

## **Internal AML (Anti Money Laundering) policies of Newborn Change s.r.o.**

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# **I. Definitions**

## **I.1. Introduction**

### **§ 1. Meaning of the document**

- (1) . For the purpose of preventing the risk related to legalization of funds from criminal activities and financing of terrorism, the company Newborn Change s.r.o. applies the system of internal rules and measures.
- (2) In a simplified way: legalization of revenues from criminal activities (in laic terms: „money laundering“) means an activity when a customer uses the services of the company Newborn Change s.r.o. for covering illegal origin of his property or to make its back tracking difficult. Similar rules as those applied in Newborn Change s.r.o. are binding for similar types of business in the Czech Republic as well as in other countries, because money laundering and terrorism financing is nearly always performed on international level.
- (3) The company Newborn Change s.r.o. regularly checks whether a customer is subject to international sanctions or not, respectively fulfilment of other procedures as described here below.

## **I.2. General Terms**

### **§ 2. AML Act**

- (1) For the purposes of this document, the AML act means Act No. 253/2008 Coll. on some measures against legalization of revenues from criminal activities and terrorism financing, as amended.

### **§ 3. Legalization of revenues from criminal activities**

- (1) According to the AML act, legalization of revenues from criminal activities means activities that are to cover illegal origin of any economic benefit emerging from criminal activities with the aim of establishing an appearance that the property benefits were obtained in compliance with law; the above stated activities include for example:
  - (a) change or transfer of property while knowing that it originates from criminal activities for the purpose of its secrecy or hiding its origin or with the purpose of helping a person participating in such illegal activities to avoid legal consequences of his behaviour,
  - (b) keeping secret or hiding the real character, source, movement of property or its handling or change of rights related to property while knowing that it originates from criminal activities,
  - (c) obtaining, keeping, using the property or its handling while knowing that it originates from criminal activities, or
  - (d) criminal conspiracy of persons or any other form of unification with the purpose

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of activities specified in previous points.

#### **§ 4. Terrorism Financing**

(1) According to the AML act, terrorism financing includes:

- (a) collection or provision of financial means or other property while knowing that it will be used – even partially – for committing a crime of terror, terrorist attack or a criminal act that should allow or assist in committing of such a criminal act or that should support a person or a group of persons preparing for committing such a criminal act, or
- (b) behaviour leading to provision of remuneration or compensation of an offender of a criminal act of terror, terrorist attack or a criminal act that should allow or help in such a criminal act commitment, or persons close to the offender according to penal law, or collection of means for such a remuneration or compensation.

(1) Terrorism financing also means financing of mass destruction weapons distribution, i.e., collection or provision of financial means or any other property while knowing that it will be used – even partially – by the distributor of mass destruction weapons or for such weapons distribution in contradiction with international law requirements.

#### **§ 5. Obligated person**

(1) According to the AML Act, an obliged person means the company Newborn Change s.r.o., with its registered seat in Cimburkova 916/8, Žižkov, 130 00 Praha, company ID: 197 52 687 for activities of providing of services related to a Virtual assets.

#### **§ 6. Customer**

(1) For the purposes of this document, a customer means any natural person or legal entity:

- (a) which the company Newborn Change s.r.o. established business relation with, or
- (b) which started negotiations with Newborn Change s.r.o. on business relation establishment (i.e., it showed interest in a business relation establishment), or
- (c) which the company Newborn Change s.r.o. already finished business relations with
- (d) which becomes a virtual assets service user of the company Newborn Change s.r.o.
- (e) a person being an agent of services of another customer (e.g., it is entitled – on the basis of a power of attorney that the company must keep – to issue Virtual assets).

(2) It is not decisive whether it is a natural person or a legal entity carrying business or not. In case of a legal entity, it is supposed that one concrete natural person always acts on behalf of it (e.g., a member of the statutory authority, an employee, etc.).

#### **§ 7. Virtual Assets Service**

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(1) For the purpose of this document, the virtual assets service means any handling of customer's property or provision of a service to a customer as mentioned in §4(8) of AML Act, and contain next services:

(a) Virtual assets wallet service:

(i) means a service in the framework of which keys are generated for customers or customers' encrypted keys are kept, which can be used for the purpose of keeping, storing and transferring virtual assets;

(b) Virtual assets exchange service

(i) means a service with the help of which a person exchanges virtual assets against a fiat currency or a fiat currency against virtual assets or virtual assets against another virtual assets;

(c) which is not contained in previous point, but it is directly connected with such an activity.

According to §4(9) of AML Act, virtual asset means an electronically storable or transferable unit that is:

capable of performing a payment, exchange or investment function, whether or not it has an issuer, unless it is

a security, an investment instrument, or a monetary instrument under the Act on Payments,

an entity referred to in Section 3(3)(c)(4) to (7) of the Act on Payments, or

a unit by which a payment is made pursuant to Section 3(3)(e) of the Act on Payments, or

a unit referred to in point (a)(ii) and which can ultimately be used to pay only for a narrowly defined range of goods or services which includes an electronically storable or transferable unit referred to in point (a).

(2) A virtual assets service also means any service provided without appropriate authorization, registration or license, even though it would be in contradiction with law.

## § 8. **Business relation**

(1) A business relation means a contractual relation by and between the customer and the company Newborn Change s.r.o., by frame contract, based on which the customer is provided with virtual assets service. Customer's instruction

(1) Customer's instruction means any instruction issued by the customer or by a person authorized to act in this matter on customer's account, requiring for the company Newborn Change s.r.o. to provide a virtual assets service or to make another act within the scope of the virtual assets service provided, e.g., a Virtual asset order. The instruction can be given electronically, by phone, personally or in any other way.

## § 9. **Staff setting**

(1) The obligations set out in this document apply to certain groups of employees - in particular the employees, the AML officer and the responsible person. They also apply

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to any person who may encounter a suspicious transaction (Chapters IV1. – IV.3) or perform any of the activities described in this document, as well as other persons. All of these people may potentially encounter trade suspected of attempting ML-FT.

- (2) It is irrelevant whether it is a direct employee or a work performed on the basis of another relationship or without any relationship (even as a free aid).
- (3) Unless the company Newborn Change s.r.o. is capable of ensuring the full and error-free performance of its obligations under this document and the Risk Assessment, it must reduce or even suspend virtual assets service activity until such a defect ceases, unless this is in conflict with the obligations under the legal regulations. This is the case, for example, in the event of a sudden failure of employees and replacement by temporary under-experienced assistance. Thus, ML-FT prevention activities must at all times be adequately staffed (both qualitatively and quantitatively). Responsibility for meeting this obligation lies with the responsible person.
- (4) Furthermore, the responsible person is responsible for selecting the persons who are bound by this document. The responsible person shall always verify that the employee is able to fulfil the obligations laid down in this document before recruiting a new employee for the position concerned by this document or before transferring an existing employee to that position. These abilities / skills include:
  - (a) sufficient language and professional communication skills of the employee to handle communication with a typical customer
  - (b) sufficient employee awareness of the management and ownership structures of the customer, which is a legal entity, so that he / she can perform his / her duties perfectly for this type of customer
  - (c) sufficient computer skills and software that is used to enable the employee to make full use of these resources to fulfil their duties
  - (d) sufficient knowledge of all procedures set out in this document and the Employee Risk Assessment achieved by the training under Chapter V.3, which must be carried out no later than the first act mentioned in this document or the Risk Assessment.

## **§ 10. Employee**

- (1) For the purposes of this document, an employee means any person who is – in the course of fulfilment of its work tasks – in the name of the company Newborn Change s.r.o.:
  - (a) authorized to negotiate regarding establishment of a business relation with a potential customer, or
  - (b) authorized to establish business relation with a customer, or
  - (c) negotiates with the customer on provision of virtual assets service or receives customer's instructions, or
  - (d) performs individual acts in provision of virtual assets service to a customer (even partial ones), or
  - (e) participates in any way in negotiations with a customer or in activities connected

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with provision of virtual assets service.

- (2) An employee is a direct employee as well as a person performing such activities on the basis of another relation than the employment contract, including a negotiator.
- (3) An employee is also a person who is not an employee at the present moment, but he/she was authorised (even though just temporarily) to perform an activity, the realisation of which is set to an employee by this document.

#### **§ 11. Personal related to the Customer**

- (1) For the purposes of this document, persons related to customers mean all and any of the following persons (natural persons or legal entities):
  - (a) statutory authority of the customer or a member of it
  - (b) beneficial owner or controlling person of the customer
  - (c) a person authorised to negotiate with the company Newborn Change s.r.o. on behalf of the customer
  - (d) a person authorised by the customer to make business (to enter virtual asset orders).

#### **§ 12. AML officer**

- (1) A person identified in this document as an AML officer means a person authorised to arrange compliance of business activities of the company Newborn Change s.r.o. with legal regulations in the field of avoidance of proceeds from criminal activities, terrorism financing and application of international sanctions. It concerns mainly arrangement of compliance with the following regulations:
  - (a) AML Act
  - (b) Act No. 69/2006 Coll. on realisation of international sanctions
  - (c) Regulation No. 67/2018 Coll. on selected requirements towards system of internal regulations, procedures and control measures against legalization of proceeds from crime and financing of terrorism
  - (d) approved AML standards communicated by the Czech National Bank.
- (2) Generally, it is supposed that the AML officer is a person directly governing an employee, authorized to establish business relation or negotiations in the matter of virtual assets service provision.
- (3) The person appointed in the company Newborn Change s.r.o. and authorised to execute the position of an AML officer is specified in Annex No. 2.

#### **§ 13. Responsible person**

- (1) The responsible person of the obliged person means – for the purposes of this document – any member of the statutory authority of the obliged person.

#### **§ 14. Virtual assets service value**

- (1) For the purposes of this document the virtual assets service value value means the

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general value of property being a subject of the virtual assets service.

#### **§ 15. Conversion of sums**

(1) For the purposes of this document, the sum which is set in Euro (EUR) means an equal value in any currency converted based on the exchange rate announced by the Czech National Bank and valid for the day. If the exchange rate is not available that day yet, the exchange rate for the previous day applies. For current Exchange rates list of the Czech National Bank see <https://www.cnb.cz/cs/financni-trhy/devizovy-trh/kurzy-devizoveho-trhu/kurzy-devizoveho-trhu/>.

#### **§ 16. Binding force for third persons**

I.3. The procedures set forth in this document are also binding on persons acting in the performance of virtual assets service or in establishing business relationships on behalf of or for the account of the company Newborn Change s.r.o. mainly for authorized representatives (hereinafter referred to as “representative”). **Definition of a Politically Exposed Person**

#### **§ 17. Politically Exposed Person – definition**

(1) According to the AML Act, a Politically Exposed Person („PEP“) means a natural person who is or was in an important public function with regional, national or even higher importance, for example:

- (a) chief representative of municipal authorities – major of a town or village, chief magistrate, region commissioner,
- (b) chief representative of municipal authorities for a foreign country with federative organization – chief representative of country authorities, members of country government and parliament, etc.,
- (c) head of state, prime minister, head of central authority of state administration (e.g., a minister) and his/her representative (deputy minister or secretary of state),
- (d) member of the Parliament, member of the control authority of a political party,
- (e) judge of the supreme court, constitution court or another supreme judicial authority,
- (f) member of the banking council of a central bank,
- (g) high officer of armed forces,
- (h) member of the statutory authority or representative of a member (in case of a legal person to be a member of the statutory authority) of a business corporation controlled by state,
- (i) ambassador or head of a diplomatic mission,
- (j) or a natural person performing or having performed any similar function in another country, EU authority or in an international organization.

