

CAIXA - BANCO DE INVESTIMENTO, SA

Anti-Money Laundering and Counter-Terrorism Financing

Disclosure Statement

1. Administrative Information

- **Legal name:** Caixa - Banco de Investimento, SA (CaixaBI)
- **Principal place of business / legal address:**
 - Av. João XXI, n.º 63
 - 1000-300 Lisboa, Portugal
- **Place of incorporation:** Lisboa, Portugal
- **SWIFT BIC CODE:** CXBI PT PL
- **Legal status:** 100% State owned company, plc
- **Shareholder:** 100% Caixa Participações, SGPS, SA
- **Regulators:** Banco de Portugal, www.bportugal.pt, Comissão do Mercado de Valores Mobiliários www.cmvm.pt
- **Financial Institution Register:** 025
- **External Auditors:** Ernst & Young Audit & Associados - SROC, S.A
- **AML contact:** Compliance Officer

Address: Av. João XXI, n.º 63, 1000-300 Lisboa, Portugal

Phone number: + 351 21 313 73 00

Email address: CaixaBI-GabineteCompliance@caixabi.pt

2. Relevant International and National Framework

International Framework:

- 40 Recommendations of FAFT/GAFI (developed in 1990, revised in 1996, 2003, 2004 and 2012) that provide a complete set of counter-measures against money laundering covering the criminal justice system and law enforcement , the financial system and its regulation, and international co-operation;
- 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;
- Directive (EU) 2016/2258 of the European Parliament and of the Council of 06 of December 2016 regarding access to anti-money-laundering information by tax authorities;
- Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds
- EC Regulation 1781/2006 of the European Parliament and of the Council of 15 November 2006;
- Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 and Regulation (EC) 1889/2005 of the European Parliament and of the Council of 26 October 2005- on controls on cash entering or leaving the Union.

National Framework:

- Law No 97/2017 of 23 August 2017 - Regulates the implementation and enforcement of restrictive measures adopted by the United Nations or the European Union and establishes the penalties applicable to infringements of these measures (in Portuguese only).

- Law No 92/2017 of 22 August 2017 - Requires the use of a specific means of payment in transactions involving amounts equal to or greater than EUR 3000 (in Portuguese only).
- Law No 89/2017 of 21 August 2017 - Approves the Legal Regime of the Central Register of Beneficial Ownership, provided for in article 34 of Law no. 83/2017, of August 18 (in Portuguese only).
- Law No 83/2017 of 18 August 2017 - Establishes measures to combat money laundering and terrorism financing, partially transposing the Directives 2015/849/EU of the European Parliament and of the Council of May 20, 2015, and 2016/2258/EU of the Council of 6 of December 2016, amends the Criminal Code and the Industrial Property Code and repeals Law no. 25/2008, of June 5 (in Portuguese only).
- Resolution of the Council of Ministers No 88/2015 of 1 October 2015 (published in the Official Gazette, Series 1, of 6 October 2015) – Establishes the AML/CFT Coordination Committee (in Portuguese only).
- Decree-Law No 317/2009 of 30 October 2009 (as introduced by Decree-Law No 242/2012 of 7 November) – Approves the Legal Framework of Payment Systems and Electronic Money [in particular the provisions of Articles 10-2(g) (authorisation and general setting-up requirements), 11-1(g) (examination of the request for setting-up authorisation), 16-3 (withdrawal of authorisation), 18^o-2(b) (internal control mechanisms used by agents), 25 (refusal of cancellation of registration), 26-2 (activity in Portugal of institutions with head office in other Member States), and 35-7 (supervisory powers of Banco de Portugal)] (in Portuguese only).
- Decree-Law No 61/2007 of 14 March 2007 – Approves the legal system governing the control of cash carried by natural persons entering or leaving the EU through the Portuguese territory, and the control of cash movements with other EU Member States (in Portuguese only).

- Executive Order No 345-A/2016 of 30 December 2016 – Establishes the list of countries, territories and regions with privileged taxation systems (in Portuguese only).
- Law No 52/2003 of 22 August 2003 – Sets forth measures to combat terrorism (in Portuguese only).
- Law No 5/2002 of 11 January 2002 – Lays down measures to combat organised crime and economic and financial crime and provides for a special system for the collection of evidence, the violation of professional secrecy and loss of assets to the State in relation to unlawful acts of a specified type, such as money laundering and terrorist financing (in Portuguese only).
- Decree-Law No 298/92 of 31 December 1992 – Approves the Legal Framework of Credit Institutions and Financial Companies [in particular the provisions of Articles 22-1(k) (withdrawal of authorisation), 103-2(e) (acquisition of qualifying holdings), 118-A (duty to refrain from carrying out operations and registration of operations with offshore jurisdictions), 165-1(b) and (c) (deposits excluded from the guarantee) and 167-5 (deposit repayment procedures)] (in Portuguese only).
- Portuguese Penal Code (whose Article 368-A typifies the laundering crime) (in Portuguese only).
- Official Notice 1/2022, (issued by Portuguese banking supervisor, Bank of Portugal) where the procedures to be put in place by banks are defined, regarding customer identification, record keeping and the reporting of suspicious transaction;
- Securities Code - Articles 304 to 305- E (as amended by Decree-law 357-A/2007 of 31st October);
- CMVM Regulation N. 2/2007.

