



## ANTWERP BRANCH

### Form for the Identification of your Beneficial Owners

#### **Purpose of this form:**

- ⇒ *Identifying your beneficial owners (shareholders/decision-makers) is a legal obligation that helps to prevent money Laundering and the financing of terrorism. For this reason, it is of the utmost importance to complete this identification declaration fully, correctly and accurately. You can find more information about the purpose of this document in the annex added to this document.*
- AML – FT Act of 18/09/2017

#### **Identification of the company**

<b>Name of legal entity customer:</b>
<b>Legal Address:</b>
<b>VAT – number:</b>
<b>Date of Incorporation :</b>
<b>Contact No</b>
<b>Email Address</b>

## **1- Identification of your (direct/ indirect) decision-makers**

Please provide all of the necessary information about all of your direct and indirect decision-makers i.c. the persons who are mentioned in the Belgian Official Gazette (Staatsblad or Moniteur) and are authorized to represent the company and to whom the company has delegated the daily management.

Please enclose

- a publication containing the names of the identified decision-makers
- a copy of both sides of a recent (Belgian) identity document of all the persons added in the box below

<b>Surname, Firstname</b>	<b>Date of Birth</b>	<b>Place of birth</b>	<b>National Registration Number</b>	<b>Natio- nality</b>	<b>Legal address</b>	<b>Function in the company</b>

## **2- Identification of your shareholders**

Please provide all of the necessary information about all of your direct and indirect shareholders. Please enclose a copy of both sides of a recent (Belgian) identity document of all the natural persons added in the box below.

### **Natural Persons**

<b>Surname, Firstname</b>	<b>Date of Birth</b>	<b>Place of birth</b>	<b>National Registration Number</b>	<b>Natio-nality</b>	<b>Legal address</b>	<b>Shares (%)</b>

### **Entities**

<b>Legal name</b>	<b>Country of incorporation</b>	<b>Registration Number</b>	<b>Legal address</b>	<b>Shares (%)</b>

If one of the above mentioned entities is listed on a stock exchange, please add the following information:

Legal Name	Name of Stock exchange where it is listed	ISIN

### **3- Identification of the ultimate beneficial owners (UBOs)**

- I am a sole trader therefore I am the UBO.
- I am a limited liability company whose shareholders are all individuals. At least one of these shareholders holds 25% of the shares. Therefore the UBOs are among the shareholders of the company.
- I am an entity that is not a limited liability company. Therefore my UBOs are the decision makers.
- I am a limited liability company whose shareholders are not all individuals. Among my shareholders you will either find other companies, or individuals together with other companies. Therefore the UBOs are the individuals who hold directly or indirectly 25% of the shares of the company. These individuals are

Surname, Firstname	Date of Birth	Place of birth	National Registration Number	Legal address	Shares (%)

**4- Whether one of your decision makers or shareholders is decision maker or shareholder of another company?**

As the case may be, please complete the table below with the companies for which your decision-makers or shareholders are decision-makers.

Legal name or first name and last name of your decision maker or shareholder	Decision maker or shareholder in other company?	Legal Name of other company	Country of incorporation	Registration Number	Legal address
	<input type="checkbox"/> Decision maker <input type="checkbox"/> Shareholder				
	<input type="checkbox"/> Decision maker <input type="checkbox"/> Shareholder				
	<input type="checkbox"/> Decision maker <input type="checkbox"/> Shareholder				
	<input type="checkbox"/> Decision maker <input type="checkbox"/> Shareholder				

If one of the above mentioned entities is listed on a stock exchange, please add the following information:

Legal Name	Name of Stock exchange where it is listed	ISIN

**5- Signature(s):**

**Name of the Company:** \_\_\_\_\_

The signature in the table below must be made by the person(s) authorised to represent your company, according to its articles of association and the Board resolution submitted :

- The signatory/signatories listed in the table below irrevocably undertake(s) to immediately inform Bank of India in writing of any changes made to the information provided in this document.
- The signatory/signatories listed in the table below declare that they have read the annexes added to this form, and in particular the annex relating to the protection of the privacy, and that they have completed the information requested in it, IF it applies to the beneficial owners mentioned in this document.
- The person who signs the table below is authorised to represent the company, according to its articles of association and Board Resolution dated \_\_\_\_\_.