(2) A PEP is also considered to be a person close to the above stated person, mainly:

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- (a) relatives in direct line – parents, grandparents, etc., children, grandchildren, grand grandchildren, etc.
  - (b) siblings, wife, husband, partner
  - (c) relatives of wife, husband, partner – son in law, daughter in law, father in law, mother in law
  - (d) a person who lives with him/her on permanent basis
  - (e) a person in family relation or similar relation to him/her, in case of any detriment suffered by one person to be justifiably considered as own detriment by the other person.
- (3) A PEP is also considered to be a person from the "business surroundings", being
- (a) a partner or beneficial owner of the same legal entity or trust fund as the person in the first paragraph,
  - (b) known by the obligated person to be in close business relation with the person as per the first paragraph; that means material inter-relations within the scope of business activities, when the success or detriment of one person could be justifiably considered to be own benefit or detriment by the other person,
  - (c) a beneficial owner of a legal entity or trust fund, which is the obligated person aware of the fact that they were developed in favor of the person specified in the first paragraph.

## **I.4. Definition of a Beneficial Owner**

### **§ 18. Beneficial owner of a legal entity**

- (1) According to the AML Act, a beneficial owner means a natural person with factual or legal possibility of direct or indirect application of decisive influence in a legal entity, in a fiduciary fund or in any other legal organisation without legal personality. It is supposed that in case of fulfilment of conditions contained in previous sentence, the following person is a beneficial owner:
- (a) In case of a business corporation (usually a limited liability company, a joint stock company, etc.), the beneficial owner is a natural person who:
    - (i) independently or together with persons acting in compliance manages more than 25 % of voting rights of the business corporation or has a share in basic capital above 25 %, or
    - (ii) independently or together with persons acting in compliance controls the person specified in previous point, or
    - (iii) is a recipient of at least 25 % of profits of the business corporation, or
    - (iv) is a member of the statutory authority, representative of a legal person in the authority or in the position similar to the position of a statutory authority member, if he is not a beneficial owner or if it is not possible to set him according to previous points.

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- (b) In case of an association, a non-profit organization, association of unit owners, church, religious association or any other legal entity according to the act dealing with position of churches and religious associations, the beneficial owner is a natural person:
  - (i) who manages more than 25 % of its voting rights, or
  - (ii) who is recipient of at least 25 % of the means distributed by it, or
  - (iii) who is a member of the statutory authority, representative of a legal person in the authority or in the position similar to the position of a statutory authority member, if he is not a beneficial owner or if it is not possible to set him according to previous points.
- (c) In case of foundation, institution, endowment fund, trust fund or any other legal organization without legal personality a natural person or a beneficial owner of a legal entity, the beneficial owner is a person being in position of:
  - (i) a founder, and then
  - (ii) trustee, and then
  - (iii) beneficiary, and then
  - (iv) a person, in the interest of whom there was established or works the foundation, institution, endowment fund, trust fund or any other legal organization without legal personality, unless the fiduciary is appointed, and then
  - (v) persons entitled to perform supervision over the administration of the foundation, institution, endowment fund, trust fund or any other legal organization without legal personality.

## **I.5. Definition of a Controlling Person**

### **§ 19. Controlling person**

- (1) According to Section 74 et conseq. Act No. 90/2012 Coll., on Commercial Companies and Cooperatives (Business Corporations Act), a controlling person means a natural person or legal entity who may directly or indirectly apply decisive influence in a business corporation. The indirect corporation means the influence executed through another person or other persons.
- (2) The controlling person(s) is/are:
  - (a) always a person who is a majority owner, unless specified otherwise in the points below, and then
  - (b) always a person who is a controlling person of the concern (Section 79 Act No. 90/2012 Coll.), and then
  - (c) a person who may appoint or remove most of the persons being members of the statutory authorities of the business corporation or persons in similar position or members of a control authority of the business corporation, which he/she is a partner of, or he/she may push such an appointment, or

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- (d) the person who manages the share in voting rights representing at least 40 % of all the votes in the business corporation, unless the same or higher share is managed by another person or persons, acting in conformity, or
- (e) persons acting in conformity, who jointly manage a share in voting rights representing at least 40 % of all the votes in the business corporation unless the same or higher share is managed by another person or persons, acting in conformity, or
- (f) a person who independently or together with other persons, acting in conformity, obtains a share in voting rights representing at least 30 % of all the votes in the business corporation and the share represented more than one half of voting rights of present persons during 3 recent consequent meetings of the supreme authority of the person.

## **II. Business relation establishment**

### **II.1. Procedure during business relation establishment**

#### **§ 20. Procedure before business relation establishment**

- (1) The employee authorized to negotiate the business relation establishment with the customer:
  - (a) establishes a file (as a physical and virtual space) to keep all necessary information
  - (b) performs the initial identification of the customer
  - (c) performs the first check of the customer
  - (d) sets up the risk profile of the customer
  - (e) provides this information to the AML officer, who assesses customer's risk profile, in particular if it is of type B, C, D or even E.
- (2) If it is proved that the customer is a PEP, the establishment of the business relation must be approved by the statutory authority of the company Newborn Change s.r.o. (including the case when the customer is a legal entity, towards which obligations are applied as well as towards the PEP).

#### **§ 21. Persons authorised to act on customer's behalf in the matter of business relation establishment**

- (1) Only a customer is entitled to act in the matter of a business relation establishment (i.e., the customer himself or his statutory authority or member of the statutory authority) or a person authorised by the customer to do so, customer's statutory representative or guardian.
- (2) The authorization is proved by a power of attorney with legalised signature of the donor or by its legalised copy, containing identification data of the donor of power and the deputy and also the extent in which the deputy may act on behalf of the donor of the power. Original copies of the power of attorney or its legalised copy must be maintained.
- (3) Statutory representation is proved by a deed indicating it – for example a certificate of birth of a child, represented by a parent. In case of a different statutory representative or guardian the right to represent a customer is proved by a court resolution. The company does not have to keep such documents – in case of a court resolution it must only record the file number.

#### **§ 22. When the customer conceals acting on behalf of a third person**

- (1) In case of an employee to suspect for the customer not to act on his own behalf while negotiating on business relation establishment (i.e., that the purpose of the business relation is to provide services to a different person but the customer) or that he conceals that he acts on behalf of a third person, the employee refuses to establish the business

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relation.

### **§ 23. Simplified identification and check of the customer**

(1) The AML act sets a group of persons generally considered to be of a low risk due to supervision executed over them. In relation to such persons, the company Newborn Change s.r.o. does not have to perform identification and checks using the procedures specified in Chapters II.2 and II.5.

(1) It concerns the following persons:

- (a) Clients without the national risk factors, and
- (b) Clients who are not showing the factors for EDD.

(2) National risk factors are as following

(a) Client risk factors:

- (i) The business relationship is conducted under unusual circumstances,
- (ii) the client is located in a geographic area of heightened risk as set out in point 3,
- (iii) the legal entity or trust is a personal asset holding vehicle,
- (iv) the client is a business corporation in which there may be authorized shareholders or partners or which issues shares in bearer form,
- (v) the client uses cash extensively in its business activities,
- (vi) the ownership structure of the client appears unusual or overly complex given the nature of its business,
- (vii) the client is a beneficiary of a life insurance policy,
- (viii) the client's business involves increased risk.

(b) Factors relating to products, services, transactions or distribution channels:

- (i) use of private banking services,
- (ii) the use of products or transactions that could facilitate anonymity,
- (iii) business relationships or transactions without the personal presence of the customer or the natural person acting on his behalf and without certain security measures such as electronic signatures,
- (iv) incoming payments from unknown or unrelated third parties; or
- (v) new products and new business practices, including new distribution systems, and the use of new or emerging technologies for new or existing products.

(c) Geographic risk factors:

- (i) Countries that have been identified by European Union authorities or international institutions dealing with measures against money laundering, terrorist financing or proliferation of weapons of mass destruction as lacking effective systems to combat money laundering and terrorist financing or engaging in illicit proliferation of weapons of mass destruction,
- (ii) countries that have been identified by credible sources as having significant levels of corruption or other criminal activity,

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- (iii) countries subject to sanctions, embargoes or similar restrictive measures imposed, for example, by the European Union or the United Nations; or
  - (iv) countries that provide funding or support for terrorist activities or in which identified terrorist organisations operate.
- (3) It is necessary to write a record about the whole checking procedure, clearly indicating also who, when and on the basis of what performed the checks. The record is maintained and kept as a part of documentation related to the customer or to the business relation.
- (4) Moreover, in the course of the business relation duration, the employee must periodically check whether there persist all the conditions for use of simplified verification and check of the customer. In case of any of the conditions to be broken, the customer is considered to be not allowed to be applied the simplified identification and check of customer and the procedures must be immediately performed before provision of any other services to the customer.
- (5) Application of the procedure of simplified identification and control / check does not affect other obligations set in this document, mainly the obligation of assessment whether the service provided to the customer does not indicate features of a suspect trade according to Chapter IV.1 List of features and suspect trades and their assessment.

#### **§ 24. Enhanced identification and check of the customer**

- (1) The AML act sets a group of factors that can mean a high risk of a client. In relation to such persons, the company Newborn Change s.r.o. has to perform stronger identification and checks.
- (6) Enhanced identification and check should happen in the following cases:
- (a) During establishment and during the course of a business relationship with a person established in a high-risk third country (as per FATF and EU lists that can be found in the Annex 5),
  - (b) prior to the execution of a transaction relating to a high-risk third country (as per FATF and EU lists that can be found in the Annex 5),
  - (c) prior to or when entering into a business relationship with a politically exposed person.
- (7) In enhanced identification and control, Newborn Change s.r.o. shall, to the extent necessary to effectively manage the identified risk, go beyond the measures applied in client identification and control:
- (a) obtain additional documents or information about:
    - (i) the beneficial owner,
    - (ii) the intended nature of the business relationship and
    - (iii) the source of the client's and beneficial owner's funds and other assets,
  - (b) verify the documents or information obtained from multiple credible sources,
  - (c) regularly and intensively monitor the business relationship and the transactions within the business relationship,

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- (d) obtain the consent of a member of its statutory body or the person authorised by it to manage the measures against money laundering and terrorist financing to enter into or continue the business relationship,
- (e) requires the first payment under the business relationship or a trade outside the business relationship to be made from an account held in the name of the client with a credit institution or a foreign credit institution which is subject to customer identification and control requirements at least equivalent to those of European Union law, or
- (f) implement other measures taking into account the nature of the obliged person, its activities and its own risk assessment.

