**IDENTIFICATION AND KNOW YOUR COUNTERPARTY (KYC) QUESTIONNAIRE**

\*Fields marked with an asterisk are required

**1. BASIC DATA OF THE LEGAL PERSON CCOUNTERPARTY\***

|  |  |
| --- | --- |
| **SOCIAL DENOMINATION** |  |
| **SOCIAL OBJECT** |  |
| **NIF/CIF** |  |
| **NATIONALITY** |  |
| **REGISTERED ADDRESS** |  |
| **CITY** |  |
| **CP** |  |
| **CONSTITUTION DATE** |  |
| **REGISTRATION DATE** |  |
| **EMAIL** |  |
| **WEBSITE** |  |
| **PHONE** |  |

**2. DATA OF THE LEGAL REPRESENTATIVE/AUTHORIZED**

|  |  |
| --- | --- |
| **NAME AND SURNAME** |  |
| **PASSPORT/ID** |  |
| **BIRTHDATE** |  |
| **NATIONALITY** |  |
| **COUNTRY OF RESIDENCE** |  |
| **POSITION** |  |

Countries in which it carries out its activity:

**3. DECLARATION OF BENEFICIARY OR REAL OWNERSHIP\***

Pursuant to the provisions of article 4.2 of Law 10/2010 of April 28, on the prevention of money laundering and the financing of terrorism, the beneficial owner is understood to be:

a) The person or natural persons on whose behalf it is intended to establish a business relationship or intervene in any operations.

b) The person or natural persons who ultimately own or control, directly or indirectly, a percentage greater than 25 percent of the capital or voting rights of a legal entity, or who by other means exercise control, directly or indirectly. indirect, of a legal entity. For the purposes of determining control, the criteria established in article 42 of the Commercial Code will apply, among others.

They will be control indicators by other means, among others, those provided for in Article 22 (1) to (5) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on annual financial statements , the consolidated financial statements and other related reports of certain types of companies, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Directives 78/660/EEC and 83/349/EEC of the Advice.

Exceptions are companies that are listed on a regulated market and are subject to information requirements in accordance with Union Law or equivalent international standards that guarantee adequate transparency of ownership information.

b bis) When there is no natural person who owns or controls, directly or indirectly, a percentage greater than 25 percent of the capital or voting rights of the legal entity, or who exercises control, directly or indirectly, by other means , of the legal entity, the administrator or administrators will be considered to exercise said control. When the designated administrator is a legal entity, it will be understood that control is exercised by the natural person appointed by the legal entity administrator. The obligated subjects will verify their identity and record the measures taken and the difficulties encountered during the verification process.

c) In the case of trusts, such as the Anglo-Saxon trust, all of the following persons will be considered real owners:

1. the trustor or trustors.

2. the trustee or trustees,

3. the protector or protectors, if any

4. the beneficiaries or, when they have yet to be designated, the category of people for whom the legal structure has been created or acts; and

5. Any other natural person who ultimately exercises control of the trust through direct or indirect ownership or through other means.

In the event that there is no beneficial owner, the administrator(s) of the company must be identified (in cases where the administrator is a legal entity, the natural person representative must be identified).

**4. OWNERSHIP OR CONTROL STRUCTURE\***

List of partners or main shareholders in descending order of participation.

|  |  |  |  |
| --- | --- | --- | --- |
| **COMPANY NAME / NAME AND SURNAME** | **PASSPORT / ID** | **% PARTICIPATION / CONTROL** | **COUNTRY OF RESIDENCE** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**5. DECLARATION OF POLITICALLY EXPOSED PERSONS\***

Does the entity have among its beneficial owners or administrators, or their closest relatives and persons recognized as related, any person who holds or has held during the previous 12 months the status of representative public official or senior official of public administrations in Andorra, Member States of the European Union or third countries

* NO
* SI. In this case, name and surname and position held: \_\_\_

**6. DESCRIPTION OF THE OPERATION\***

**Nature of the operation:**

**Briefly detail the operation and the amount:**

**7. DECLARATION OF ORIGIN OF FUNDS\***

Next, indicate the origin of the funds subject to the operation:

* From your activity.
* From the partners.
* Others

Are the own funds that will be invested in the operation property of the company or do they belong to third parties, natural or legal persons?

* Property of the interveners.
* Property of third parties. Reason:

Do the own funds used to carry out the operation come from a territory considered a tax haven?

* Sí
* No. Country of origin:

Annual company income (in euros)

* < 100.000
* 100.000 < 500.000
* 500.000 < 1.000.000
* > 1.000.000

**8. OTHER INFORMATION ABOUT THE LEGAL PERSON\***

Scope of activity:

* Nationality.
* Internacional.

Nature of the legal entity:

* Limited society.
* Anonymous society.
* Listed.
* Regulated market.
* NGO.
* Collective society.
* Without legal personality with commercial purpose.
* Otros. Indique cuáles:

Age of the activity:

* Less than one year.
* From 1 to 10 years.
* More than 10 years.

**9. MANDATORY DOCUMENTATION TO ATTACH TO THIS FORM**

* Social statutes
* Shareholder structure
* Certificate of beneficial ownership
* DNI of the real owner
* Tax Identification Number Accreditation Card
* List of authorized signatures
* Copy of power of attorney deed and ID of the representatives
* Bank account ownership certificate
* Latest corporate tax
* Criminal record certificate Legal Person
* Certificate of being up to date with Social Security obligations
* Certificate of being up to date with the Tax Administration
* Latest annual accounts deposited in the Commercial Registry

For all this,

**I DECLARE**

That all the information provided in this document is true and true, and I authorize ENERDEALERS SL to verify, and if appropriate, expand this data.

That the funds that I may use to consummate any transaction, as well as the origin of the funds in my estate, are totally legal.

That the data included in this form and the additional documentation provided are current as of the date of signing this document.

That the Client expressly states that he is acting on his own account and declares, therefore, that he is not acting in the name, on behalf of or on behalf of third parties.

That in the event that the Client is acting on behalf of or on behalf of a third party. You must fill out an identification form for each of the investors on whose behalf you are acting.

Signed in [CITY], [MONTH], [DAY], 2024.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[COMPANY]