Appendix No. 8

to the Regulations on acquisition of status of the commodity exchange member –

Limited Liability Company “UKRAINIAN RESOURCE EXCHANGE”

**QUESTIONNAIRE OF THE LEGAL ENTITY –** **THE CLIENT**

**of the Limited Liability Company “UKRAINIAN RESOURCE EXCHANGE”**

**(the legal entity – the resident of Ukraine/ non-resident of Ukraine)**

### for the purposes of the Law of Ukraine “On prevention and countermeasures against legalization (laundering) of proceeds obtained through crime, financing of terrorism and financing of the proliferation of weapons of mass destruction” No. 361-IX dd 06.12.2019

|  |  |  |
| --- | --- | --- |
| 1 | Full and abbreviated name of the Client |  |
| 2 | Form of ownership  (private, state, municipal, collective, etc.) |  |
| 3 | Registration number of the economic entity in the country of residence |  |
| 4 | Date of entry (if any) on inclusion of the Client in the relevant register of the legal entities in the country of residence (if any) |  |
| 5 | Place of registration |  |
| 6 | Actual location |  |
| 7 | Contact telephone and fax numbers |  |
| 8 | E-mail, official website (if any) |  |
| 9 | Number of employees according to the staff schedule |  |
| 10 | Main kinds of economic (business) activity:   * Determined by the relevant registers of legal entities in the country of residence (if any) |  |
| 10.1 | Are there any other kinds of economic (business) activity of the Client, which are not included relevant statutory documents of the Client/ registers of legal entities in the country of residence?  If yes, please the kind of activity. | \_\_\_No  \_\_\_Yes |
| 11 | **The purpose and character of the future business relationships:**  Reveal in detail the content and character of the economic, commercial and production activity of the economic entity a legal entity (the short description of the business model).  What is the purpose of the establishing of the business relationships with the Exchange (clarify purchase, sell, purchase and sell)? |  |
| 12 | Information (name, registration number of the economic entity in the country of residence, location, contacts, etc.) about parent company, corporation, holding group or other association the Client is a member of, subsidiaries (if any). |  |
| 13 | Has the reorganization, separation, rename of the economic entity taken place, is the economic entity a successor of any other legal entity?  (If yes, please specify the relevant data, its date and content) | \_\_\_No  \_\_\_Yes |
| 14 | Has any change in participants (from 0%) or shareholders (from 10%), directors, members of the Managing Board, Supervisory Board, other management bodies taken place for the last two years?  (If yes, please specify the relevant changes) | \_\_\_No  \_\_\_Yes |
| 15 | Is the Client being in the process of the reorganization?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 16 | Has a competent body (body of the economic entity, registrar, etc.) decided on liquidation/ winding up of the economic entity?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 17 | Has a bankruptcy proceeding been initiated in respect of the economic entity?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 18 | Does the economic entity carry out any activity in the territories of the states that are considered as offshore areas under Decree of the Cabinet of Ministers of Ukraine No. 143-r dd 23.02.2011?  (If yes, please specify the details) | \_\_\_No  \_\_\_Yes |
| 19 | Has the registration address of the Client changed within the last two years?  (If yes, please specify the details) | \_\_\_No  \_\_\_Yes |
| 20 | Has any significant breach of tax liabilities caused by the legal entity occurred or taken place in respect of this legal entity for the last three years?  (If yes, please specify what they are) | \_\_\_No  \_\_\_Yes |