## II.2. Initial Identification of a Customer

### § 25. Initial identification procedure

- (1) The initial customer identification means the procedure, when the identity card (as specified here below) is used for check and recording of identification and other data of the customer (for specification see below).
- (2) The initial identification of a customer is performed by one of the following ways:
  - (a) so called „face to face“ – a personal meeting with the customer or with a person representing him/her
  - (b) so called „remote“ – the customer sends the documents and the customer is checked by the first payment without necessity of a personal meeting with the customer.
  - (c) so called “technical” – the customer sends the documents and is checked by video verification.
- (3) More, the initial identification of a customer always includes:
  - (a) establishment whether the customer is a PEP or not using the procedure according to Chapter II.3 and also
  - (b) establishment whether the Czech Republic applies international sanctions towards the customer according to Chapter II.4.
- (4) In case of the customer’s initial identification to be performed just earlier, it is not necessary to repeat the process. **Identification of a natural person „face to face“**
  - (1) The „face to face“ identification is performed in physical presence of the customer or a person that represents the customer in the course of the business relation establishment (in case of a customer – a legal entity). On the basis of the identity card presented, the employee checks „face to face“ the compliance of customer’s appearance (or the person representing the customer) with the image in the identity card and more, he/she checks and records identification data from the identity card.
  - (2) More, in case of a legal entity to be the customer, it is also necessary to perform identification of the legal entity and to find out whether the „face to face“ identified natural person is entitled to act on behalf of the customer, respectively let him/her prove

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it by a power of attorney.

## § 26. „Remote“ identification of a customer

- (1) An employee may perform identification even without physical presence of the customer who is a natural person or a natural person acting on behalf of the customer when establishing the business relation in case of the customer to be a legal entity (i.e., without presence of the person signing the contract). The procedure replaces identification of only the specific acting natural person and that is why it is necessary to make other steps in identification as usual (to establish PEP, to check sanctions, respectively to identify a legal entity, to check the right to act on behalf of the customer, etc.).
- (1) If it is not possible to apply the complete procedure as specified here above or there are any doubts regarding real identity of the customer, the employee will not use the identification procedure and he will use some other method.
- (2) The identified natural person will send (by e-mail or by post) to the company Newborn Change s.r.o. a copy or a scan or photo of two different types of IDs (belonging to the identified person; he follows the list of accepted identity cards), while:
  - (a) if it is an ID of the identification card type, the customer sends copies, scans or photos of the front and rear side of the card;
  - (b) if it is an ID of a plate type (i.e., a „booklet“), the customer will send a copy, scan or a photo of the identification spread respectively also of the page with require data (for example address of stay inside of the residence permit);
  - (c) the customer may hide the data that are not require for the identification performance (e.g., wife’s name, etc.);
  - (d) both of the IDs must clearly indicate not only the identification data, but also the type and number of the identity card, country and possibly the authority issuing it and the term of validity;
  - (e) the copy and the scan may be black-and-white, but there must not emerge any doubts regarding genuineness of the identity cards or the person’s identity.
- (3) More, the customer will send to the company Newborn Change s.r.o. a proof, confirming existence of an account kept at the customer’s name in a bank or in a savings and loan co-operative or in a foreign bank or in a savings and loan co-operative operating in the territory of a member state of the European Economic Area, while:
  - (a) there is accepted a copy, scan, PDF file or a photograph containing the agreement on account keeping or customer’s account statement (that also means a common account of a married couple in case of the customer being a natural person)
  - (b) we do not accept images from Internet banking (so called „Print Screens“)
  - (c) the customer may hide the data that we do not require, but it must be always seen that the account is kept to customer’s name (i.e., in case of a legal person not to the name of the acting natural person, but beneficiary person in the name

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of the legal entity).

- (4) More, there must be arranged that the first payment from the contract concluded will be performed through the customer's account from the previous point:
- (a) the first payment means a payment from the customer of the company Newborn Change s.r.o.; in such a case the sum of the payment is not significant
  - (b) a payment to the account is not supposed to be a cash deposit to the account or payment by a postal order
  - (c) the employee is obliged to supervise for the first payment to be done in compliance with the condition; if it is not done so or if the payment is not successfully performed (e.g., it returns back), it is necessary to immediately terminate services provision and perform the identification in a different way.
- (5) Except for the above stated conditions, the employee will assess – based on information available to Newborn Change s.r.o. whether the customer, product or concrete business relation does not represent an elevated risk of abuse for legalization of proceeds from crimes or terrorism financing – otherwise he will not use this way of identification. He will also use risk assessment.

#### § 27. „**Technical**“ identification of a customer

- (1) An employee may perform identification even without physical presence of the customer who is a natural person or a natural person acting on behalf of the customer when establishing the business relation in case of the customer to be a legal entity (i.e., without presence of the person signing the contract). The procedure replaces identification of only the specific acting natural person and that is why it is necessary to make other steps in identification as usual (to establish PEP, to check sanctions, respectively to identify a legal entity, to check the right to act on behalf of the customer, etc.).
- (2) If it is not possible to apply the complete procedure as specified here above or there are any doubts regarding real identity of the customer, the employee will not use the identification procedure and he will use some other method.
- (3) The identified natural person must use the following:
- (a) a document according to the §33 is used for identification of a person and verification of data with the help of information technology means;
  - (b) an information technology tool with a working camera, microphone and necessary hardware and software for digital identification, as well as internet connection with adequate speed.
- (2) Tools provided for in section 3 (b) must meet the technical specifications, standards and procedures for a high level of assurance laid down by a directly applicable regulation of the European Union governing minimum technical specifications, standards and procedures for levels of assurance for electronic identification devices and which is issued and used within a qualified system under the Electronic Identification Act.
- (3) The client sends the KYC questionnaire and any other required papers to the Newborn

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Change s.r.o..

- (4) A third-party firm that provides video identification of clients can be used by the Newborn Change s.r.o..

#### **§ 28. Accepted identity cards (certificates of identity)**

- (1) The employee of Newborn Change s.r.o. will accept for identification purposes mainly the following type of identity cards (certificates of identity):
- (a) passport issued by any country
  - (b) identity card issued by a member state of the European Union and Iceland, Norway, Switzerland and Liechtenstein;
  - (c) driving license issued by a member state of the European Union and Iceland, Norway, Switzerland and Liechtenstein;
  - (d) residence permit proof issued by a member state of the European Union and Iceland, Norway, Switzerland and Liechtenstein.
- (2) In addition to the types of identity cards listed here, an employee may also use another identity card issued by a public authority for identification, is valid at the moment of identification, includes images and at least some of the authorized holder's identification data.

#### **§ 29. Features of an identity card not suitable for identification**

- (1) In case that the customer presents an identity card that shows any of the below stated features, the employee will refuse to make the identification on its basis and he will ask the customer for a different identity card:
- (a) identity card not showing any marks of credibility (mainly in case of identity cards issued abroad)
  - (b) identity card, which the employee does not believe to be issued by a public administration authority (mainly in case of identity cards issued abroad)
  - (c) identity card after its validity term expiration (if specified)
  - (d) identity card which is excessively damaged (i.e., unreadable, overwritten, glued, without pages to be fixed, with missing pages or additionally glued)
  - (e) identity card without photograph or with a photograph that was adjusted or changed or that cannot be used for sufficient check of compliance of the photograph and the customer's appearance
  - (f) identity card in which the appearance on the photograph does not correspond with the customer's appearance
  - (g) identity card from which it is not possible to clearly set the authority and the state of the card issue
  - (h) identity card which is just a black-and-white or colour copy of the original identity card.
- (2) In case of the employee not to be sure whether the identity card presented is valid or

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authentic, it is possible to check authenticity and protective elements against forgery using the on-line system „PRADO – public registry of valid identity cards and passports“. The system is available for free at <http://prado.consilium.europa.eu/>. More, the system provides references to national sites of document issuers, where it is possible to check whether the document has not been marked as stolen, missing or otherwise excluded from the evidence.

### **§ 30. Identification data of a natural person**

- (1) On the basis of the identity card presented or delivered, the employee checks and records all of the below stated identification data:
- (a) all the names and surnames of the customer (if there may appear any doubts – in case of foreigners – which is the name and which is the surname, the surname is written in capital letters)
  - (b) personal number; if it was not assigned, then the date of birth
  - (c) place of birth (including the country in case of the place of birth to be outside the Czech Republic)
  - (d) sex
  - (e) permanent or other residence
  - (f) citizenship
  - (g) type and number of identity card
  - (h) country, respectively authority issuing the identity card
  - (i) term of validity of the identity card.

### **§ 31. Absence of identification data of a natural person**

- (1) In practice there may occur a situation when some required data are not apparent from the identity card presented or sent, because they are not contained there. In such a situation the employee directly asks the identified person about the missing data and asks the person to communicate the data in written or oral form (unless it has already done so e.g., in an application for use of services) and to supported by a supporting document. In case of the person not to have the supporting document, there is no other possibility but to rely on the statement.
- (2) Regarding the individual identification data established only on the basis of oral communication (and possibly verified from some supporting document only) it is necessary to note that they were verified on the basis of an identity card.

### **§ 32. Initial identification of a natural person - entrepreneur**

- (1) In case of the customer to conduct in the business relation as a natural person – entrepreneur, it is necessary – together with the above stated process of identification of a natural person – to record and check even all of the below stated data:

trade name, differing amendment or other marking

place of business

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identification number of the person.

- (2) The employee will verify the above stated data on the basis of a document presented by the customer regarding registration of the natural person in the evidence of natural persons – entrepreneurs or the employee may arrange such a document by himself. The document is most frequently an original or a legalised copy of an extract from the trade registry or commercial registry or some similar evidence. The document must contain currently valid data.
- (3) Even those identification data are recorded in the contractual documentation.

### **§ 33. Procedure for the initial identification of a legal entity**

- (1) In case of the customer to be a legal entity, the identification of each person acting on its behalf in business relation establishment must be performed, while the employee also identifies the legal person (i.e., the customer himself). More, it is also necessary to identify every person to act on behalf of the customer in the course of the business relation duration (so called agent / managing clerk).
- (2) The employee proceeds as follows: the customer presents a proof on existence of a legal entity or the employee obtains it by himself. The document includes mainly:
  - (a) original or certified copy of an extract from the trade register in case of legal entities registered in such a registry (mainly business corporations)
  - (b) record from initial session of the municipal council in case of a municipality
  - (c) extract from the registry of churches and religious organizations as issued by the Ministry of Culture of the Czech Republic
  - (d) similar evidences in abroad
  - (e) in case that there is not any such evidence in the country of headquarters of a foreign entity, then an officially legalised Articles of incorporation or some other document establishing the foreign entity and containing all the changes.
- (3) The employee must always have available an original copy or certified copy of the proof of existence of the foreign entity.
- (4) The document on existence of a legal entity must contain the currently valid data and the document may not be older than 6 months.
- (5) In case of the customer to present a proof of existence of the legal entity issued in another country, it is necessary to pay extra attention to the fact whether it was issued by an entitled authority. It is not possible to consider a private subject to be an entitled authority – just the public administration authority of the foreign country.

### **§ 34. Identification data of a legal entity**

- (1) Identification data of a legal entity are all of the below stated data:
  - (a) trade name or name, including the differing amendment or other marking
  - (b) headquarters of the company (address and country)
  - (c) identification number of the company or similar number assigned abroad

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- (d) data of each natural person being a statutory authority or its member and allowing its clear identification; it concerns the following data as a minimum: all the names and surnames, dates of birth, permanent or other residence and citizenship.
- (2) In case of another legal entity to be the statutory authority, its member or controlling person (see the definition in Chapter I.5), there will be recorded event its identification data as specified above.
- (3) In case of the customer to be a trust fund or some other legal organisation without legal personality, the identification data include its marking and identification data of its administrator, manager or person in similar position according to this chapter (these may be natural persons or legal entities).
- (4) The document Risk Assessment may (so as to eliminate ML-FT risks) set even other identification data that must be obtained, recorded and possibly also checked. The treasurer must respect the extended list.

