country?

☐ yes

☐ no

6. STATUS AS POLITICALLY EXPOSED PERSON (PEP)

This part of the questionnaire serves to disclose your possible PEP status.

All following questions refer not only to your current situation, but also to the year preceding your reply to these questions!

Note: For a better understanding of which public positions trigger PEP status, you will find a (non-exhaustive!) excerpt of the relevant legal provisions with examples in the Annex.

Do you, or a family member and/or a close associate hold an important public function pursuant to sec. 2 paras. 6-8 Financial Market Anti-Money Laundering Act (*Finanzmarkt-Geldwäschegesetz, FM-GwG*) (see Annex)?

☐ yes

☐ no

If yes, please specify your political exposure or that of the related person:

.....

.....

I assure that I have provided all information truthfully and completely and that I will notify any changes during an ongoing business relationship without being asked to do so and without delay.

.....

Date

.....

Signature

ANNEX¹

WHO QUALIFIES AS A POLITICALLY EXPOSED PERSON (sec 2, para 6 FM-GwG)?

The term politically exposed person (PEP) includes all natural persons who are or have been entrusted with prominent public functions (note: the list is only exemplary and not exhaustive!):

- a) **Heads of state, heads of government, ministers, deputy or assistant ministers.**
In Austria, this applies in particular to the Federal President, the Federal Chancellor and the members of the federal and province governments.
- b) **Members of Parliament or members of comparable legislative bodies.**
In Austria, this concerns in particular the members of the National Council and the Federal Council.
- c) **Members of the leading bodies of political parties.**
In Austria, this concerns in particular members of the leading bodies of political parties represented in the National Council.
- d) **Members of supreme courts, constitutional courts or high-level judicial bodies** whose decisions are not subject to further appeal, except in exceptional circumstances. In Austria, this applies in particular to judges of the Supreme Court, the Constitutional Court and the Administrative Court;
- e) **Members of courts of auditors or of the boards of central banks.**
In Austria, this applies in particular to the President of the Federal Court of Audit, the directors of the regional courts of audit and members of the Governing Board of the Austrian National Bank.
- f) **Ambassadors, chargés d'affaires and high-ranking officers in the armed forces.**
In Austria, high-ranking officers in the armed forces are in particular military personnel with the rank of lieutenant general or higher.
- g) **Members of the administrative, management or supervisory bodies of state-owned enterprises.**
In Austria, this applies in particular to companies (including the members of the board of directors or the management) which:
 - * the state holds at least 50% of the share capital or equity in, or
 - * the state operates alone, or
 - * the state actually controls through financial or other economic or organisational means, or
 - * a Land holds at least 50% of the share capital or equity in, or
 - * a Land operates alone, or
 - * a Land actually controls through financial or other economic or organisational means - provided that the total annual revenue of such an enterprise exceeds EUR 1 million.The total annual revenue is determined on the basis of the annual revenue as shown in the last formally adopted annual financial statements.
- h) **Directors, deputy directors and members of the governing body or an equivalent function in an international organisation.**

WHICH FAMILY MEMBER QUALIFIES AS A PEP (sec 2 para 7 FM-GwG)?

- a)
 - spouse of a politically exposed person
 - person equivalent to a spouse
 - life partner (sec 72 para. 2 Criminal Code (StGB)).

- b)
 - children (including adopted and foster children) of a politically exposed person
 - spouses of children
 - person equivalent to a spouse of children
 - life partner of children (sec 72 para. 2 Criminal Code (StGB)).

- c)
 - parents of a politically exposed person.

WHO QUALIFIES AS A PERSON KNOWN TO BE A CLOSE ASSOCIATE OF A PEP (sec 2 para 8 FM-GwG)?

- a) Natural persons who are known to have
 - joint legal ownership of legal entities or legal arrangements together with a politically exposed person, or
 - any other close business relations with a politically exposed person.

- b) Natural persons who have sole beneficial ownership which is known to have been set up for the de facto benefit of a politically exposed person.