

Statement regarding the identity of the ultimate beneficial owner(s) of legal persons and other legal structures

The Act on the prevention of money-laundering and the financing of terrorism requires banks to identify the ultimate beneficial owners of their customers, in particular in cases where said customers are companies ('nv' or *public limited companies*, 'bvba' or *private limited companies*, etc.) or other legal structures with legal personality ('vzw' or *non-profit organisations*, foundations, etc.) or without legal personality (de facto associations, etc.) that manage and pay out funds. At AXA Bank, this identification is made to occur by way of the statement in hand.

For companies (nv, bvba, etc.):

The Act defines the ultimate beneficial owners of companies as the natural person or persons who control the company in law or in fact. In particular, these are the holders of a participating interest of at least 25% of the shares or voting rights **and** the persons who in law or in fact control the administration of the company. In annexe 1, you will find more detailed information (the annexe is an integral part of this statement).

For other legal structures (vzw, foundations, de facto associations, etc.):

The act defines the ultimate beneficial owners of legal structures other than companies as the natural persons who are the owners of 25% or more of the assets of the legal structure as well as all natural persons who hold office on the board of directors (for legal structures with legal personality) or all persons who can influence its administration (for legal structures without legal personality). In annexe 2, you will find more detailed information (the annexe is an integral part of this statement).

Please complete this document in full and send it:

- by postal mail at AXA Bank Europe nv, Dienst CI (B21/486), Grotesteenweg 214, 2600 Berchem
- by fax to 03.247.75.16
- by e-mail at organisations.bank@axa.be

1. The undersigned,

Name	First name	Job title	Signature

who have the necessary power of authority to act as representative(s) of:

Company name – legal form – registered office:	Company number (if applicable)

hereby declares/declare that on (dd/mm/yyyy) the following natural persons are the beneficial owners of the aforesaid company/legal structure (see annexe 1 and 2, item c for information on the selection boxes to be ticked in the last two columns):

Name	First name(s)	Address	Place and Country of birth	Date of birth	Shareholder/ Owner ≥ 25%	Decision-maker	Do you have the American nationality (dual citizenship included)?	Are you liable to tax in the United States?
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No Function:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
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For legal structures: If the owners of the legal structure have not been designated yet, please identify the group of persons in whose interests the legal structure was predominantly incorporated or is mainly active (see annexe 2, item c 1):

Insufficient space? Add extra sheets (see annexe 3) for the requested information. Number of extra sheets: |____|

Do not forget to include a front and back copy of the identity documents of all the persons specified above (see annexe 1 and 2 item e)

2. To be filled in only if only decision-makers were included in the table above:

a) For companies (nv, bvba, etc.): see also annexe 1 item c

If there are no beneficial shareholders who hold at least 25% of the shares or voting rights, the table above only includes decision-makers who are ultimate beneficial owners.

If this is the case, please tick the box below and fill in the date:

| The undersigned hereby declare/declares that on (dd/mm/yyyy) no beneficial shareholder has at least 25 % of the shares or voting rights of the company and the table above only specifies the decision-maker(s) as ultimate beneficial owner(s).

b) For other legal structures: see also annexe 2 item c

If there are no beneficial owners who are the owner of at least 25% of the assets of the legal construction, the table above only specifies decision-makers as beneficial owners. If this is the case, please tick the box below and fill in the date:

| The undersigned hereby declare/declares that on (dd/mm/yyyy) no one owns at least 25% of the assets of the legal structure and that the table above only specifies the decision-maker(s) as beneficial owners.

3. Only fill in if item d of annexe 1 or 2 applies:

The undersigned hereby declares/declare that on (dd/mm/yyyy)

- the aforesaid company or one (or more) of its shareholders of more than 25%:
- the aforesaid legal structure or one (or more) of its owners of more than 25%:

- (a) is a listed company*
- (b) is a credit institution or financial institution*
- (a) is a Belgian government body*

(*) Registered/official name of a), b) and/or c)	Address of registered office/official address of a), b) and/or c)	Category (a, b or c)	Stock exchange (if listed company) Regulator (if financial institution or credit institution)

4. The undersigned hereby commits/commit the customer to immediately inform the bank in writing if the current statement is to be modified and to provide the bank with a copy of the identity document of every new ultimate beneficial owner. The bank reserves the right to terminate the relation with the company or legal structure if it is revealed that the information supplied to the bank is incomplete or incorrect.

ANNEXE 1

Explanatory note to the 'Statement regarding the identity of the ultimate beneficial owner(s)' of a company (nv, bvba, etc.)

a. Why are banks required to request a 'Statement regarding the identity of the ultimate beneficial owner(s)'?