### **§ 35. Initial identification of a customer on the basis of a power of attorney**

- (1) In case of the customer (a natural person or a legal entity) to be represented on the basis of a power of attorney, the employee proceeds as follows:
  - (a) The attorney must present or deliver to the employee the power of attorney he acts upon and he must do so always before the business relation establishment. There is accepted only the original of the power of attorney or its legalised copy, not a standard scan or plain copy. The signature of the donor of powers need not be legalised, but it is recommended in consideration of higher business safety. The employee will keep the document on permanent basis.
  - (b) More, the employee performs identification of the attorney using the procedure as described in this chapter. The attorney and the donor of powers may be a natural person or a legal entity and identification may be performed „face to face“ or on „remote“ basis.
  - (c) More, the attorney will prove the identification data of the donor of powers. It is not necessary to identify the donor of powers „face to face“, his clear identification should emerge from the power of attorney.
  - (d) More, the employee states in the record of identification data of the attorney and the donor of powers that it is representation based on the power of attorney. Only then the identification is finished in full.

### **§ 36. Initial identification of the represented customer**

- (1) In case of the customer to be represented by a legal representative or a custodian, the employee proceeds as follows:
  - (a) The statutory representative must prove to the employee an appropriate legal relation on the basis of which he acts, always before the deal realization. The statutory representative is responsible for correct identification of the represented person. There is accepted only an original or certified copy of the

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document, not a standard scan or ordinary copy. The employee need not keep the document, it is sufficient to make a plain copy or – in case of a court resolution – he just records the file number.

- (b) Then, the employee performs identification of the statutory representative. It may be a natural person or a legal entity and the identification may be performed „face to face“ or on „remote“ basis.
- (c) Then, the statutory representative proves the identification data of the donor of powers. It is not necessary to identify the represented person „face to face“. A suitable form of proving is supposed to be e.g., the fact that identification data of the customer emerge from the document on representation or it is also possible to accept a written declaration of the statutory representative on such data.
- (d) More, the employee states in the record with identification data of the statutory representative and the represented person that the customer is represented by a statutory representative. Only then the identification is finished in full.

### **§ 37. Initial identification of the customer on the basis of the deed of identification**

- (1) The initial identification of the customer (including a customer represented on the basis of the power of attorney or by a legal representative) may also be performed by the notary public or contact point of public administration (so called CZECH point) by writing so called deed on identification. The deed contains – in the form of non-detachable appendix – the documents on the basis of which the identification was performed and that clearly depict the customer.
- (2) In such a case the employee checks the presented original of the identification deed and its appendices, then he checks completeness and readability of data. Then the employee performs the initial identification without physical presence of the customer in such a way as if the original document is presented. The original of the identification deed must be permanently kept. Only then, the initial customer's identification is performed in full.

## **II.3. Procedure for Establishment of a Politically Exposed Person**

### **§ 38. Establishment of a politically exposed person**

- (1) In case of the customer to be a natural person, the fact whether it is a PEP or not is established only at the customer himself (i.e., the natural persons) and not at possible attorney, statutory representative or a guardian.
- (2) If the customer is a legal entity, the fact whether it is a PEP or not is established for the following persons:
  - (a) any person acting on behalf of the customer in the matter of trade or business relationship (acting person) and then
  - (b) each statutory representative of the customer - including those who do not act in the matter of business (members of the statutory body and further, if the member

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of the statutory body of the customer is a legal entity and its representative)

(c) any beneficial owner of the customer.

(3) The PEP definition is contained in Chapter I.3.

(4) The customer that has PEP in its structure is subject of EDD.

### **§ 39. Establishment procedure**

(1) PEP establishment is performed by declaration of the customer or a person acting on customer's behalf (statutory representative, proxy, attorney, legal representative, guardian, etc.) or by searching of the fact in the commercially distributed system for control and search for „risk“ customers, based on information from public resources and provided in the form of a paid service by some specialised business subjects. It is also allowed for the employee to perform own investigations, e.g., while using open sources of information (Internet, etc.). The employee uses websites such as Facebook, LinkedIn, Instagram, Twitter, Forbes, Google, and others, as well as the national list of PEP functions, to collect information, analyze it, and make a decision. The employee always uses a combination of at least two methods of PEP research.

(2) In case of the customer to state to be a PEP or in case of the employee to know that from another source, the employee must establish (from the customer or in a different way) the following information:

(a) identification of function respectively even other details about it

(b) respectively description of relation to a person in leading position (if it is a person from his/her „family“ or „business“ environment, who is not in any leading position

(c) respectively at least approximately date of finishing the function (if the function has been terminated).

## **II.4. Verification of International Sanctions**

### **§ 40. International Sanctions**

(1) International sanctions are a set of restrictive measures that the international communities (UN, EU) use as a tool to maintain or restore international peace and security, protect fundamental human rights, and fight terrorism. They are accepted by the competent authorities (UN Security Council, EU Council or European Commission) in the form of resolutions or decisions and regulations. In addition, the Czech Republic has a local individual list of 'intra-European terrorist groups'.

(2) The Czech Republic applies two types of sanctions:

(a) sanctions, which it applies towards specific natural and legal persons, listed on the sanction lists (so called sanctioned persons)

(b) sanctions, which it applies towards certain types of goods (so called sector sanctions).

(3) The following types of sanction regulations are legally binding (directly applicable) in

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the Czech Republic:

- (a) resolutions of the United Nations Security Council
  - (b) resolutions of the EU Council or Commission (see <https://sanctionsmap.eu>)
  - (c) resolution of the Czech Republic government (see <http://www.amlsystems.cz/AML-dokumenty>).
- (4) Carrying out of international sanctions in the Czech Republic is partially regulated by the AML Act and also by Act No. 69/2006 Coll., on Carrying out of International Sanctions.
- (5) For more information on the application of international sanctions, please consult the Financial Analytical Office website at: <http://www.financnianalytickyrad.cz/mezinarodni-sankce.html>.
- (6) The obligation to enforce international sanctions also applies to any other activities of Newborn Change s.r.o., not only to those covered by this document.

#### **§ 41. Sanction lists**

- (1) Two groups of sanction lists are legally binding for the Czech Republic:
- (a) sanction regulations coming out from EU law accessible through EUR-Lex - access to European Union law at <http://eur-lex.europa.eu>.
  - (b) Government Decree No. 210/2008 Coll., On Implementation of Special Measures to Combat Terrorism, as amended, located eg at <http://www.amlsystems.cz/AML-documents>.
- (2) The responsible person shall give employees access to these lists.

#### **§ 42. Screened persons**

- (1) Prior to establishing each business relationship and then with the specified periodicity, the employee must verify whether the Czech Republic does not apply international sanctions against the customer or the persons associated with the customer. The verification periodicity of international sanctions should be set so that no service is ever provided to a customer that is subject to international sanctions - i.e., ideally prior to the provision of each virtual assets service or at least once a day, or possibly whenever the sanction lists are updated.
- (2) If the customer is a natural person, the screening includes the customer himself / herself and, if applicable, also all the persons acting on behalf of the customer (proxy, legal representative, guardian).
- (3) If the customer is a legal person, this screening includes the following persons (both natural and legal):
- (a) the customer itself (a legal person in this case); and also
  - (b) all members of the statutory body (these may be natural or legal persons); and
  - (c) all controlling persons (see the definition in the Chapter I.5); and
  - (d) all persons that are the beneficial owners of the legal person (which is identified

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during the initial check of the customer, according to the Chapter II.5, these may be natural persons only); and

- (e) possibly also an agent, proxy, legal representative, and guardian
- (f) with all the persons the identity of which the company established within the scope of identification or control (mainly all the persons from the management and control structure of the customer).

(4) Furthermore, in the duration of the business relationship, it is always necessary to verify the international sanctions against the counterparty of the customer's transaction (if the counterparty of the company is known), especially if Newborn Change s.r.o. ensures the execution of payments, taking into account all the information accompanying these transactions (e.g., the requisites of SWIFT messages, SEPA payments and letters of credit etc.)

#### **§ 43. Search for a person in sanction lists**

- (1) The employee looks for all the aforementioned persons (both natural and legal) up in the currently valid and available sanction lists.
- (2) The employee has the obligation to create a record about the screening and the result, which corresponds to the requirement of reconstructability according to Chapter V.6, i.e., it contains at least the following information:
  - (a) date of verification and name of the person who performed the verification (if performed by a specific employee and not automated)
  - (b) a list of natural and legal persons that have been reviewed in the sanction lists
  - (c) information on the sanction lists under which the verification was carried out
  - (d) result of verification (negative or positive finding).

#### **§ 44. Sanction programs**

(1) In addition to verification of the persons' presence on the sanction lists, the AML officer and the employee must be familiar with the currently effective EU sanction programs. The Czech Republic, as a member country of the EU, does not only apply sanctions to certain persons only, but also to certain types of goods or services. It may happen (even during a business relationship) that the inspection of the customer indicates, based on the customer's communication or based on the submitted documents, that the customer uses the services of the company to trade or transfer (on the customer's own behalf or on another person's behalf ) goods or services subject to international sanctions, e.g., the customer states that the payment relates to the movement of the goods and it turns out that it concerns so called dual-use goods that can also be used for military purposes and the expedition of such goods to some countries is forbidden).

The list of currently applicable sanctions is included in the "Consolidated list of sanctions" section: [https://eeas.europa.eu/topics/sanctions-policy/8442/consolidated-list-of-sanctions\\_en](https://eeas.europa.eu/topics/sanctions-policy/8442/consolidated-list-of-sanctions_en).

#### **§ 45. Procedure in case of a person to which the international sanctions apply**

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- (1) In case the Czech Republic applies international sanctions against the customer or the persons associated with the customer or if the virtual assets service are in any way related to international sanctions, such negotiation regarding establishment of a business relationship or provision of virtual assets service is inevitably a suspicious transaction, and it is necessary to take all the steps listed in the Chapter IV.2.
- (2) It is also necessary for the employee to ensure that the company proceeds in accordance with the specific sanction and in accordance with Act No. 69/2006 Coll., on Carrying out of International Sanctions. For this purpose, contact both the AML officer and the statutory body of Newborn Change s.r.o. and coordinate the next step with it.

## **II.5. Procedure during the Initial Customer Check**

### **§ 46. Initial customer check**

- (1) The purpose of the initial customer check is to obtain information about the customer, necessary for the assessment, in particular:
  - (a) whether the customer does not represent any risk for Newborn Change s.r.o. from the point of view of money laundering and financing of terrorism and in the preparation of its risk profile and whether fulfils the criteria of acceptability.

