

Please insert the Procurement Document Reference Number

Ultimate Beneficial Owner Information Sheet (Declaration Form)

Purpose: This is a Declaration Form on the collection of information on Beneficial Ownership required by the Department of Contracts, in liaison with Malta's EU Funding Structures, pursuant to the necessity of ensuring compliance with the applicable EU Legislation,² not least in relation to the detection of Fraud, Corruption and Conflict of Interest as well as the Protection of the Financial interests of the EU.

To ascertain that Malta's scrutiny and due diligence obligations extend and capture a large spectrum of Public Contracts, the Declaration Form on the Ultimate Beneficial Ownership shall be compiled by Awardees of both Locally and EU-Funded Calls for Tenders.

Definition: In line with Article 3 (6) of EU Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, a '**beneficial owner**' refers to any natural person(s) who ultimately owns or controls the customer and/or the natural person(s) on whose behalf a transaction or activity is being conducted and includes at least:

(a) In the case of corporate entities:

(i) the natural person(s) who ultimately owns or controls a legal entity through direct or indirect ownership of a sufficient percentage of the shares or voting rights or ownership interest in that entity, including through bearer shareholdings, or through control via other means, other than a company listed on a regulated market that is subject to disclosure requirements consistent with Union law or subject to equivalent international standards which ensure adequate transparency of ownership information;

A shareholding of 25 % plus one share or an ownership interest of more than 25 % in the customer held by a natural person shall be an indication of direct ownership. A shareholding of 25 % plus one share or an ownership interest of more than 25 % in the customer held by a corporate entity, which is under the control of a natural person(s), or by multiple corporate entities, which are under the control of the same natural person(s), shall be an indication of indirect ownership. This

² Such as:

- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.
- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC; and its locally transposed version, namely the Public Procurement Regulations S.L. 601.03
- Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC; and its locally transposed version, namely the Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations S.L. 601.05.
- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC.
- Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility.

applies without prejudice to the right of Member States to decide that a lower percentage may be an indication of ownership or control. Control through other means may be determined, inter alia, in accordance with the criteria in Article 22(1) to (5) of Directive 2013/34/EU of the European Parliament and of the Council;

(ii) if, after having exhausted all possible means and provided there are no grounds for suspicion, no person under point (i) is identified, or if there is any doubt that the person(s) identified are the beneficial owner(s), the natural person(s) who hold the position of senior managing official(s), the obliged entities shall keep records of the actions taken in order to identify the beneficial ownership under point (i) and this point;

(b) In the case of trusts:

- (i) the settlor;
- (ii) the trustee(s);
- (iii) (iii) the protector, if any;
- (iv) the beneficiaries, or where the individuals benefiting from the legal arrangement or entity have yet to be determined, the class of persons in whose main interest the legal arrangement or entity is set up or operates;
- (v) (v) any other natural person exercising ultimate control over the trust by means of direct or indirect ownership or by other means;

(c) in the case of legal entities such as foundations, and legal arrangements similar to trusts, the natural person(s) holding equivalent or similar positions to those referred to in point (b).

SECTION A - Public Contract Information

This section refers to information pertaining to the Public Contract.

Contract Reference Number:	
Contract Title / Subject:	
Original Contract Value:	
Revised Contract Value (if applicable):	
Contracting Authority:	

SECTION B - Economic Operator’s Identification

This section refers to information pertaining to the Contracted Economic Operator.

Particulars of the Contracted Economic Operator:	
C-Number of the Economic Operator or Registration Number (as applicable):	
Tax Number of the Economic Operator:	
Full Legal Name of the Economic Operator:	
Legal Personality of the Economic Operator:	
Contact Address	

<i>(Registered/Correspondence Office for the Legal Economic Operator):</i>	
Name and Surname of the Declarant, for and on behalf of the reporting Economic Operator:	
Title/Position of the Declarant within the Economic Operator's Organisational Structure:	
Email Address of the Declarant:	
Telephone Number of the Declarant:	

SECTION C - Beneficial Ownership Declaration

This section refers to details about the beneficial owner(s). Where, in accordance with the beneficial ownership definition, there are more than one owner, the information should be provided for all owners. The below table is to be replicated as necessary.

The Beneficial Owner/s of the proposed Economic Operator is/are the following:

Particulars of Beneficial Owner No 1.	
Name:	
Date of Birth:	
Nationality:	
Country of Residence:	
Official Identification Number:	
Document Type:	
Country of Issue:	
Address:	
Telephone:	
Email address:	
Politically Exposed Person? (Yes/No)	
Information about how ownership is held or control over the Economic Operator is exercised³	% of shares: <i>[To be stated as a percentage of total ownership and/or control]</i>
	% of direct voting rights: <i>[To be stated as a percentage of total ownership and/or control]</i>
	% of indirect voting rights: <i>[To be stated as a percentage of total ownership and/or control]</i>
	Other: <i>[Where control over the Economic Operator is exercised through other means, details should be provided here]</i>
<i>Provide any other useful information aimed at adequately identifying the Ultimate Beneficial Owners.</i>	

If, after having exhausted all possible means, no person is identified in line with the above definition, the natural person(s) who hold the position of Senior Managing Official(s) should be provided.

The Senior Managing Official/s of the proposed Economic Operator is/are the following:

³ Describe the beneficial ownership indicating whether it is direct or indirect ownership of 25% plus one or more of the shares or more than 25% of the voting rights or other ownership interests, including through bearer shares or through control by other means such as a power to appoint or remove the majority of directors, shareholders' agreements and agreements between shareholders and the corporate Economic Operator@eneral

Particulars of Senior managing official (b)		Designation / Capacity
Name:		
Date of Birth:		
Nationality:		
Country of Residence:		
Official Identification number:		
Document Type:		
Country of Issue:		
<p><i>Please provide an explanation of the reasons for identifying the Senior Managing Officials of the Economic Operator as beneficial owners.</i></p>		

Declaration:

I, the undersigned, for and on behalf of the reporting Economic Operator:

1. confirm that all information provided in the above beneficial ownership declaration is accurate and reliable.
2. Declare that there is no other natural person or persons who - directly or indirectly - ultimately own or control more than 25% plus one or more of the shares, or more than 25% of the voting rights, or an ownership interest of more than 25% in this commercial partnership/company, other than the person/s indicated in this Sheet.
3. Shall submit an updated Information Sheet in the event of any changes to the information provided.

[Name and Surname of the Declarant]

[Title/Position of the Declarant within the Economic Operator's Organisational Structure]

[Signature]

[DD/MM/YYYY]

Further information/documentation substantiating the information provided about is being attached:

YES NO

If YES: I am attaching following supporting documents verifying the accuracy of the ultimate beneficiary ownership information submitted:

1	_____
2	_____
3...	_____