The Act on the prevention of the use of the financial system for the laundering of money and the financing of terrorism requires banks to identify the ultimate beneficial owners of their customers, in particular in cases where said customers are companies. In addition, the Act requires companies to inform their banks of the identity of their ultimate beneficial owner(s).

Applicable Belgian regulations:

- Act dated 11 January 1993 on the prevention of the use of the financial system for the laundering of money and the financing of terrorism,
- Regulations of the Banking, Finance and Insurance Commission dated 23 February 2010 with regard to the prevention of the laundering of money and the financing of terrorism, approved by Royal Decree dated 16 March 2010.
- Circular letter of 2010-09 dated 6 April 2010 of the Banking, Finance and Insurance Commission on the duty to exercise vigilance with regard to their customers, the prevention of the use of the financial system for the laundering of money and the financing of terrorism, and the prevention of the financing of the proliferation of weapons of mass destruction.

In order to comply with these legal duties with regard to identifying and reporting the beneficial owner(s) of a company, the representative(s) of a company are required to complete and sign a 'Statement with regard to the identity of the ultimate beneficial owner(s)'.

b. Who is required to fill in and sign the statement?

The statement is required to be filled in by the persons who are authorised to represent the company with third parties, in accordance with its legal and statutory regime.

c. Definitions of 'ultimate beneficial owners', 'control', 'shareholders of at least 25%', 'decision-makers'

The **ultimate beneficial owners** of a company are the natural persons who, either acting alone or jointly, directly or indirectly, in law or in fact, hold the final control of the company. **Control** refers to the authority, legally or in fact, to exercise decisive influence on the appointment of the majority of the directors or managers of the company, or the direction of the company's policy.

Two categories of beneficial owners exist:

1) *Shareholders of at least 25%:*

- The natural person or persons who are the beneficial owner of at least 25% of the shares or voting rights of the company, or who directly or indirectly hold such a percentage rate.
- If a shareholder of at least 25% is not a natural person but a legal structure other than a company, then the following are required to be identified as the beneficial owners:
 - if the future owners have already been designated: the natural person or persons who are the owners of 25% or more of the assets of said legal structure; or
 - if the natural persons who are the owners of said legal structure have not been designated yet: the group of persons defined in abstracto in whose interest said legal structure was chiefly incorporated or for whom it chiefly operates.
- If none of the beneficial shareholders meet the definition of 'shareholder of at least 25%', then please tick the box under item 2. In doing so, the company confirms that no beneficial shareholder holds at least 25% of the shares or voting rights of the company. The table then only specifies the decision-makers as beneficial owners (see below).

2) Decision-makers

The following are considered to be decision-makers:

- the natural person or persons who hold office in the board of directors of the company (for example, the manager of a 'bvba' or the director of an 'nv'). Important:
 - If a legal person holds office on the board of directors, the identity details of the natural person or persons who represent the legal person in the execution of said office (permanent representative, for example) is to be specified.
 - All office holders on the board of directors must be specified, stating their respective post.
- the natural person or persons who, acting alone or jointly, directly or indirectly, exercise the actual control of the company without holding a participation of at least 25% in the company or a mandate in the board of directors.

d. Exemption from the duty to identify the beneficial owners

The duty to identify the ultimate beneficial owners (shareholders of at least 25%, decision-makers) does not apply if the customer or one (or more) shareholder(s) of at least 25%:

- is a listed company: a listed company whose securities are authorised to be traded on a regulated market in a country of the European Economic Space; or
- a credit institution or a financial institution which is based in a country of the European Economic Space or in a country that is a member of the Financial Action Task Force (FATF); or
- is a Belgian government body: a Belgian institution or body that is established by a Belgian public authority to provide a public service or a public utility service and whose operations are determined and supervised by said public authority;

In these cases, the section under item 3 is to be completed, specifying:

- the registered name (if a listed company or a financial institution or credit institution) or the official name (if a Belgian government institution),
- the address of the registered office (if a listed company or a financial institution or credit institution) or the official address (if a Belgian government institution),
- the category and, if applicable,
- the stock exchange (for listed companies) or the competent regulator (if a financial institution or credit institution).

Please note:

If the customer has more than one ultimate beneficial owner, the beneficial owners who do not come under the exemption of the duty of identification are obviously required to be identified in the section under item 1.

e. Which documents are to be provided?

A front and back copy of the proof of identity of every person who has been included in the list as an ultimate beneficial owner is to be included with the fully completed statement.

ANNEXE 2

Explanatory note to the 'Statement regarding the identity of the ultimate beneficial owner(s)' of a legal structure (non-profit 'vzw', foundation, de facto association, etc.)

a. Why are banks required to request a 'Statement regarding the identity of the ultimate beneficial owner(s)'?