### **§ 47. Procedure during the initial customer check**

- (1) The initial customer check is performed by the employee, who will:
  - (a) find out and record what is the purpose of the intended business relationship (the purpose for which the customer will use the services); and
  - (b) find out, verify, and record the source of funds or other assets that will be the subject of the business relationship; and
  - (c) if the customer is a natural person, find out and record the list of all countries where the customer has a nationality and also a permanent or other stay; and
  - (d) if the customer is a legal entity, find out and record the list of all countries where the customer has its registered office, branches; and
  - (e) if the customer is a legal entity, find out and record information about the customer's ownership and management structure and further identify and record its beneficial owner so that it can be identified and always record the method and source of the findings of the beneficial owner, unless this is clear from the documents or records kept
  - (f) if the customer is a legal entity or a natural person doing business, it also detects and records a detailed description of all the customer's activities (not only those related to virtual assets service) - in order to fully understand his / her activities
- (2) In addition, the employee will also find out whether the customer will act or act solely on his / her own behalf or whether he / she represents or will represent another person (especially the so-called Agency Agreement). If this is the case, the employee will perform a review to identify, understand and document the activities of the represented

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person, their ownership and management structure, and the beneficial owner as if they were the customer himself. In addition, the employee obtains representation documents.

#### **§ 48. Procedure for finding and verification of data**

- (1) The employee finds out the data necessary for the check primarily by the means of his / her own investigation and from the available documents and also from the customer's statement.
- (2) The purpose of the business relationship is often understood from the interview with the customer, or the customer declares it.
- (3) The source of funds is often implied by the accounting documents entered into the collection of documents of the customer registered in the Commercial Register in the Czech Republic, by the published annual reports, and by the trade licenses that the customer has and through which the customer generates funds. The employee must always obtain sufficient information in order to verify the source of funds, In the case of one-time sums, the employee must find out more details (such as from whom the inheritance was inherited and in what amount, which property and for what amount was sold, the amount of the winnings and by which game operator it was paid). In the case of repeated income, its source, i.e., denomination of the business or the employer, and the approximate amount of such regular income.
- (4) The list of all countries where the customer (natural person) has a nationality and a permanent or other residence, as well as the list of all countries where the customer (legal person) has its registered office, branches, organizational units, or premises, from the customer's website, or from the customer's statement.
- (5) Information about the ownership and management structure and about the beneficial owner of the customer, legal persons will be found by the employee, in particular, by his / her own research of publicly available information (information contained in the extract from the Commercial Register, documents from the of the General Meetings based on the collection of documents kept by the registry court, etc.). If this information cannot be found, the employee will ask the customer for his statement and possibly a proof. The method of obtaining the ownership and management structure data and the beneficial owner will also be recorded by the employee (i.e., the source and the procedure by which the employee obtained the information). The management structure is determined by the employee to the second level: the first level is the management structure of the customer itself; the second level is the management structure of the controlling person (the parent company). Identification of the management structure does not apply to "sister" companies, unless it is necessary from the risk assessment point of view.

#### **§ 49. Verification of the data obtained during the check**

- (1) If the employee assesses that there are doubts about the truthfulness or completeness of the data that the customer has stated during the check, he / she will ask the customer to prove the data obtained during the check by the relevant documents:

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- (a) The source of funds and the purpose of the business relationship can usually be verified from accounting documents, statements from the person managing the customer's accounts, statements from the statutory body (in case of a legal person), confirmation issued by a bank or other third party, etc.
  - (b) The beneficial owner of the legal person can be verified, in particular, from the last minutes of the general meeting. Only originals or certified copies of the submitted documents are accepted.
- (2) Only originals or certified copies of the submitted documents are accepted. The employees will make regular copies of these documents and he / she will keep them permanently.

## **II.6. Creation of Customer's Risk Profile**

### **§ 50. Creation of the Customer's risk profile**

- (1) Prior to establishing the business relationship, the employee will create a risk profile of the customer. This is a characteristic of the particular customer.
- (2) If a business relationship has been established in the past and it lasts (the customer uses other company services), the risk profile will be updated when establishing any further business relationship.

### **§ 51. Risk profile**

- (1) The customer's risk profile means the assessment of the customer that represents a potential risk that the services of Newborn Change s.r.o. may be misused by the customer for the purpose of legalizing proceeds of crime or for financing of terrorism. As part of the risk profile, the customers are classified into the following groups according to the risk factor that has occurred in their case:
  - (a) a customer with the type A risk profile – i.e., a customer without an identified risk factor
  - (b) a customer with the type B risk profile – i.e., a customer with a low identified risk factor
  - (c) a customer with the type C risk profile – i.e., a customer with an identified risk factor
  - (d) a customer with the type D risk profile – i.e., a customer with a high identified risk factor
  - (e) a customer with the type E risk profile C – i.e., an unacceptable customer.
- (2) The risk profile is crucial in two respects:
  - (a) influences the periodicity and intensity of the actions performed under this document
  - (b) serves as an essential piece of information when assessing suspicious transactions.

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## § 52. Risk factors

- (1) The risk factor means the characteristic of the customer, the product provided to the customer, or the way it is provided to the customer, which increases the risk that the services of Newborn Change s.r.o. may be misused by the customer for the purpose of legalizing proceeds of crime or for financing of terrorism. Based on the existence of specific factors, the client is given a risk profile of A,B,C,D, or E.

## § 53. Risk profile - type A

- (1) A customer with a risk profile of type A does not represent for the company Newborn Change s.r.o. no, or only very small (negligible) risk in terms of money laundering and terrorism financing, in case of:
  - (a) The jurisdiction of the client is low risk (as per Annex 5),
  - (b) The country of origin of the beneficial owner and representative is low risk (as per Annex 5),
  - (c) The monthly turnover of the client is less than 5 000 EUR,
  - (d) The client's business activity is low or medium risk (as per Annex 6).
  - (e) Where there are no known risk factors to assign a risk profile of type B, C, D or E.

## § 54. Risk profile - type B, C, D

- (1) The customer is assigned the risk profile of the type B, C or D if there are no known risk factors which would assign the customer the risk profile of type E and at the same time, any of the risk factors listed in the Risk Assessment document as risk factors of the type B, C or D are found.
- (2) A client with a Type B risk profile poses a low risk to the Newborn Change s.r.o. in terms of money laundering and terrorist financing. To obtain this risk profile, the client must meet the following conditions:
  - (a) The client's jurisdiction is low risk (as defined in Annex 5),
  - (b) The customer's monthly turnover is less than 10 000 EUR,
  - (c) The client's business is low or medium risk (as set out in Annex 6),
  - (d) Where there are no known risk factors to assign a C or D risk profile.
- (3) A client with a Type C risk profile poses a money laundering and terrorist financing risk to the Company. To obtain this risk profile, the client must meet the following conditions:
  - (a) The customer's monthly turnover is less than 15 000 EUR,
  - (b) There are no known risk factors to be assigned a Type D risk profile.
- (4) A customer with a Type D risk profile poses a high risk to the Company in terms of money laundering and terrorist financing. He is always an EDD subject.
- (5) A customer with the risk profile of the type B, C or D represents for Newborn Change s.r.o. the potential risk from the point of view of legalization of proceeds from crime

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and financing of terrorism and therefore all employees, including the AML officer, must:

pay high attention when assessing any suspicious behaviour of this customer according to Chapter IV.1,

to place increased demands on the accuracy of information provided by the customer within the framework of the initial or continuous check, or possibly to substantiate the declared information by means of a specific document;

to carry out a continuous check of the customer at least once in a certain time period specified in the Risk Assessment

check for each transaction that exceeds the amount specified in the Risk Assessment

carry out a continuous check of a certain number of transactions selected at random over a certain amount of time; the time interval, the number of transactions selected at random and the minimum amount are set by the Risk Assessment

obtain AML, KYC and other similar regulations from the Customer if the Customer's activity requires them to be processed and to assess whether they are sufficient.

#### **§ 55. Risk profile - type E**

- (1) The customer is assigned the risk profile of the E type in the event that any of the risk factors listed in the Risk Assessment document is found with the customer, making the customer unacceptable.
- (2) A customer with the risk profile of the type E represents for Newborn Change s.r.o. extremely high risk from the point of view of the legalization of proceeds from crime and the financing of terrorism. In the event that the customer is assigned the type E risk profile, the business relationship will not be established with the customer, or the business relationship with the customer will be terminated.

## **II.7. Establishing a Business Relation**

#### **§ 56. Establishing a business relationship**

- (1) A business relationship can only be established with the customer if all three of the following conditions are met:
  - (a) the operations preceding the establishment of the business relationship under the Chapter II.1 have been fully performed; and
  - (b) the AML officer has approved the establishment of the business relationship if required by it in the Risk Assessment; and
  - (c) if the customer is a PEP, a consent to the establishment of the business relationship must be issued by the statutory body of Newborn Change s.r.o. or a person appointed by it; there must be a record written about the consent issued; and
  - (d) none of the facts mentioned in the Chapter II.8 has occurred.
- (2) The business relationship is established by signing the documents on the basis of which

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the business relationship is established, or when the services are made available for the customer, whichever comes first.

#### **§ 57. Instructing the customer about the need to report changes of the data**

- (1) In addition, when establishing the business relationship, the customer will be obliged to notify all changes to the data the customer has provided during the establishment of the business relationship. These include in particular:
  - (a) the data provided at initial customer identification
  - (b) changes in the fact that the customer or the customer's beneficial owner is or is not a PEP
  - (c) changes in the list of people who are considered to be the beneficial owner of the customer
  - (d) the data provided during the customer control, etc.
- (2) The Customer must make the notification of the change of the data or of its completion without any delay, but not later than prior to being provided with the next virtual assets service. The customer will also be informed that failure to notify a change may be a reason for termination of the business relationship.

## **II.8. Ban to Enter a Business Relationship**

#### **§ 58. Ban to establish a business relationship**

- (1) The company Newborn Change s.r.o. rejects to enter into a business relationship with a customer if:
  - (a) the customer does not provide us with required cooperation within the performance of the verification and initial identification – i.e., does not provide with the information and data required or does not support these with relevant documents (if required), or
  - (b) if there have emerged any doubts related to the correctness and completeness of the information provided to us by a customer within the initial identification or initial verification, or
  - (c) if there was established any suspicion that a customer has provided us with untrue, distorted or incomplete information or in the event when a customer submitted false, altered or untrustworthy documents
  - (d) due to any other reason is not possible to perform the initial identification or initial verification of a customer, or
  - (e) it is clear at the customer that the intended business relationship is intended to provide services to a person other than himself (i.e., he acts solely as an intermediary or identity provider) and the customer does not present a power of attorney; or
  - (f) the customer is subject to EDD and the statutory body Newborn Change s.r.o. or the person authorized by it has not consented to the establishment of a

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business relationship

(g) the customer is PEP and Newborn Change s.r.o. does not know the origin of the property that the customer will use for each service

(h) the customer has been, pursuant to its risk rate, ranked within a group of customers with which the company shall not establish any business relationship.

(2) In the event when the establishment of business relationship is refused, a closer attention of employees shall be focused on the facts, whether the behaviour of a customer, due to which such a situation emerged, is typical of suspicious business characteristics, pursuant to the Chapter IV.1.