3. AML / CTF Measures in International Operations of CaixaBI

In the International operations that CaixaBI has a controlling interest in, policies and procedures are in place, which assist the operations to comply with their respective domestic AML/CTF laws.

4. Anti-Money Laundering and Counter -Terrorism Financing (AML/ CTF)

Measures in CaixaBI

CaixaBI has adopted internal policies, procedures and controls to ensure that it complies with AML/CTF obligations in existing legislation and regulations.

CaixaBI has adopted an AML/CFT program that reasonably identifies, mitigates and manages the risk of money laundering and terrorism financing according to the legislation. This program has been approved by CaixaBI's Board of Directors and is implemented in the bank and its branches.

Being Portugal a member country of the EU and of the Financial Action Task Force on Money Laundering (FAFT/GAFI), CaixaBI and all its domestic and international branches, adhere to and apply the following policies and procedures:

Customer Due Diligence/ Know Your Customer: CaixaBI has policies and procedures in place to comply with the obligation to identify and perform due diligence on customers which includes a filtering IT solution (to check and watch proscribed lists) and is implementing an IT solution to score customer's profile based on ML/TF risk.

Politically Exposed Persons (PEP): CaixaBI has enhanced due diligence and transaction screen towards customers or beneficial owners who are PEP.

Holders of other political or public positions: CGD has enhanced due diligence and transaction screen towards customers or beneficial owners who are holders of other political or public positions as defined in Official Notice 1/2022 (Bank of Portugal).

Anonymous and numbered accounts: CaixaBI does not provide customers with anonymous or numbered accounts.

Record Keeping: Records relating to customer identification and original documents, copies, references or any other durable support systems, equally admissible in court proceedings as evidence, of the demonstrative documents and of the records of the transactions, are kept to enable the reconstruction of the transaction, for a period of seven (7) years after its execution, even if the transaction is part of a business relationship that has already ended.

Monitoring of Suspicious Activities: Screening of customers transactions is carried out by an IT solution through a risk-based approach and also by the CaixaBI's workers.

Reports of Suspicious Transactions: CaixaBI is required to report any suspicious customer activities or transactions to PGR - Procurador Geral da República (Republics General Attorney) and to UIF- Unidade de Informação Financeira (Financial Intelligence Unit). Internal policies and procedures are in place to ensure compliance with the applicable legislation and regulatory requirements.

Reports of significant account and non- account based cash transactions and all IMTs: CaixaBI is an Investment Bank and cash deposits are not authorized.

Employee Training Program: AML/CFT training is provided to all units.

Staff involved in customer facing areas, receive special training and reminders on the detection and reporting process for suspicious activities.

Employee due diligence: CaixaBI has processes that provide reasonable assurance of the identity, honesty and integrity of prospective and existing employees.

Independent audit and compliance review function: Our internal auditors and the compliance department conduct programs of audit and compliance tests of all CaixaBI's policies and operational procedures including those applicable to AML.

The audit and compliance programs are approved by senior management.

Correspondent Banks: CaixaBI has implemented risk based due diligence procedures that include the following understanding the nature of the correspondents business, its license to operate, the quality of its management, ownership and effective control, its AML policies, external oversight and prudential supervision including its AML/CFT regime.

Additionally, ongoing due diligence of correspondent accounts is performed on a regular basis or when circumstances change. All correspondent banking relationships are approved by senior management.

Shell Banks: CaixaBI does not conduct business with shell banks, as defined in the AML/CFT law.

Payable- through accounts: CaixaBI doesn't provide payable through accounts because our policies and procedures prohibit offering this kind of services as defined in the AML/CFT regime.

Assessment of payments against watch lists and proscribed lists (TF and sanctions): CaixaBI has an IT solution to filter all inward and outward payments against UN, EU and OFAC proscribed lists.

Sanctions Policy: CaixaBI has implemented a set of policies and procedures to ensure that the institution does not establish or maintain a business relationship, or process operations to / for the benefit of persons, entities or sanctioned countries.

5. Wolfsberg AML Questionnaire

CaixaBI follows the principles contained in Wolfsberg AML Questionnaire concerning AML/CTF.

6. USA Patriot Act Certificate

Under the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act) Act 2001, CaixaBI may be required from time to time to provide Certification Regarding Accounts for Foreign banks.

Please find USA Patriot Act Certificate in the website (www.caixabi.pt).

July 2024

Compliance Department