***Załącznik nr 7***

***do Zasad organizacji procesu weryfikacji kontrahentów ORLEN OIL***

**BENEFICIAL OWNER**

**STATEMENT**

…………………………, date ……………..

(place)

|  |  |  |
| --- | --- | --- |
| Customer’s data („Company”) | | |
| 1 | Name |  |
| 2 | Address |  |
| 3 | Tax identification number (TIN) |  |
| 4 | If the case of unavailability of TIN: |  |
| A | Name of relevant register |  |
| B | Country of registration |  |
| C | Register number |  |
| D | Date of registration |  |

1. Are the Company’s securities admitted to trading on a regulated market that is subject to information disclosure requirements arising from European Union law or corresponding regulation of a third country:

YES , name of the regulated market: ……………………………………………………...............

NO

1. The ultimate beneficial owners („Beneficial owner”) of the Company, in the understanding of the Act of March 2018 on counteracting money laundering and terrorist financing (Journal of Laws of 2023 item 1124), are the following natural persons:

|  |  |
| --- | --- |
| No. | Surname and first name |
| 1 |  |
| 2 |  |
| 3 |  |
| 4 |  |
| 5 |  |

1. The Company:

is obliged to report Beneficial owners to the register of Beneficial owners

Name of the register of Beneficial owner…………………………………………………………

Internet address of the above register …….……………………………………………………

is obliged to report Beneficial owners to the register of Beneficial owners, however this register is not yet available in the Company's country of residence

is not obliged to report Beneficial owners to the register of Beneficial owners.

1. I certify, being aware of criminal liability for the submission of a false declaration, that the status of PEP of the Beneficial owners of the Company, in the understanding of the Act of March 2018 on counteracting money laundering and terrorist financing (Journal of Laws of 2023 item 1124) is as stated below:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Lp. | Name and Surname of Beneficial owner | Politically exposed person | Family member of Politically exposed person | Person known as close co-worker of Politically exposed person | Day of termination of holding politically exposed position |
| 1 |  | YES NO | YES NO | YES NO |  |
| 2 |  | YES NO | YES NO | YES NO |  |
| 3 |  | YES NO | YES NO | YES NO |  |
| 4 |  | YES NO | YES NO | YES NO |  |
| 5 |  | YES NO | YES NO | YES NO |  |

Politically exposed person or/and Family member of Politically exposed person or/and Person known as close co-worker of Politically exposed person.

1. Statements

I hereby certify that the above data have been provided to the best of my knowledge. In the event of any changes with respect to the information presented above, I shall update them within 7 days from the date when the change occurred and I shall provide additional documents to confirm the authenticity of this statement in case of necessity.

I declare that I am familiar with the information clause constituting Appendix No. 1 regarding the processing by ORLEN OIL (‘ORLEN OIL’) of the personal data contained in the present declaration. I undertake to provide, on behalf of ORLEN OIL as a Data Controller in the meaning of the applicable legislation on personal data protection, immediately, however no later than within 30 (thirty) days from the date of submission of this declaration, the information obligation towards natural persons whose personal data is contained in this declaration by providing those persons with the information clause constituting Appendix No. 1.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Person declaring on behalf of the Company\* | |  | Person declaring on behalf of the Company\* | |
| Surname and first name |  |  | Surname and first name |  |
| Signature\*\* |  |  | Signature\*\* |  |
| Date |  |  | Date |  |
| Type of representation | Representative/Authorised person \*\*\* |  | Type of representation | Representative/Authorised person \*\*\* |

*\*In the case that the person signing this form is the authorised person, the power of attorney (scan) must be provided*

*\*\* In the case of a wet (handwritten) signature, the specimen signature document (scan) must be provided e.g. specimen signatures card, notarized specimen signature or other document confirming the identity including specimen signature*

*\*\*\* Delete as necessary*

|  |  |
| --- | --- |
| TO BE COMPLETED BY ORLEN:OIL | |
| I confirm the sanction verification of people and company aforementioned: | |
| Surname and first name |  |
| Signature |  |
| Date |  |

**Information clause**

1. The controller of personal data within the meaning of Article 4(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation - hereinafter referred to as ‘RODO’), provided is ORLEN OIL Sp. z o.o. with its registered office: 135 Elbląska Street, 80-718 Gdańsk.

2. ORLEN OIL Sp. z o.o. has appointed a Data Protection Supervisor, who can be contacted in all matters relating to the processing of personal data and the exercise of rights related to the processing of personal data, via e-mail address: daneosobowe@orlenoil.pl or in writing to: ORLEN OIL Sp. z o.o. 135 Elbląska Street, 80-718 Gdańsk, marked ‘Data Protection Inspector’.

3. The collected personal data will be processed for the following purposes:

1. to take action to establish cooperation and to conclude and perform a contract with the contracting party for which you are the Beneficiary,
2. to verify the accuracy and timeliness of your data and your reliability in order to protect the economic and legal interests of ORLEN OIL Sp. z o.o., in particular by verifying the existence of your data on sanction lists,
3. to establish, investigate and handle in the event of claims.