**21.** **Information on compliance with the sanction/ anti-corruption requirements regime**

|  |  |  |
| --- | --- | --- |
| 1 | Is/has the economic entity a legal entity:  - being a resident of the state that undertakes the armed aggression against Ukraine;  - ultimate beneficial owner who is a citizen of the state that undertakes the armed aggression against Ukraine (except for the citizens of such state who had been granted a status of war veteran after 14 April 2014), and/or a person, whose place of permanent residence (stay, registration) is the state that undertakes the armed aggression against Ukraine;  - a founder (participant, shareholder) or owner in the form of the state that undertakes the armed aggression against Ukraine (directly or indirectly through other legal entities, including trusts and other similar legal units);  - the sources of funding connected with own financial transactions originating from the state that undertakes the armed aggression against Ukraine;  - transferring (accepting) assets to (from) Ukraine through depository institutions, banks, other financial institutions and non-bank payment service providers, which has place of location and/or registration is the state that undertakes the armed aggression against Ukraine?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 2 | Is the economic entity a legal entity registered in a state (jurisdiction) that doesn’t comply with or improperly follow the recommendations of the international, intergovernmental organizations related to combating the legalization (laundering) of proceeds from crime or financing of terrorism or [proliferation of weapons of mass destruction](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/proliferation+of+weapons+of+mass+destruction)?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 3 | Is the economic entity a legal entity included to the List of individuals\*, an official representative of a person that is in the List of individuals, directly or indirectly owned by an ultimate beneficial owner who is in the List of individuals?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 4 | Have special economic and other restrictive measures ([sanctions](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/sanctions)) been applied [according to Article](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/according+to+Article) 5 of the [Law of Ukraine “On Sanctions](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/Law+of+Ukraine+%22On+Sanctions)” in respect of the economic entity a legal entity (its ultimate beneficial owner)? Is the economic entity a legal entity an object of international sanction regime application?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 5 | Does the state, which is referred by the Cabinet of Ministers of Ukraine to the list of offshore zones, serve as the place of the registration of the economic entity a legal entity?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 6 | Is the economic entity a legal person with respect to whom the information about an ultimate beneficial owner was excluded from the EDRPOU (Ukraine’s official register of legal persons) or a note on the recognition of non-transparent ownership structure was made by the National Bank of Ukraine?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 7 | Has the ultimate beneficial owner/any member of the executive body/any member of the supervisory body the duly outstanding and unexpunged convictions for corruption offences, laundering of proceeds obtained through crime, fraud, financing of terrorism; and is there any confirmation that there are no actual investigations, court proceedings in respect to them?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |
| 8 | Is the Client, its parent company/subsidiary/group company, their ultimate beneficial owner/any member of the executive body/any member of the supervisory body a figure of the investigations/ court proceedings in respect to other persons due to corruption offences, laundering of proceeds obtained through crime, fraud, financing of terrorism?  (If yes, please specify the relevant data) | \_\_\_No  \_\_\_Yes |

**\*** The term “List of persons” referred to the List of persons related to [terrorist activity](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/terrorist+activity) or [for](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/for) which international sanctions are applied (according to the Article 1 of the Law of Ukraine “On prevention and countermeasures against legalization (laundering) of proceeds obtained through crime, financing of terrorism and financing of the proliferation of weapons of mass destruction” No. 361-IX dd 06.12.2019).

1. **Information about ownership structure (direct ownership) with the share specified (list of persons with direct ownership):**

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Full name of the legal entity/ individual | EDRPOU code of the legal entity, location / Citizenship of the individual, passport or other identification document data (series, number, issue date and issuing body), place of residence or stay, taxpayer’s registration card number (Note: to be filled in according to the legal norms of the country of residence of the individual), birth date | Share (%) in the authorized capital |
| 1. |  |  |  |
| 2. |  |  |  |

**23.** **Information on individuals being ultimate beneficial owners (controllers)**

*Data on individuals who have formal right to 25 or more percent of the authorized capital or right to vote in the legal entity but are commercial agent(s), nominal owner(s), or nominal holder(s), or only intermediaries in respect to such right, cannot be considered as a confirmation of determination of the ultimate beneficiary owner (controller)*

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Full name (for non-resident individuals - the names to be also specified in Latin letters) | Citizenship of the individual, passport or other identification document data (series, number, issue date and issuing body), place of residence or stay, taxpayer’s registration card number (Note: to be filled in according to the legal norms of the country of residence of the individual), birth date | Position\* |
| 1. |  |  |  |
| 2. |  |  |  |

\* to be filled in if a person takes a position in the company according to the staff schedule

**24.** **Information about** **the executive body (governing body) and its composition, including information about the Head (CEO).**

|  |  |  |
| --- | --- | --- |
| No. | Full name (for non-resident individuals - the names to be also specified in Latin letters), citizenship of the individual, passport or other identification document data (series, number, issue date and issuing body), place of residence or stay, taxpayer’s registration card number (Note: to be filled in according to the legal norms of the country of residence of the individual), birth date | Title of position  (specify the Head (CEO) position) |
| 1. |  |  |
| 2. |  |  |

\*as for the Head (CEO) his identification data (passport date, birth date, etc.) should be noted, as for other persons who are the members of executive body (governing body) - only full name and position are required

**25.** **Data identifying the persons who have the right to dispose of accounts and/or property and are authorized to act on behalf of the Client:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| № | Full name (for non-resident individuals - the names to be also specified in Latin letters) | Citizenship of the individual, passport or other identification document data (series, number, issue date and issuing body), place of residence or stay, taxpayer’s registration card number (Note: to be filled in according to the legal norms of the country of residence of the individual), birth date | Share (%) in the authorized capital (direct/indirect ownership)\* | Basis for the representation of interests\*\* |
| 1. |  |  |  |  |
| 2. |  |  |  |  |

\* to be filled in if a person owns share in the authorized capital

\*\* on the basis of the Statute (under the charter), of a letter of attorney (note its number and date, if any person certificated it), contract of agency, etc.

