

Documentation form for the identification of the contracting party
according to the German Money Laundering Act

I. Identification of the contracting party pursuant to Section 11 Para. 4 German Money Laundering Act [Geldwäschegesetz - GwG]		
a. Company / Name / trading name		
b. Legal form		
c. Commercial register number, if available		
d. Address of the registered office or head office		
e. the names of the members of its representative bodies or the names of its legal representatives and, if a member of its representative body or the legal representative is a legal person, the data listed under letters (a) to (d) for this legal person.		
f. Is a current excerpt of the commercial register available? Please add.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

II. Identification of the beneficial owner		
1) Existence of beneficial owner	Yes	No
a. Does your company act at the initiation or in the commercial interest of a natural person / several natural persons?	<input type="checkbox"/>	<input type="checkbox"/>
b. Is there/are there one or more natural persons, who respectively directly or indirectly hold or control more than 25% of the shares or who exercise control in a comparable manner?	<input type="checkbox"/>	<input type="checkbox"/>
c. Does your company or your institution concern a foundation or a legal structure with legal capacity, with which assets are managed or distributed on a trust basis or the management or distribution is commissioned by third parties or a comparable legal form?	<input type="checkbox"/>	<input type="checkbox"/>
2) Identification of the beneficial owner(s) <i>If Subclause 1 was answered with "Yes", please provide the following details in relation to the person / the persons</i>		
Last name, first name		
Street, house no. (private)		
Postal Code, town		

Date of birth	
Place of birth	

(If further beneficial owners are available, please enclose a supplementary form)

III. Politically exposed persons (PEP)		
1) Does the contracting party or a beneficial owner or do their direct family members or persons close to these concern a politically exposed person pursuant to Section 1 Para. 12 GWG?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2) Identity of the PEP <i>If Subclause 1 was answered with "Yes", please provide the following details in relation to the person / the persons</i>		
Last name, first name		
Date of birth		
Designation of the performed office		

(If further PEPs are available please enclose a supplementary form)

IV. Sanctions		
3) Is your company listed on a European or US-Sanctions list? If yes, on which list?	Ja <input type="checkbox"/>	Nein <input type="checkbox"/>
4) Are executives of your company (including – if existing – beneficial owners and Politically exposed persons) listed on a European or US-Sanctions list? If yes, on which list?	Ja <input type="checkbox"/>	Nein <input type="checkbox"/>

I hereby assure that I have provided all details truthfully and that I will announce any changes during an ongoing business relationship with Bayerngas immediately without request.

Place

Date

Signature (contracting party)

Relevant excerpts from the laws (EXTERNAL)

With regard to the beneficial owner: Section 3 GwG

(1) For the purposes of this Act, beneficial owner means

1. the natural person who ultimately owns or controls the contracting party, or
2. the natural person at whose instruction a transaction is ultimately carried out or a business relationship is ultimately established.

In particular, beneficial owners include the natural persons listed in subsections (2) to (4).

(2) In cases of legal persons other than foundations with legal capacity and of other corporate entities that are not listed on an organised market as defined in Section 2 Para. 11 German Securities Trading Act [*Wertpapierhandelsgesetz*] and that are not subject to transparency requirements with regard to voting rights consistent with Community laws or to equivalent international standards, beneficial owners include any natural person who, directly or indirectly,

1. holds more than 25 percent of the capital stock,
2. controls more than 25 percent of the voting rights or
3. exercises control in a comparable manner.

In particular, indirect control is deemed to exist when the corresponding percentages of shares are held by one or more associations pursuant to Section 20 Para. 1 which are controlled by a natural person. Control is deemed to exist in particular if the natural person is able to exercise, directly or indirectly, a dominant influence on the association pursuant to Section 20 Para. 1. In cases of dominant influence, Section 290 Para. 2 to 4 German Commercial Code [*Handelsgesetzbuch - HGB*] applies mutatis mutandis. If, even after extensive investigations and in the absence of facts as specified in Section 43 Para. 1, no natural person has been identified or if there are doubts as to whether the person identified is the beneficial owner, the beneficial owner is assumed to be the legal representative, the managing partner or partner of the contracting party.

(3) In the case of foundations with legal capacity and legal arrangements used to manage or distribute assets on a trust basis or through which third parties are instructed with such management or distribution, or comparable legal constructs, beneficial owners include:

1. any natural person acting as trustor, trustee or, where applicable, as protector,
2. any natural person who is a member of the foundation's board,
3. any natural person who has been designated as a beneficiary,
4. the group of natural persons for whose benefit the assets are to be managed or distributed if the natural person intended to become the beneficiary of the assets under management has not been designated yet, and
5. any natural person who, directly or indirectly, otherwise exercises a controlling influence on the management of the assets or on the distribution of the income.

(4) In cases of trading on instruction, the person at whose instruction the transaction is carried out is deemed to be a beneficial owner. Insofar as the contracting parties act as trustees, they, too, are deemed to be trading on instruction.

With regard to the contracting party's obligation to provide assistance: Section 11 Para. 6 GwG

(6) The contracting party of an obliged entity is to provide the obliged entity with the information and documents necessary for the identification. If any changes arise in the course of the business relationship, the contracting party is to notify the obliged entity of these changes without delay. The contracting party is to disclose to the obliged entity whether it intends to establish, continue or conduct the business relationship or the transaction on behalf of a beneficial owner. The disclosure to the obliged entity is also to include providing evidence of the beneficial owner's identity.

With regard to politically exposed persons (PEP)

Section 1 Para. 12 GwG – Politically exposed person

(12) For the purposes of this Act, politically exposed person means any person who is or who has been entrusted with a high-ranking prominent public function at international, European or national level or who is or has been entrusted with a public function of comparable political importance below national level. In particular, politically exposed persons include

1. heads of state, heads of government, ministers, members of the European Commission, deputy ministers and assistant ministers,
2. members of parliament and members of similar legislative organs,
3. members of the governing bodies of political parties,
4. members of supreme courts, of constitutional courts or of other high-level judicial bodies, the decisions of which are usually not subject to further appeal,
5. members of the boards of courts of audit,
6. members of the boards of central banks,
7. ambassadors, chargés d'affaires and defence attachés,
8. members of the administrative, management or supervisory bodies of state-owned enterprises,
9. directors, deputy directors, members of the board or other managers with a comparable function in an international or European intergovernmental organisation.

Section 1 Para. 13 GwG – Family member

(13) For the purposes of this Act, family member means a close relative of a politically exposed person, in particular

1. the spouse or civil partner,
2. a child and the child's spouse or civil partner and
3. both parents.

Section 1 Para. 14 GwG – Person known to be a close associate

(14) For the purposes of this Act, a person known to be a close associate means a natural person for whom the obliged entity has reason to assume that this person

1. is, together with a politically exposed person,
 - a) the beneficial owner of an association pursuant to Section 20 Para. 1 or
 - b) the beneficial owner of a legal arrangement pursuant to Section 21,
2. has any other close business relationships with a politically exposed person or
3. is the sole beneficial owner
 - a) of an association pursuant to Section 20 Para. 1 or
 - b) of a legal arrangement pursuant to Section 21

for which the obliged entity must have reason to assume that it was established for the de facto benefit of a politically exposed person.