|  |
| --- |
| Contract registration number:      Company name:       |

Declaration of data necessary for customer due diligence process according to the Act No. 253/2008 Coll.

OTE, a.s., company is an obliged entity according to the Act No. 253/2008 Coll. on selected measures against legitimization of proceeds of crime and financing of terrorism. According to this act the company is obliged to perform the customer due diligence process prior the conclusion of the contract, particularly collect the information about the purpose of the business relationship and identify the beneficial owner of the client. According to this act the client is obliged to submit the information required for customer due diligence. Thank you for cooperation.

**1. Declaration about the purpose of the business relationship:**

OTE, a.s., company is obliged to collect the information about the purpose of the business relationship.

Client declares following purpose of the business relationship with OTE, a.s., company (select at least one purpose, eventually provide details):

 [ ]  compulsory established account according to the law No. 383/2012 Coll.

[ ]  account established in order to trade with emission units (AAUs, CERs, ERUs and allowances according to Commission delegated Regulation (EU) 2019/1122)

 [ ]  other purpose (please provide details):

|  |
| --- |
|       |

**2. Declaration about the beneficial owner of the legal entity:**

In case the client is a legal entity, OTE, a.s., company is obliged to identify the beneficial owner of the client and collect several personal details about the beneficial owners. Do not fill in this part in case the client is a natural entity and not a legal entity.

According to No. 37/2021 Coll., Act on the Registration of Beneficial Owners, the beneficial owner of a legal entity – business corporation is any natural person who ultimately owns or controls the legal entity or legal arrangement:

a) has a stake in the corporation or a stake in voting rights greater than 25%,

b) has the right to a share of profit, other own resources or liquidation balance greater than 25%,

c) exercises decisive influence in a corporation or corporations that individually or jointly have a share of more than 25% in that corporation, or

d) exercises decisive influence in the corporation by other means

• According to Act No. 90/2012 Coll., on Business Companies and Cooperatives (Act on Business Corporations), as amended, the decisive influence in the corporation is exercised by the person who, based on his own discretion, regardless of whether and on the basis of what legal facts, can directly or indirectly through another person or legal arrangement achieve that the decisions of the highest body of the corporation correspond to its will. Decisive influence in a business corporation is exercised by the controlling person according to the law regulating the legal relations of business corporations.

For entities other than business corporations (corporations, foundations, etc.), Act No. 37/2021 Coll., the Act on the Registration of Beneficial Owners, may establish a different definition of the beneficial owner, so we recommend that you familiarize yourself with it fully.

The real owner is not the state and a territorial self-governing unit, a voluntary union of municipalities, a state contribution organization and a contribution organization of a territorial self-government unit, an educational legal entity established by the state, a territorial self-government unit or a voluntary union of municipalities, a public research institution, a legal entity established by law or an international treaty, state enterprise and national enterprise, district and regional chamber or incorporated society under another law, European grouping for territorial cooperation, political party and political movement, church and religious society and other legal entities under the law governing churches and religious societies, trade union and employers' organizations, a hunting association, a community of unit owners, a legal entity in which the Czech Republic, a region or a municipality directly or indirectly holds all shares in the benefit and voting rights, and a general benefit society and institute, the founder of which is the Czech Republic, a region or a municipality.

Furthermore, each person in the top management of a corporation is its beneficial owner in the event that

a) if no real owner can be determined even after making all the efforts that can be reasonably required of the registering person, or

b) if the person with ultimate influence in the corporation is a legal entity that does not have a real owner according to the list given above.

If the person with ultimate influence in the corporation is a legal entity that does not have a beneficial owner as listed above, and at the same time the ultimate beneficiary of the corporation is another person, the beneficial owners of the corporation are each person in the top management of this corporation and each natural person who is its end recipient.

If the person with ultimate influence is a legal entity, the beneficial owner of which is determined according to paragraph 1 or 2, it applies that each person in its top management is also the beneficial owner of all corporations in its subordinate relationship structure.