### **III. Business Relation with client**

#### **III.1. Obligations in the Course of the Business Relation Duration**

##### **§ 59. List of obligations**

(1) Within the duration of the business relationship entered into with a customer, the company Newborn Change s.r.o. is obliged to perform, in particular, the following:

(a) if the customer appoints a new joint holder, i.e., a person who will newly execute trades on behalf of the customer (e.g., enter virtual asset orders for transfers), he / she will also identify him / her; the joint holder may act on behalf of the customer only after the company receives the power of attorney to represent the customer in the execution of transactions or has the right to represent the customer as a statutory body or its member or is the legal representative of the customer

(b) check the validity and completeness of the data obtained in the framework of the customer's identification (when establishing a business relationship, also continuous, including the status of PEP) and record their changes and additions

(c) continuously verify whether the Czech Republic is applying international sanctions against the customer or a related person, including those who are a counterparty to the trade, if the company becomes aware of them

(d) carry out a continuous check of the customer

(e) continuously update the customer's risk profile (categorize the customer according to risk factors) - if there is a change, the AML officer must be informed and the customer must assess whether the business relationship is terminated; The AML officer shall take into account, in particular, the obligations under Chapter III.2 and the customer's risk profile, in particular if it is of type B, C, D or even E; this must be done by the AML officer no later than before the next transaction (especially before the next virtual assets service is provided)

(f) to continually assess whether the behaviour of the customer or of the persons acting on his / her behalf shows any signs of suspicious trade or whether the

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services provided to the customer indicate this

(g) refuse to provide a service in certain situations and possibly terminate the business relationship

(h) if the customer is a PEP, all substantial changes to the framework virtual assets service contract that have been triggered by the customer's request (egg request to increase limits, new joint holder, etc.) must be approved by the statutory body of Newborn Change s.r.o. and the approval to create an alert; The risk assessment may be determined by other groups of risk customers for whom the AML officer approves these significant changes in the business relationship.

(2) The Risk Assessment document may determine, for each customer risk group, the frequency or circumstances that trigger the need to meet individual obligations during the business relationship, as well as the intensity with which those ongoing obligations need to be met. It is the fulfilment of a risk-oriented approach to monitoring and managing the business relationship.

#### **§ 60. Check of information in case of doubts**

(1) Whenever doubts arise as to the information or data (obtained as part of customer identification or control), the employee shall verify this information without undue delay. This is done by verifying the information either from publicly available sources or by contacting the customer to provide appropriate explanations and possibly documents.

#### **§ 61. Updates of customer's risk profile**

(1) Throughout the business relationship, all employees continually update the customer's risk profile. This means that if there is a circumstance that causes a worsening of the customer's risk profile, there will be a change, or vice versa - if circumstances worsening the customer's risk profile disappear, it will change in the opposite direction, if permissible. The rules and factors set out in Chapter II.6 and in the Risk Assessment will be used to update the risk profile.

(2) The frequency of updating the customer's risk profile is determined by the Risk Assessment.

(3) The employee always keeps a record of changes in the customer's risk profile, which enables the situation to be reconstructed - i.e., it includes information on the reason for the change, the method of finding, source and eventual verification of the circumstances, date and information on the currently valid risk profile data. The history of changes in the risk profile must show all its changes, i.e., previous information is not deleted, only new one is added.

### **III.2. Data Updates**

#### **§ 62. Customer's data changes and information added**

(1) In the course of the business relation duration, the employee must check the validity

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and completeness of the customer's data, which is stored in the customer's file. In particular the following ones:

- (a) Validity and completeness of the identification data, including changes in the personal composition of Customer's statutory body – a legal person
- (b) Information whether any facts have not been changed, whether any of persons is a PEP person or not
- (c) Information whether the Czech Republic has not applied international sanctions towards a customer
- (d) Validity and completeness of the data sourced within the verification of a customer, in particular the information whether the intended purpose of business relationship still persists, whether the source of financial funds used by a customer is still up to date, whether in case of that customer – a legal person – has not been changed the ownership and management structure or beneficial owners, a list of all countries in which the company has its registered office, branches, business divisions or establishments, and if that customer is a natural person, then information on a list of countries in which that customer is having a citizenship, as well as permanent or other kind of residence
- (e) Reasoning why the simplified identification and verification was applied to a customer (where applicable).

(2) In the event, when customer's identity card validity has expired, i.e., the identity card, on the basis of which a customer, a natural person, was verified, there is no need to have the data on new identity card. However, if customer's identification data has been changed, there is necessary to verify the new data from his/her identity card and record even the information on his/her identity card in which the new data is stated. The data on original identity card shall not be deleted.

(3) Every change or data added shall be recorded by the employee. The record shall be entered by the employee who found out such a data change or who found out the information which shall be necessarily added, or who was given such information on change from a customer.

(4) A change or completion shall be performed as follows: the originally recorded information shall be supplemented with the new one. It is necessary to proceed in such a way which allows us to distinguish whether this is the case of a data change or just a data completion (i.e., whether the originally recorded data stays valid or not). Moreover, it shall be apparent who from our employees and when (date) has entered the data change or data completion, or the source of data verification shall be identified.

(5) If this is the case of data change, the originally recorded data cannot be deleted, in spite of the fact such data is not valid anymore; it is necessary to keep it stored as the data which was valid in the past (including the documents which supported the data – if required).

(6) Furthermore, if it is required during the procedure of changed or supplemented data sourcing to support such a new information with any document or verification upon any kind of declaration, power of attorney or other document, then it is necessary to submit

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such a document or perform its verification within its full scope.

### **III.3. Verification of a Customer in the Course of the Business Relation Duration**

#### **§ 63. Continuous verification of a customer**

(1) The continuous verification of a customer is aimed to trace the services provided to a customer during the business relationship in order to be able to verify whether the transactions and acts were in compliance with the facts known to the company Newborn Change s.r.o. about the customer.

- (a) the services used are consistent with the client's financial circumstances and economic activity
- (b) the services used are consistent with the originally intended purpose of the business relationship (product used)
- (c) the services are not used by a person other than the client, i.e. in particular whether they serve as an instrument for the transfer or storage of funds to a person other than the client.

(1) This monitoring is essential to assess whether the services provided to the client do not exhibit the characteristics of suspicious business under Chapter IV.1. In particular, the automated system assesses the following information:

- (a) the volumes of funds that the client transfers using the services of the company or accumulates with the company
- (b) the type of payments made, destinations, recipients, volumes, etc.

(2) Customer's risk profile shall be understood also as the key factor during the procedure of continuous verification. If a customer was ranked with a type B, C, D risk profile, then this kind of assessment increases:

- (a) The frequency of continuous verification performance, and also
- (b) The intensity under which is the continuous verification performed, and also
- (c) The requirement for information reliability, i.e. the information which is submitted by a customer – his/her statements or declaration are not sufficient any more, but other documents shall be required having in view that the documents of highest possible reliability are these which were verified by a third party, nor just by a customer, ideally such a person shall be acting independently and shall be a recognised authority (state administration bodies, an auditor, etc.).

(3) Special attention shall be focused on a PEP person active beyond the EU or on a PEP person active within the territory of EU, i.e. the persons in case of which was found out a risk factor. Such persons are considered risky, having in view the fact they may dispose of property of corruption origins or other similar behaviour, or from subsidy frauds. As for this person, the alert (generated by automatic data-processing system) limits shall be for the purposes of its generation pre-set (at the level of regularly received income of a person in certain position performed currently within the PEP person,

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including some reserve from gathered savings).

#### **§ 64. Records of continuous and business control**

- (1) A record must be made and kept of each continuous check, from which all events can be reconstructed (i.e., in particular that a periodic scan has been carried out, that a warning has been issued, who handled it and how, data from it, any other documents obtained, etc.).

#### **§ 65. Customer's obligation to provide us with cooperation**

- (1) A customer is obliged to undergo the continuous verification, i.e., submit all the required information and present the documents to support declared facts (if required by the employee). In the event when a customer did not provide us with sufficient cooperation in the course of continuous verification, then he/she cannot be provided with the service (i.e., financial funds kept with the company Newborn Change s.r.o. will not be transferred to any payee unless a customer undergoes the verification procedure), the business relationship will be terminated (according to Chapter III.2), and simultaneously this is a feature of suspicious business according to Chapter IV.1, and it is necessary to follow the procedure shown in Chapter IV.2, and this kind of suspicious business shall be reported.

### **III.4. Ban to Provide Service and the Obligation to Terminate a Business Relation**

#### **§ 66. Ban to provide service**

- (1) A customer will not be provided with the service and business relationship with a customer will be terminated if any of the following facts would emerge:
- (a) A customer rejects to undergo the identification, if its performance becomes obligatory (e.g., if identification data has been changes or should be completed)
  - (b) A customer rejects to submit a power of attorney if there has emerged a reason to submit this kind of document (e.g., when the executive ceases to hold its office, but a customer – a legal person – still requires he/she should act on customer's behalf, or in the event when the employee suspects a customer does not act in its own name, i.e., the funds that are subject to respective service does not belong to a customer, but is owned by any other person, and a customer acts in this case only as intermediary or identity provider)
  - (c) A customer rejects the cooperation in the course of verification, i.e., rejects to submit or complete the data for which he/she was asked by the company Newborn Change s.r.o. during the initial or continuous verification, or eventually rejects to submit relevant documents when he/she was asked for them
  - (d) A customer who was not a PEP person has become in the course of business relationship duration a PEP that is active beyond the EU or a PEP active within the territory of EU, and in case of such person was identified a risk factor, and

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the company Newborn Change s.r.o. is not aware of the origin of customer's financial funds or the statutory body of Newborn Change s.r.o. has not granted its consent with the continuation of such business relationship, or such a consent has not been granted by a person authorised by the statutory body

- (e) A person performing the identification or verification has doubts whether the information stated by a customer is true (and such doubts were not refuted by a customer)
  - (f) Risk assessment of a customer became worse and a customer moved to the group of E risk profile, i.e., to the group of customers that are not allowed to enter into a business relationship with the company, i.e., the existing business relationship is terminated
  - (g) Identification of a customer was performed via a distance identification, and the first payment resulting from the business relationship was not successfully made to the account stated on a customer's name – in this event the business relationship is not terminated, however, the customer is not provided with any further services up to the moment when a „face to face“ identification is made
  - (h) during risk assessment it was discovered that sanctions were imposed against customer and there is no permission from FAÚ and statutory authority
- (2) When any of the stated situations arises, the employee shall report it to an AML officer without delay, and also is obliged to ensure that a customer is not provided with the required service by the company Newborn Change s.r.o. An AML officer shall ensure the business relationship with a customer will be terminated (de facto and de jure). Furthermore, the employee shall pay increased attention when assessing whether the behaviour of a customer does not show some features of suspicious business, pursuant to Chapter IV.1 hereof.

## **IV.Suspicious Business**

### **IV.1. List of Suspicious Business Features and Their Assessment**

#### **§ 67. Suspicious business in general**

- (1) A suspicious business shall be understood as the service provided in circumstances which give rise to a suspicion to perform a legalization of proceeds of crime, or a suspicion that the assets which are subject to certain service are determined for the terrorism financing purposes.
- (2) A suspicious business may be also understood as the customer's behaviour which is not directly intended to be provided with a service, but is giving rise to a substantiated suspicion that a customer is aimed to act illegally, i.e., within the scope of mentioned unfair activity. A suspicious business or transaction may be also a service which has not been provided by the employee (in circumstances stated in Chapter II.5), or if the case was recognised only as a customer's attempt to establish the business relationship.

