

Information Sheet

"Politically Exposed Persons" pursuant to Article 2 no. 6 Financial Markets Anti-Money Laundering Act (FM-GwG – Finanzmarkt-Geldwäschegesetz)

The present translation is furnished for the customer's convenience only. The original German text of the "Information Sheet Politically Exposed Persons" shall be binding in all respects. In the event of any divergence between the English and the German wording, constructions, meanings, or interpretations, the German wording, construction, meaning or interpretation shall govern exclusively.

The 4th AML Directive and EU Regulations regarding Anti-Money Laundering including implementation into Financial Market Anti-Money Laundering Act (FM-GwG) oblige credit institutions to evaluate if Customers/Account Holders are the Politically Exposed Persons.

Politically exposed persons are those natural persons who exercise prominent public functions or who did so up to one year previously, and their immediate family members or persons known to be close associates of them.

1. **"Prominent public functions"** for this purpose are the following functions:
 - a. heads of state, heads of government, ministers and deputy or assistant ministers; in Austria this particularly applies to the Federal President, the Federal Chancellor and the members of the Federal Government and the provincial governments;
 - b. Members of parliament or members of similar legislative bodies; in Austria this particularly applies to the members of the National Council (Nationalrat) and the Federal Council (Bundesrat);
 - c. Members of the governing bodies of political parties; in Austria this particularly applies to members of the governing bodies of political parties in the National Council;
 - d. members of supreme courts, of constitutional courts or of other high-level judicial bodies, the decisions of which are not subject to further appeal, except in exceptional circumstances; in Austria this particularly applies to judges in the Supreme Court of Justice (Oberster Gerichtshof), the Constitutional Court (Verfassungsgerichtshof) and the Supreme Administrative Court (Verwaltungsgerichtshof);
 - e. Members of courts of audit or the management bodies of central banks; in Austria this particularly applies to the President of the Austrian Court of Audit (Bundesrechnungshof) as well as the Directors of the Courts of Audit of the individual provinces (Landesrechnungshof) and the Members of the Governing Board of the Oesterreichische Nationalbank;
 - f. Ambassadors, chargés d'affaires and high-ranking officers of the armed forces; in Austria this particularly applies to high-ranking officers in the armed forces in particular members of the military with a rank of Lieutenant General (Generalleutnant) or higher;
 - g. Members of the administrative, management or supervisory boards of state-owned enterprises; in Austria this particularly applies to enterprises in which the federal government or the government of a province holds at least 50% of the nominal capital, share capital or equity capital, or which the federal government or the government of a province solely operates, or which the federal government or the government of a province actually controls by financial means or other economic or organisational measures;
 - h. Directors, deputy directors and members of the board or an equivalent function of an international organisation.

No public function referred to in points a) to h) shall be understood as covering middle-ranking or more junior officials;

2. **"Immediate family members"** are deemed to be:
 - a. the spouse of a politically exposed person, a person considered to be equivalent to a spouse of a politically exposed person or the life partner as defined in Article 72 para. 2 StGB,
 - b. the children (including adopted and foster children) of a politically exposed person and their respective spouses, or a person considered to be equivalent to a spouse or life partner as defined in Article 72 para. 2 StGB,
 - c. the parents of a politically exposed person.
3. **"Persons known to be close associates"** are deemed to be the following individuals:
 - a) any natural person who is known to have joint beneficial ownership of a legal entity or arrangements, such as a foundation, or of a trust with a person entrusted with a prominent public function, or who has other close business relations with a politically exposed person;
 - b) any natural person who has sole beneficial ownership of a legal entity or arrangements, such as a foundation, or of a trust which is known to have been set up de facto for the benefit of a politically exposed person.

Transactions and business relationships with politically exposed persons (PEPs)

Article 11. (1) In addition to the customer due diligence obligations set out in Article 6, the obliged entities shall

1. have in place appropriate risk management systems, including risk-based procedures, to be able to determine whether the customer, the beneficial owner of the customer, or the trustor of the customer is a politically exposed person and to apply these procedures prior to establishing the business relationship as well as to apply them at regular intervals during the ongoing business relationship.
2. in the case of business relationships with politically exposed persons:
 - a. obtain the approval of their senior management, before establishing or continuing business relationships with such persons;
 - b. take adequate measures to establish the source of wealth and source of funds that are involved in business relationships or transactions with such persons; and
 - c. subject the business relationship to enhanced ongoing monitoring.