The definitions given here are indicative only and may not be complete. It is the responsibility of every legal entity to obtain and record complete, accurate and up-to-date information about its beneficial owner or the beneficial owner of a legal arrangement as required by Act No. 37/2021 Coll., the Act on Registration of Beneficial Owners.

Client declares following persons to be the beneficial owners:

|  |  |  |  |
| --- | --- | --- | --- |
| Name and surname: | Permanent or other residence and a country: | Citizenship: 1 | Relationship to the client: |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

1 Please quote all countries of citizenship of the person.

**3. Declaration about international sanctions:**

The Client declares that the Czech Republic does not impose international sanctions against him/her or against any person associated with him/her (a member of the statutory and controlling body, a natural or legal person from the client's management and ownership structure, including the actual owner).

**4. Declaration about the politically exposed person:**

OTE, a.s., company is obliged to collect the information, if any of the following persons are politically exposed:

|  |  |
| --- | --- |
| **In case the client is a legal entity:*** individuals acting as statutory bodies or their members
* the person empowered to sign the contract
* the beneficial owner
* (Additional) Authorised Representatives
 | **In case the client is a natural entity:*** the client
* the person empowered to sign the contract
* (Additional) Authorised Representatives
 |

According to the Section 4 subsection 5 of the Act no. 253/2008 Coll. **the politically exposed person** is any person:

|  |  |  |
| --- | --- | --- |
|  | 1. **A natural person who has or has been in a significant public function of national or regional importance, such as**
* head of the local government (mayor, governor of the region)
* the head of the territorial self-government of a foreign country with a federal arrangement - the head of the state bodies, members of the government and parliament, etc.,
* a head of state or prime minister, head of central government authority (e.g. a minister) and his deputy or state secretary,
* a member of the parliament, member of the governing body of a political party,
* a member of a supreme court, a constitutional court or another high-level judicial body, decisions of which are not subject to further appeal, except in exceptional circumstances,
* a member of a central bank board,
* a high-ranking military officer,
* a member of an administrative, supervisory, or management board of a state-owned business,
* an ambassador or chargé d'affaires, or
* a natural person, having similar responsibilities in another state, an EU institution or an international organization.
 | 1. **A person politically exposed shall also be a person close the person in section A:**
* parents, grandparents, etc., children, grandchildren, great-grandchildren, etc.,
* brother, sister, husband, wife, partner,
* relatives of the husband, wife, partner - son-in-law, daughter-in-law, father-in-law, mother-in-law, etc.,
* a person living permanently with the person in section A
* a person in a family or similar relationship with a person in Section A, if the damage suffered by one person was reasonably felt by the other person as their own harm.
1. **A person politically exposed shall also be a person from the business environment of person in section A, ie who:**
* is a business partner or a beneficial owner of the same legal person or a trust as the person in section A, or
* is in a close business relationship with a person in section A; this means material interconnection within the business activity, where the benefit or harm of one person could reasonably be felt by the other person as a benefit or harm of their own, or
* is a beneficial owner of the legal person or a trust known to have been established in benefit of the person in section A.
 |

Client declares that: [ ]  none of the above mentioned individuals is a politically exposed person and does not act in the interest of the potentially exposed person (do not fill in the part A and B below)

 [ ]  one or more individuals is/are politically exposed (please fill in the part A and B below):

A. name and surname of each person in a public position, name of this position, name and state of the organization, relationship to the client and, if the position was terminated, approximate date of the termination:

|  |
| --- |
|       |

B. the source of the property that will be the subject of the business relationship:

|  |
| --- |
|       |

Furthermore, **the client declares** that the business is not established2 in a high-risk country3.

In the event that there is a change in these facts, I undertake to notify the company of the change before the execution of the trade following this change.

2 Establishment means the continuous performance of an economic activity

3 High-risk country means a country so designated by the European Commission in the Regulation on the identification of high-risk third countries with strategic shortcomings in the area of money laundering and terrorist financing.

Signing this document, the client declares that the provided information and data is correct, true and complete. Client also undertakes to announce any change of the declared information or data to OTE, a.s. company as soon as possible.

in  date

………………………………………………………………………. ……………………………………………………………………….

statutory representative of the client, function statutory representative of the client, function