#### **§ 68. Features and circumstances of a suspicious business**

- (1) Features and circumstances which might indicate the case of a suspicious business:
  - (a) the payment was credited from other account than usually in particular customer's case, or the payments are credited from the account or even various accounts which are not owned by the customer, and there is no apparent connection between the owner of that account and the customer
  - (b) the customer is from the country in which the company usually does not offer its services – for the list of the countries see Annex No. 5
  - (c) the customer is using services (Enters the virtual asset orders, etc.) from more countries
  - (d) the customer uses funds to purchase such type goods, and eventually also such volume of goods which does not correspond to usual behavior of a customer or to its financial means
  - (e) the customer asks for the virtual assets service and makes or requests the payment in cash and vice versa
  - (f) the customer resells goods or services purchased for funds for no apparent economic reason
  - (g) the customer uses funds as a deposit instrument (stores and holds assets there for no apparent reason) and then requests a redemption
  - (h) the customer requests external transfer to an account that does not belong to him / her - belonging to a person with no apparent relationship with the customer
  - (i) the customer's business or place where funds can be used is fictitious or difficult to verify or otherwise non-standard
  - (j) a "sleeping" customer - the customer with whom the business relationship was established does not use the services and the view will change without any

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justification, or the frequency and volume of the services used will suddenly cease again

- (k) the purpose for which the customer uses the services is contrary to the declared purpose
- (l) the volume of services used by the customer does not correspond to the customer's property and economic conditions (and it is contrary to what the company Newborn Change s.r.o. knows about the customer)
- (m) the virtual assets service of the company are probably used by a person other than the customer himself
- (n) the customer makes multiple transfers and the volume of these transfers is just below 1 000 EUR or below 15 000 EUR as they consider that they are not subject to monitoring
- (o) the customer offers the employee money or other remuneration for performing a non-standard service or potentially suspicious transaction or for establishing a business relationship where the employee does not require all the particulars (identification, control, etc.)
- (p) the customer mentions that the funds which are the subject of the service are of illegal origin or intended to finance terrorism
- (q) the customer unreasonably assures the employee that the funds which are the subject of the service have been acquired in accordance with the law or that the money is not of illegal origin or that it is not intended to finance terrorism
- (r) the customer shows an unusual interest in the policies, procedures and measures which the company Newborn Change s.r.o. follows within the System of Internal Rules and Risk Assessment
- (s) the customer has extensive knowledge of legalization of proceeds of crime or terrorism financing
- (t) the customer is unreasonably nervous during the negotiations and gives the impression that he has been instructed by another person
- (u) the customer is unusually trying to converse with an employee on the topic of money laundering or terrorism financing
- (v) the customer deliberately seeks to establish a friendly relationship with the employee
- (w) the person acting on behalf of the customer is accompanied by another person and is monitored
- (x) the customer uses the services of multiple companies for no apparent reason
- (y) the customer uses services that are normally provided by banks and is willing to use the services of the company without justification even if it is significantly more expensive for him
- (z) the customer uses the services of the company without any links to the Czech Republic and without it, i.e., it tries to introduce another country into the transfers in order to make it difficult to trace the financial flows

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- (aa) the customer carries out activities that may help to conceal his identity or to conceal the identity of his beneficial owner
- (bb) the customer submits an identity document that shows any of the features listed in Chapter II.2 under points Features of an ID Unsuitable for Identification
- (cc) the customer presents only copies of identity cards or unverified copies of other documents
- (dd) the customer requests identification on the basis of a document other than that required by the employee
- (ee) there are reasons to refuse to provide a service or the obligation to terminate a business relationship under Chapter III.4
- (ff) the customer tries to persuade the employee not to request some data that is necessary for identification or control purposes
- (gg) the customer asks questions that lead to suspicion that he is trying to avoid identification and control
- (hh) the customer provides confusing, deceptive or contradictory information
- (ii) the customer knows little details about the purpose of the business relationship or the origin of the funds
- (jj) the customer over-explains the origin of the funds or the purpose of the transaction
- (kk) the customer carries out high-volume transactions using funds obviously used for business purposes, but the customer does not wish to associate them with the business (i.e., to tell the business person which funds belong to and for whom he is acting)
- (ll) the counterparty of the service is a person whose activity is linked to a country where measures against money laundering or terrorism financing are applied insufficiently or not at all; a list of these countries is given in Annex 5
- (mm) the employee knows from a reliable source (e.g., television, newspapers, etc.) that the customer or business counterparty is involved in illegal activities or has a criminal history
- (nn) in the course of one day or in the days immediately following, the customer will carry out noticeably more deals than is usual for his activity
- (oo) the customer indicates the purpose of the transaction, which is hardly compatible with his activity
- (pp) the customer is a non-profit or charitable organization and the purpose of the business that he or she communicates is contrary to the activity that he or she states or publicly declares.

(2) The present list is only a non-exhaustive. Practical experience can include also other circumstances not stated here, these indicate that the service might be used to legalize the proceeds of crime and financing terrorism, therefore this could be the case of a suspicious business.

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- (3) On the other hand, if the business shows any of the stated features, this is not necessarily the case of a suspicious business.

#### **§ 69. Assessment of the features and circumstances**

- (1) Assessment of these circumstances shall be performed by the employee, as follows:
- (a) Individually for each the situation and business relationship,
  - (b) Prior and in the course of business relationship duration, eventually also after its termination
  - (c) Having in view all the other services that are provided to a customer by the company or that are or were subject to negotiations with a customer
  - (d) Considering all the customer-related facts that are known to the company Newborn Change s.r.o.
  - (e) Having in view the customer's risk rate and risk profile.
- (2) In the course of assessment are taken into account not only the circumstances, in which the service is performed, but also the information submitted by a customer during the initial or continuous verification (check). An AML officer and the employee may take into consideration also other relevant circumstances and facts that are not stated herein directly.
- (3) The employee cannot express towards a customer that the employee is performing the assessment whether this is or is not a suspicious business.

#### **§ 70. Point of view of Customer's risk profile**

- (1) When identifying and evaluating a suspicious transaction, the employee also takes into account the customer's risk profile, which has been assigned or updated according to Chapter II.6.
- (2) For customers with a risk profile of type B, great care must be taken when assessing the potential suspicion of a transaction. Customers with an assigned risk profile of type E will not be provided with services and the business relationship with them will be terminated.
- (3) Furthermore, it is necessary to impose higher demands on customers with a risk profile of type B to prove the claimed facts with credible documents.

#### **§ 71. Business that is always suspicious**

- (1) The always suspicious business is that one which shows at least one of the following features:
- (a) A customer refuses to undergo the verification or does not support us with sufficient cooperation during the verification and check (typical customer reaction: I am not going to discuss something like this with you... , or „This is not your business...“ or a customer suddenly stops the dialog).
  - (b) A customer refuses to submit identification data of a person, on behalf of which he/she is acting.

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- (c) A customer of its beneficial owner (in case of a legal person) is a person, towards which the Czech Republic applies the international sanctions in accordance with applicable law on international sanctions application.
- (d) Subject matter of the business is or should be the goods or services towards which the Czech Republic applies the sanctions in accordance with applicable law on international sanctions application

#### **§ 72. Procedure in case of suspicious business**

- (1) In the event when the employee has assessed the customer's behaviour shows the features of suspicious business, the steps shall be as follows:
  - (a) If the initial identification of a customer has not been performed yet, the employee shall follow the steps stated in Chapter III.4
  - (b) If the initial verification (check) of a customer has not been performed yet, the employee shall follow the steps stated in Chapter IV.1
  - (c) If the continuous verification (check) of a customer has not been performed yet, the employee shall follow the steps stated in Chapter III.3
  - (d) follow the procedure shown in Chapter IV.2.
- (2) In practice, there could occur even the situation when the employee has assessed that this is the case of a suspicious business and the identification or verification of a customer could not be successfully finished or was not performed at all (as the customer e.g., refuses to cooperate). Also, in this case, it is necessary to report a suspicious business following Chapter IV.2 - if there exist at least some information on a customer.

## **IV.2. Suspicious Business Reporting**

#### **§ 73. Procedure in case of suspicious business reporting**

- (1) If the case has been assessed by the employee as a suspicious business, immediately after the performance the employee contacts an AML officer (see the Annex 2), and
  - (a) Shall report he/she found out a suspicious business,
  - (b) Shall submit all the data and all the printed documents related to a suspicious business (in particular the data and documents obtained during the customer's identification and verification procedure),
  - (c) Shall state the reasons why the business was assessed as suspicious one,
  - (d) Shall inform an AML officer on other facts which the employee considers essential in relation to this business,
  - (e) Next, the employee shall cooperate with an AML officer upon officer's requirements

#### **§ 74. Activity of an AML officer**

- (1) An AML officer shall start to be focused immediately on the case when it was reported by the employee, and shall perform all the steps in order to assess the business. In the

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event when an AML officer has assessed the business as suspicious one, an officer shall decide whether there have arisen the grounds for the postponement of customer's order, in accordance with Chapter IV.3. Next, the suspicious business shall be reported to FAU without undue delay, however, not later than within 5 days from the moment when the suspicious business was found out.

#### **§ 75. Notification of a suspicious business**

(1) A notification on a suspicious business to the FAU may be filed by one of the following ways:

(a) On the basis of the information obtained, an AML officer shall draw up a notification on suspicious business. A form titled „OPO“ should be filled in for these purposes, i.e., to announce a suspicious business, the form is stated in the Annex 4 hereto. To notify this kind of business also other form may be used, but all the required legal particulars shall be included (for more information see the Annex 4). This document should include the copies of all the documents there are available in relation to the suspicious business. Such well documented business is to be announced by an AML officer in writing, using a registered letter with a form and shall be sent to the address: Finanční analytický úřad, Poštovní příhrádka 675, Jindřišská 14, 111 21 Praha 1.

(b) The notification on a suspicious business may be submitted also orally, which shall be recorded in the protocol in the place determined after previous agreement speaking to a phone number operator: +420 257 044 501.

(2) An AML officer shall complete the notification (if available):

(a) Further information found out about a customer,

(b) Information whether a customer was in the past provided also with other services and the details should be added,

(c) Visual, audio or audio-visual record of a customer, if any of these exists.

(3) If any such document exists, an AML officer shall keep a receipt on filed notification on a suspicious business (advice of delivery of a registered letter, etc.).

#### **§ 76. Evidence of filed notifications**

(1) In addition, the AML officer keeps a record of all reports of suspicious transactions submitted for Newborn Change s.r.o. filed, it is necessary to respect the obligation of confidentiality according to Chapter V.2. This documentation also includes copies of all reports of suspicious transactions submitted.

#### **§ 77. Obligation to provide the AML officer with co- operation**

(1) In the event when an AML officer requires so, all the employees are obliged to provide him/her with a cooperation in the course of fulfilment of the obligations resulting from the present document, as well as from the law. The employees and an AML officer shall act in the matter of filed notification on a suspicious business without unreasonable delays.