The Act on the prevention of the use of the financial system for the laundering of money and the financing of terrorism requires banks to identify the ultimate beneficial owners of their customers, in particular in cases where said customers are legal structures. In addition, the Act requires legal structures to inform their banks of the identity of their ultimate beneficial owner(s).

Applicable Belgian regulations:

- o Act dated 11 January 1993 on the prevention of the use of the financial system for the laundering of money and the financing of terrorism,
- o Regulations of the Banking, Finance and Insurance Commission dated 23 February 2010 with regard to the prevention of the laundering of money and the financing of terrorism, approved by Royal Decree dated 16 March 2010.
- o Circular letter of 2010-09 dated 6 April 2010 of the Banking, Finance and Insurance Commission on the duty to exercise vigilance with regard to their customers, the prevention of the use of the financial system for the laundering of money and the financing of terrorism, and the prevention of the financing of the proliferation of weapons of mass destruction.

In order to comply with these legal duties with regard to identifying and reporting the ultimate beneficial owner(s) of a legal structure, the representative(s) of a legal structure must complete and sign a 'Statement with regard to the identity of the ultimate beneficial owner(s)'.

b. Who is required to fill in and sign the statement?

The statement must be filled in by the persons who are authorised to represent the legal structure with third parties, in accordance with its legal and statutory regime.

c. Definitions of 'legal structure', 'ultimate beneficial owners', 'shareholders of at least 25%', 'decision-makers'

A **legal structure** is:

- o either a legal person, with the exception of a company, such as a foundation or a non-profit association;
- o or a de facto association;
- o or any other legal structure without legal personality, such as a trusts or fiduciaries.

Two categories of beneficial owners exist:

1) *The owners of at least 25%* of a legal structure. These are:

- o if the future owners have already been designated: the natural person or persons who are the owners of 25% or more of the assets of said legal structure; or
- o if the natural persons who are the owners of said legal structure, have not been designated yet: the group of persons defined in abstracto in whose interest said legal structure was chiefly incorporated or for whom it chiefly operates. In these cases, the last line of the section under item 1 is to be completed as described. In this case it is of course not necessary to provide a copy of the identity document of the owners of at least 25%.
- o if none of the owners meet the definition of 'owner of at least 25%' or if the only owner of at least 25% is the legal structure itself, then please tick the box under item 2. In doing so, the legal structure confirms that no one owns at least 25% of the assets of the legal structure. The table then only specifies the decision-makers (see below) as beneficial owners.

2) *Decision-*

- If the legal structure is a legal person, then the decision-makers are the natural person or persons that hold office on the board of directors. Important:
 - If a legal person holds office on the board of directors, the identity details of the natural person or persons who represent the legal person in the execution of said office (the permanent representative, for example) must be specified.
 - All office holders on the board of directors must be specified, stating their respective post.
- If the legal structure does not have legal personality, then the decision-makers are the natural person or persons who have the power to influence the administration of the legal structure.
- For **each** legal structure, the following are also to be considered as decision-makers: the person or persons that contribute assets to the legal structure and who have a say on how those assets are used.

d. Exemption from the duty to identify the ultimate beneficial owners

The duty to identify the ultimate beneficial owners (owner(s) of at least 25%, decision-makers) does not apply if the customer or one (or more) owner(s) of at least 25%:

- is a listed company: a listed company whose securities are authorised to be traded on a regulated market in a country of the European Economic Space; or
- a credit institution or a financial institution which is based in a country of the European Economic Space or in a country that is a member of the Financial Action Task Force (FATF); or
- is a Belgian government body: a Belgian institution or body that is established by a Belgian public authority to provide a public service or a public utility service and whose operations are determined and supervised by said public authority.

In these cases, the section under item 3 is to be completed, specifying:

- the registered name (if a listed company or a financial institution or credit institution) or the official name (if a Belgian government institution),
- the address of the registered office (if a listed company or a financial institution or credit institution) or the official address (if a Belgian government institution),
- the category and if applicable,
- the stock exchange (for listed companies) or the competent regulator (if a financial institution or credit institution).

Please note:

If the customer has more than one ultimate beneficial owner, the beneficial owners who do not come under the exemption of the duty of identification are obviously required to be identified in the section under item 1.

e. Which documents need to be provided?

A front and back copy of the proof of identity of every person who has been included in the list as an ultimate beneficial owner is to be included with the fully completed statement.

ANNEXE 3

Please add an extra sheet if there is not enough space in the table of the statement to list all details

Name	First name(s)	Address	Place and Country of birth	Date of birth	Shareholder/ Owner ≥ 25%	Decision-maker	Do you have the American nationality (dual citizenship included)?	Are you liable to tax in the United States?
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