###### 26. Are there any third parties who are beneficiaries of the financial transactions to be conducted? Are there any persons authorized to represent the interests of ultimate beneficial owners (controllers)? Underline the required.

**Yes No**

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If yes, please fill in the next table

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Name | Citizenship, passport or other identification document data (series, number, issue date and issuing body), place of residence or stay, tax number (Note: to be filled in according to the legal norms of the country of residence of the individual), birth date | Position/ Basis for the representation of interests/ for obtaining the benefit \* |
| 1. |  |  |  |
| 2. |  |  |  |

\* to be filled in if any person being authorized to represent the interests of the ultimate beneficial owner on the basis of a letter of attorney, contract of agency, etc., or there is a fact of obtaining the benefit by a third party (via a contract, etc.).

###### Are there among the individuals specified in clauses 22-26 of this Questionnaire any national public figures or persons related or connected to the public figures?

**Yes No**

If yes, please fill in the next table

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Name of the public figure (if there are any connected persons, the name of the person to whom they are connected to be specified) | Position that was or is held | Duration (period) of holding the position |
| 1. |  |  |  |
| 2. |  |  |  |

###### Are there among the individuals specified in clauses 22-26 of this Questionnaire any foreign public figures or figures performing political functions in the international organizations, or persons related or connected to the public figures?

**Yes No**

If yes, please fill in the next table

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Name of the public figure (if there are any connected persons, the name of the person to whom they are connected to be specified) | Position that was or is held | Duration (period) of holding the position |
| 1. |  |  |  |
| 2. |  |  |  |

Notes:

Foreign public figures mean individuals who perform or performed outstanding public functions in foreign states, namely: head of the state, the government, ministers (deputies), members of the parliament or other bodies performing functions of the legislative state body, heads or members of the boards of central banks or clearing houses, members of the higher court, constitutional court or other court bodies, which decisions shall not be appealed, except for appeal due to exceptional circumstances, ambassadors extraordinary and plenipotentiary, attorneys-in-fact and heads of central military authorities, heads of administrative, management and supervisory bodies of state enterprises, members of management bodies of political parties;

Figures performing public functions in the international organizations mean officials of the international organizations who hold or held the position of the manager (director, head of the board, or other) or deputy head in such organizations, or who perform or performed any other management (outstanding public) functions at the highest level, including in the international organizations, members of the international parliament assemblies, judges and officers of the international courts.

###### Are there any separate subdivisions (branches, representative offices, units, etc.):

###### Yes No

If yes, please fill in the next table

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Name of the separate subdivision | Kind of subdivision | EDRPOU code, actual location |
| 1. |  |  |  |
| 2. |  |  |  |

1. **Licenses (permits) received by** **the economic entity a legal person.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| № | The title of license (permit) | Date and number | [Name](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/Name) of government [authority](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/authority) that [issued the license](https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/%D0%B0%D0%BD%D0%B3%D0%BB%D0%B8%D0%B9%D1%81%D0%BA%D0%B8%D0%B9-%D1%83%D0%BA%D1%80%D0%B0%D0%B8%D0%BD%D1%81%D0%BA%D0%B8%D0%B9/issued+the+license)  (permit) | License (permit) period |
| 1. |  |  |  |  |
| 2. |  |  |  |  |

1. **Accounts opened by the economic entity a legal person in banking institutions.**

|  |  |  |  |
| --- | --- | --- | --- |
| № | The title of bank | MFO of the bank (specific ID of the bank) | IBAN account number |
| 1. |  |  |  |
| 2. |  |  |  |

###### Characteristics of the Client’s financial status (for newly established companies – income, loss and net profit data to be specified if any):

|  |  |  |
| --- | --- | --- |
|  | For the last reporting period, amount (ths, UAH)  (according to the last reports submitted to the tax authority  (Quarter І, half-year, nine months, year - underline) | For the previous reporting period, amount (ths, UAH)  (according to the last reports submitted to the tax authority) |
| Amount of the registered authorized capital: |  |  |
| Amount of the paid authorized capital: |  |  |
| Net profit (+) / net loss (-) (or planned for the current year in case of newly started activity): |  |  |
| Net profit from goods/ works/ services sales: |  |  |
| Amount of the current accounts payable for long-term liabilities*:* |  |  |
| Amount of the current accounts payable for goods, works, services: |  |  |
| Bank credits: |  |  |
| *including overdue debt to banks* |  |  |
| Bank deposits: |  |  |

Date of completion: 20

*(position of the manager or authorized person) (signature) (name)*

*Seal (if any)*