

**Edition Augustus 2023** 

# Ultimate Beneficial Owner (UBO) Declaration and additional information on your organisation

Nationale-Nederlanden is required to comply with the Anti-Money Laundering and Counter Terrorism Financing Act (Wet ter voorkoming van witwassen and financieren van terrorisme - Wwft). In connection with this, we establish the identity of the ultimate beneficial owners (UBOs) of all legal entities and partnerships with which we have a business relationship. Please use this form to provide details of your organisation's ultimate beneficial owners.

## The undersigned

Name of organisation	
Chamber of Commerce number	
Legal form	
Place of establishment	

## **Ultimate beneficial owners**

Are there any ultimate beneficial owners (as referred to in the Anti-Money Laundering and Counter Terrorism Financing Act) who have:

• an interest of more than 25% (based on ownership or control) in your organisation, and/or

• effective control of, and/or influence over, your organisation?

The concepts of ownership, control, effective control and influence are explained in the notes to this form.

Yes, please continue to section 1. Details of identity of ultimate beneficial owners.

No, please continue to section 2. Details of senior managing officials regarded as ultimate beneficial owners.

## 1. Details of identity of ultimate beneficial owners

The notes explain which people are classified as UBOs on the basis of ownership, control or effective control.

1	Given name(s) in full		
	Surname prefix(es)		
	Surname at birth		
	Date of birth		
	Country of residence		
	Nature of interest	Ownership: %	Control: %
2	Given name(s) in full		
	Surname prefix(es)		
	Surname at birth		
	Date of birth		
	Country of residence		
	Nature of interest	Ownership: %	Control: %

3	Given name(s) in full				
	Surname prefix(es)				
	Surname at birth				
	Date of birth				
	Country of residence				
	Nature of interest	Ownership:	%	Control:	%
4	Given name(s) in full				J
	Surname prefix(es)				
	Surname at birth				
	Date of birth				
	Country of residence				
	Nature of interest	Ownership:	%	Control:	%

Once you have entered all the required information, please continue to section 3. Further information on your organisation.

## 2. Details of senior managing officials regarded as ultimate beneficial owners

The notes explain which people are classified as senior managing officials.

1	Given name(s) in full	
	Surname prefix(es)	
	Surname at birth	
	Date of birth	
	Country of residence	
2	Given name(s) in full	
	Surname prefix(es)	
	Surname at birth	
	Date of birth	
	Country of residence	
3	Given name(s) in full	
	Surname prefix(es)	
	Surname at birth	
	Date of birth	
	Country of residence	
4	Given name(s) in full	
	Surname prefix(es)	
	Surname at birth	
	Date of birth	
	Country of residence	

Once you have entered all the required information, please continue to section 3. Further information on your organisation.

Finally, please answer the following questions.

1. What precisely are your organisation's business activities?

2. In which countries is your organisation active?

3. In which countries are companies in your group active?

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4. Please send us a screenshot of the entry in the UBO register. If you are unable to do this because the Chamber of Commerce has not yet completed the UBO registration process, proof of registration will suffice.

Continue to section 4. "Declaration and signature".

## 4. Declaration and signature

The undersigned hereby declare, also on behalf of:

- the other directors (if any) of the aforementioned legal entity, or
- the other partners (including any managing partners) of the aforementioned partnership, that all information provided is truthful. Any change in the ultimate beneficial owners must be reported to my insurance adviser and/or Nationale-Nederlanden as soon as possible.

1	Name	
	Date	
	Place	
	Signature	
	-	
2	Name	
	Date	
	Place	
	Signature	
	-	

It may be that we require additional information from you. In that case, we will contact you. Please contact us if you have any questions.

We explain below how to determine the ultimate beneficial owners of various organisations, based on their legal form.

#### If your organisation is a private limited company, public company or similar legal entity

The UBOs are the natural persons who:

- ultimately own or control the company by directly or indirectly holding:
  - > more than 25% of the shares,
  - > more than 25% the voting rights, or
  - > an ownership interest of more than 25% in the company,
- exercise effective control<sup>1</sup> by other means.

If you are unable to determine who the UBO is on the basis of the above, the UBOs are the company's senior managing officials. These are the directors under the articles of association, who have been, or need to be, registered with the Chamber of Commerce.

#### If your organisation is a general partnership (VOF), limited partnership (CV) or other partnership

The UBOs are the natural persons who ultimately own or control the partnership by:

- holding a direct or indirect ownership interest of more than 25%.
- being able to exercise more than 25% of the voting rights, either directly or indirectly.
- being able to exercise effective control<sup>1</sup>.

If you are unable to determine who the UBO is on the basis of the above, the UBOs are the partnership's senior managing officials. These are the partners who have been, or need to be, registered with the Chamber of Commerce.

#### If your organisation is a church

The UBOs are the natural persons named in the church's constitution as the legal successors in the event of the church's dissolution. If you are unable to determine who the UBO is on the basis of this, the UBOs are the natural persons named as directors in the organisation's own constitution or in the religious organisation's documents.

#### If your organisation is an association, cooperative or foundation

The UBOs are the natural persons who ultimately own or control the legal entity by:

- directly or indirectly holding an ownership interest of more than 25%.
- being able to cast more than 25% of the votes, either directly or indirectly, when decisions are taken that concern the amendment of the articles of association (or charter, in the case of an association).
- being able to exercise effective control<sup>1</sup> over the legal entity.

If you are unable to determine who the UBO is on the basis of the above, the UBOs are the board of directors under the articles of association or the charter. This is the board of directors that has been, or needs to be, registered with the Chamber of Commerce.

#### Examples:

1. Association:

In order to determine who is to be regarded as the association's UBO, the following matters need to be considered:

- Are there any members or directors of the association who can directly or indirectly cast more than 25% of the votes when decisions concerning amendments to the association's charter are taken? This is in any event the case if the association has a very small number of members (fewer than four members).
- Are there any members or directors of the association who can exercise effective control, such as an honorary member who has a decisive influence on decision-making?

If the situation described above does not apply to the association, the UBOs are the board of directors under the association's charter. This is the board of directors that has been, or needs to be, registered with the Chamber of Commerce.

## 2. Foundation

In order to determine who the UBO of a foundation is, it is necessary to investigate who is to be regarded as the UBO based on ownership, control or effective control. The foundation's articles of association can help you gain insight into ownership and/or control:

## Ownership

- In the case of foundations, the share of surpluses paid out is also considered to be an "ownership interest".
- Who benefits from such payments by the foundation? If a person receives more than 25% of the surpluses paid out, this is evidence that this person needs to be classified as an UBO.
- Who will receive the remaining assets if the foundation is dissolved? If a specific person is named, this is evidence that this person needs to be classified as an UBO.

## Control

- If any of the directors of a foundation is able to exercise more than 25% of the voting rights, that director is to be regarded as an UBO.
- When someone exercises effective control, this means that in practice the day-to-day strategic decisions are taken by that person. This may be the case even if that person has no formal control.

## If your organisation is a trust or has a similar legal form

The following can be regarded as UBOs:

- the founders
- the trustees
- the protectors
- the beneficiaries
- any other natural persons who ultimately control the trust by means of direct or indirect ownership or by other means.

If you are unable to determine who the UBO is on the basis of the above, the UBOs are the foundation's senior managing officials. These are the board members who have been, or need to be, registered with the Chamber of Commerce.