Please add two recent passport photographs of **all signatories** hereunder:

<u>Surname and First name</u>	<u>Photo / Company Seal</u>	<u>Signature / Designation</u>	<u>Restrictions if Any</u>

**6- Contact person in your company and e-mail address:**

Surname and first name of your contact person	Telephone number	Email address

Company Seal

**7- General Terms and Conditions for Opening an account**

(Please tick the box below)

- I hereby declare that I have received the “General Terms and Conditions for Opening an Account”.
- I hereby declare that I have read and understood the “General Terms and Conditions for Opening an Account”.

Signature of Authorized Person

Company Seal .

## **ANNEX 1**

- Why are banks required to ask this statement regarding the identity of the Ultimate Beneficial Owner(s) of a company?
  - ⇒ The Act on the prevention of the use of the financial system for money laundering and/or the financing of terrorism requires banks to identify the ultimate beneficial owners of their companies. This means that the Act requires companies to inform their banks about the full identity of these persons.
  - ⇒ If a company refuses to deliver this information, Bank Of India is not allowed to open an account.
    - *The above statement is based on the AML – FT Act of 18/09/2017*

### **Applicable Belgian regulations:**

- AML Act dated on 18 September 2017.
- 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 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 the legal duties stated above 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)'.

## **ANNEX 2**

- What is the exact meaning of “shareholders and/or decision makers”?
  - Shareholders: any person who, directly or indirectly holds or controls a stake of the voting rights of the company, or who holds the de iure or the de facto controlling interest in your company
  - Decision – makers: any person who is able to influence and / or can make decisions in the company. Decision – makers may or may not have an official mandate.
    - F. ex: managers, chairmen, finance directors, directors, etc. who are authorized to represent the company based on the articles of association or the last amendments.

## **ANNEX 3**

### **Clause concerning the protection of the privacy:**

All data communicated on this form and, if applicable, data provided later in the context of the handling of this form, will be processed by Bank of India, for the purposes of centralising customer management, management of accounts and payments, granting and management of credits and all the necessary financial services.



All of this data will be kept in the database of Bank of India and may be transferred to Mumbai if necessary. Bank of India, of course, is bound by contract to keep discretion and confidentiality of all client data.

With effect from the 25th May 2018, the General Data Protection Regulation (GDPR) came into force in the European Union. This regulation is an addition to the current Belgian Privacy Legislation of 8th December 1992, and it ensures that a customer will have more rights concerning the treatment and the use of his or her personal data provided to the Bank.

Disclosure of Information is done as per the GDPR regulations and all other terms and conditions to be applicable as decided by our Head Office / local authorities from time to time.

Fundamentally, nothing will change to the legal grounds and purposes of the processing of the customers data, but with effect from 25th May 2018, the client can request to look into his data at any time, have it corrected or rectified or have it transferred or deleted. This can be done by sending an email to the following address: [bankofindiaantwerp@skynet.be](mailto:bankofindiaantwerp@skynet.be). It will also be possible to send an application by post to the address mentioned below:

BOI - Antwerp Branch  
Schupstraat 18/20  
2018 Antwerp Belgium

If a customer wishes to use these rights, he always has to state the date in his or her letter or mail, sign the request and enclose a copy of the front and the back of his or her ID-card. After receiving the request, it will be treated within a period of 30 days, and will be free of charges.

More information regarding the GDPR Regulation can be found on the following websites:

<https://www.privacycommission.be/en/>  
<https://www.privacycommission.be/nl/algemene-verordening-gegevensbescherming>  
[https://ec.europa.eu/info/law/law-topic/data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection_en)

**IMPORTANT:** Data which is necessary and required for KYC purposes in order to be compliant with the rules and regulations of the Belgian authorities, is preserved by the Bank, and it cannot be deleted. If so, this may have an influence on the contractual relationship or even make it impossible.