4. The legal basis for the processing of your personal data by ORLEN OIL Sp. z o.o. Your personal data for the purposes indicated in paragraph 3 above is:

- the conclusion and performance of a contract (pursuant to Article 6(1)(b) of the RODO) for the purposes indicated in paragraph 3(a),

- the legitimate interest of ORLEN OIL Sp. z o.o. (in accordance with Article 6(1)(f) RODO) for the purposes indicated in point 3(c) and (d), i.e. to ensure the security of the interests (economic, image, legal) of ORLEN OIL Sp. z o.o. in concluding and continuing business relations and handling, investigating and defending in the event of claims.

5. your personal data submitted to ORLEN OIL Sp. z o.o. by you personally or by person(s) authorised to act on behalf of the Contractor, i.e. the entity providing services to ORLEN OIL Sp. z o.o. or intending to provide services, for which you are the Beneficiary, are: name, surname, citizenship, date of birth , and information on the fact that you are a Politically Exposed Person or a Family Member of a Politically Exposed Person or a co-worker of such a person. 6.

Your personal data may be disclosed by ORLEN OIL Sp. z o.o. to entities and authorities authorised to process such data under applicable laws. Your personal data may also be transferred, to the extent necessary for the implementation of the purposes of processing referred to in point 3, to other ORLEN CG Companies and entities (recipients) cooperating in the implementation of the agreement, in particular providing IT services, invoicing services, receivables settlement, correspondence delivery, advisory services, legal services, debt collection, archiving.

6. Your personal data shall be processed for the duration of the contract and for a period of 5 years after its termination, however not less than until the expiry of mutual claims arising from the contract. The provision of personal data is voluntary, but necessary for the conclusion and execution of the contract.

7. You have rights in relation to the processing of your personal data:

- the right of access to the content of your data,

- The right to rectification of your personal data,

- The right to erasure of your personal data or restriction of processing,

- the right to data portability,

- The right to lodge an objection - in cases where ORLEN OIL Sp. z o.o. processes your personal data on the basis of its legitimate interest - the objection may be expressed due to a particular situation.

8. You can send your request regarding the exercise of the above rights to the following e-mail address: daneosobowe@orlenoil.pl or to the address of ORLEN OIL Sp. z o.o. registered office indicated in point 1 with the note ‘Data Protection Inspector’.

9. You have the right to lodge a complaint with the President of the Office for Personal Data Protection.

I. BENEFICIAL OWNER

The beneficial owner is any natural person who directly or indirectly exercises control over a customer by virtue of powers, which arise from legal or factual circumstances, to exercise a decisive influence over the activities or actions undertaken by the customer, or any natural person on whose behalf a business relationship is established or an occasional transaction is carried out.

(1) In the case of a legal entity other than a company whose securities are admitted to trading on a regulated market that is subject to disclosure requirements under European Union law or equivalent third country law, the beneficial owner shall be:

- a natural person who is a shareholder holding more than 25% of the total number of shares in that legal person,

- a natural person holding more than 25% of the total voting rights in a decision-making body of that legal person, including as a pledgee or usufructuary or under agreements with other persons entitled to vote,

- a natural person controlling a legal person or legal persons who together hold more than 25% of the total shares, or who together hold more than 25% of the total voting rights, in a determining body of that legal person, including as a pledgee or usufructuary or under agreements with other persons entitled to vote,

- a natural person exercising control over a legal person through holding powers referred to in Article 3(1)(37) of the Accounting Act of 29 September 1994 (Journal of Laws of 2021, item 217), i.e. a natural person exercising control through holding powers identical to those of a dominant entity, or

- a natural person holding a senior management position in case of documented impossibility to establish or doubts about the identity of the natural persons referred to in the first - fourth indent and in case no suspicion of money laundering or financing of terrorism is identified.

(2) In the case of a trust, the beneficial owner is:

- the founder, including the founder within the meaning of the Family Foundation Act of 26 January 2023 (Journal of Laws of 2023, item 326),

- a trustee, including a board member within the meaning of the Act of 26 January 2023 on a family foundation,

- a supervisor, if one has been appointed, including a member of the supervisory board within the meaning of the Act of 26 January 2023 on a family foundation,

- a beneficiary, including a beneficiary within the meaning of the Act of 26 January 2023 on a family foundation or, where the natural persons benefiting from the trust in question have not yet been determined, a group of persons in whose main interest the trust was created or operates,

- another person exercising control over the trust,

- another natural person with powers or duties equivalent to those referred to in the first to fifth indents.

(3) In the case of a natural person carrying on a business, in respect of which no indication or circumstances have been established which may indicate that another natural person or natural persons controls it, such natural person shall be presumed to be also the beneficial owner.