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### **IV.3. Postponement of the Customer's Order Fulfilment**

#### **§ 78. Decision making on postponed of the customer's order fulfilment**

- (1) AML officer shall, without delay, when he/she receives a notification on a suspicious business from the employee, and when he makes its own decision whether this is the case of suspicious business or not, decide, whether the customer's order should be postponed or not, i.e., regarding that customer who has been stated in respective notification. In particular, this shall be understood as a blocking of Virtual asset order performance.
- (2) AML officer is obliged to make a decision on the postponement of the customer's virtual asset order if, due to its immediate performance could result in a frustration or significant complications in the field of securing of the proceeds of crime or funds designated for the terrorism financing.
- (3) An AML officer shall decide whether the customer's order shall be fulfilled in such a case when both the following conditions are met:
  - (a) There is no threat that the immediate fulfilment of the customer's order could result in a frustration or significant complication in the field of securing of the proceeds of crime or funds designated for the terrorism financing
  - (b) An AML officer is not aware of the fact that such a postponement could result in a frustration or otherwise jeopardise the investigation of suspicious business.

#### **§ 79. Procedure in case of order fulfilment postponement**

- (1) Next, an AML officer shall instruct all the employees, who are authorised to receive and perform the customers' orders, not to fulfil any other orders of that customer. All the employees are obliged to adhere to such an instruction. If the performance of the order is provided by an automatic data-processing system, then it is necessary to implement changes into the system which ensures the customer's order will be postponed.
- (2) Furthermore, an AML office shall keep with care:
  - (a) the information on postponed fulfilment of customer's order
  - (b) precise information on the date and time, when the FAU has received the notification on a suspicious business, in accordance with Chapter IV.2.
- (3) If the funds, to which is the postponed customer's order related, is being kept by the company Newborn Change s.r.o., then an AML officer shall ensure such funds against any possible transactions.

#### **§ 80. Postponement period of customer's order fulfilment**

- (1) A fulfilment of the order shall be postponed for the period of 24 hours, since the moment when the FAU (the Financial Analytical Office) has received the notification on a suspicious business.
- (2) The FAU may then adopt a decision to extend this period even by up the next three

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working days. The FAU shall inform the company Newborn Change s.r.o. on such extended period in its notice, which may be performed orally, by phone, via a fax message or electronically. Once the notice is received, an AML officer shall inform the FAU by return, that the company Newborn Change s.r.o. will extend the period for which is the customer's order postponed, and confirms the time when such a notice was received. The period of three working days starts to be counted from the moment, when the extended period was noticed by the FAU.

- (3) If the FAU notifies the company Newborn Change s.r.o., within the period, for which the customer's order is postponed, on the fact that the FAU has filed a notification to the competent law enforcement authority, then Newborn Change s.r.o. may fulfil the customer's order at the earliest after three working days from the date on which the criminal complaint was lodged, unless up to the end of this period the competent law enforcement authority adopts decision on the withdrawal or confiscation of the subject matter of that suspicious business.

#### **§ 81. Customer's order fulfilment**

- (1) If the company Newborn Change s.r.o. has not received from the FAU, within the period for which is the customer's order postponed, any notice that the FAU has filed a notification to the competent law enforcement authority, then the company shall fulfil the customer's order. The same procedure is applied by the company Newborn Change s.r.o. in the event, when a criminal complaint was lodged and no decision was made up to the end of the period extended by three working days, i.e., in case of the withdrawal or confiscation of the subject matter of that suspicious business.
- (2) In this case, an AML officer shall promptly ensure that the customer's order will be fulfilled.

#### **§ 82. Confidentiality obligation**

- (1) All the employees (including an AML officer) are obliged, in the event when the customer's order fulfilment was postponed, follow the confidentiality obligation, i.e., under no circumstances a customer cannot be informed, nor any other unauthorised person, on the fact, the notification on a suspicious business was filed, nor on any detailed information, even not after the moment, when the FAU adopts decision not to lodge a criminal complaint.
- (2) For more information on the confidentiality obligation see Chapter V.2.

## **V. Other obligations**

### **V.1. Information Obligation**

#### **§ 83. Procedure for providing the FAU with information**

- (1) The company Newborn Change s.r.o. communicate, at the FAU's request, information on the services or trade relations for which the FAU is investigating within a specified period. The responsible person shall ensure the submission of documents on these transactions or give them access to authorized employees of the FAU.
- (2) In case of personal contact, the authorized employees of the FAU shall produce a service card issued pursuant to the Act on Implementation of International Sanctions. The model of this card is a part of Decree No. 53/2017 Coll. FAU employees are not obliged to give their name.
- (3) If requested by the AML officer or responsible person, each employee is obliged to provide assistance to him in the performance of this duty.

### **V.2. Confidentiality Obligation**

#### **§ 84. Confidentiality Obligation**

- (1) The employees, a person responsible, and an AML officer are obliged to follow the confidentiality obligation on the facts related to:
  - (a) Notifications and investigation of a suspicious business
  - (b) acts performed by the FAU
  - (c) Performance of information obligation (see Chapter V.1).
- (2) Next, everybody how becomes aware of these facts is obliged to keep them confidential.
- (3) If these persons were transferred to another job position, by the fact when their employment relationship was terminated or due to other contractual relationship with Newborn Change s.r.o., nor by the fact that the company Newborn Change s.r.o. ceases to provide its services, the confidentiality obligation shall not be extinguished

#### **§ 85. Exceptions form confidentiality obligation and related procedure**

- (1) The AML Act allows exemptions from confidentiality obligation in such cases that are stated in Section 39 of the AML Act. Thus, in the event, when any person requires to be provided with the information which is subject to the confidentiality obligation, shall notify a person responsible that shall review whether the Section 39 of the AML Act might be applied, i.e., the exemption from the confidentiality obligation towards a specific person. After the investigation findings a person responsible shall make a decision, whether and within which scope the information can be submitted. In the event when the information is requested by the FAU, the procedure of Chapter V.1 shall be applied.

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### **V.3. Obligation to Train Employees**

#### **§ 86. Training obligation**

- (1) The responsible person is obliged to ensure all the employees undergo the training, i.e., the employees that may, during the performance of their working tasks, encounter a suspicious business, including a person responsible and an AML officer. The training shall include the rules and procedures stated herein, risk assessment, the AML Act, eventually the other legal regulations. The employees must be trained in such a way to be able to perform their work without mistakes and apply all the provisions stated herein, i.e., the provisions which are related to such employees. A person responsible shall amend and update the content of training.

#### **§ 87. Training frequency**

- (1) The training must be performed at least once within the period of 12 months. There is also necessary to train all the not yet trained employees before they enter respective work positions (i.e., new or transferred employees).

#### **§ 88. Training report**

- (1) The responsible person keeps and archives, in accordance with Chapter V.5 the attendance list and training content list. For these purposes may be used a sample of employees training report which forms a part of the Annex No. 3.

### **V.4. Obligation to Draw Up the Assessment Report**

#### **§ 89. Assessment report**

- (1) The responsible person shall prepare a report evaluating the activity of Newborn Change s.r.o. at least once every 12 consecutive calendar months. in the area of preventing money laundering and terrorism financing. The evaluation report shall be drawn up not later than the end of the fourth calendar month following the end of the evaluation period.
- (2) This report contains the following:
  - (a) assessing whether the procedures and measures it applies to prevent money laundering and terrorism financing are sufficiently effective; and
  - (b) an assessment of whether weaknesses were identified in the system of internal policies, procedures and control measures during the reporting period and what risks might arise therefrom; and
  - (c) statistics on suspicious transactions notifications for the past period, broken down by branches or activities regulated by AML by law; this information will be provided by the AML officer, who keeps a record of the suspicious transactions reported and beyond
  - (d) if shortcomings in the prevention of money laundering and terrorism financing

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are identified, the evaluation report shall include a proposal to remedy them.

- (3) All the conclusions and assessment views shall be properly justified, a simple statement is not sufficient.
- (4) If the assessment report is drawn up by other person than the AML officer, then the report must include also the view of the AML officer regarding the completeness and correctness of the data included in this report.
- (5) The assessment report shall be discussed by the company statutory body within the period of 4 months after the last day of the assessed period. Company statutory body shall state its review to the report which reflects the shortcomings and proposals stated in the report.
- (6) Evaluation of the assessment report performed by the above-named persons must be traceable, i.e., it shall be always obvious, who and when performed the assessment and upon which grounds. This information forms a part of the assessment report.
- (7) The assessment report shall not be sent anywhere, it shall be archived for the period of 5 years.

## **V.5. Information and Documents Keeping and Archiving**

### **§ 90. Way of data recording**

- (1) All the data and documents related to the business relationship shall be archived. In particular, this is the case of filled in forms, original documents or copies of documents submitted by a customer, and other company internal records. All the data and documents related to a specific service shall be archived analogically.
- (2) A part of these documents may be also in a digital form. Any other way of data and documents archiving may be decided by a person responsible.

### **§ 91. Making copies**

- (1) The employee shall, pursuant to the AML Act, be authorised to make and keep the copies or identity cards or other documents records, upon which the identification is performed.
- (2) In the event when from a copy made and archive is apparent the data which shall be otherwise obligatory recorded applying the way described herein, then it is not necessary to enter the data into the form. It is sufficient when the data is clear from the copy which was made.

### **§ 92. Way of data and documents keeping**

- (1) From each recorded information and archived documents shall be apparent:
  - (a) To which business relationship they are linked
  - (b) The employee who entered the data, amended the data or verified the data, and archived the documents
  - (c) The date on which was the data entered, amended or verified or when the

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documents were archived.

- (2) Next, an AML office shall ensure safe archiving of the copies of filed notifications on a suspicious business, a document on their lodging, eventually an advice on their delivery.

### **§ 93. Digital data**

- (1) If the data or documents are recorded in a digital form, then the back-up shall be performed by a person responsible or by a person authorised to do so.
- (2) Archiving some documents in a digital form is not allowed, which results from the provisions of the AML Act that prescribes some documents to be archived only as the original documents or certified copy – this is, in particular, the case of the powers of attorney and identification documents.

### **§ 94. Period for which the information and documents shall be archived**

- (1) Pursuant to the AML Act the company Newborn Change s.r.o. is obliged to archive the data and documents for the following period:
  - (a) All the information and documents related to the business relationships and services defined herein shall be archived for the period of 10 years. This period starts to be counted by the first day of a calendar year which follows the year in which specific relationship was terminated.
  - (b) The employee training report (see Chapter V.3) shall be archived at least for the period of 5 years after the date when the training was performed.
  - (c) The assessment report (see Chapter V.4) shall be archived for the period of 5 years as a minimum.

## **V.6. Requirement for Traceability**

### **§ 95. Traceability**

- (1) The term of traceability stated herein shall be understood as the state when it is possible, in case of certain procedure, determine retrospectively, why a specific action was performed (what was the reason), in what circumstances, what precede that action, and eventually what followed that action, what exactly was done, and who and when performed the steps.
- (2) What shall be also traceable retrospectively:
  - (a) All the approval and decision-making procedures (incl. the evaluation procedure of customer's risk profile), in accordance with the present document, and also
  - (b) All the control and verification activities, in accordance with the present document, including related responsibilities, and also
  - (c) All the background documents and evaluation of the assessment report, and also
  - (d) All the findings which resulted from the verification of a customer, pursuant to Chapter II.4, and within the reviewing procedure of the businesses, and

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eventually a correspondence related to specific business, customer or business relationship, and also

- (e) All the assessment procedures of possibly suspicious business, which resulted in the fact that none suspicious business was notified.
- (3) Due to this reason is necessary that all the records (digital or documentary), which are made in accordance with the present document and archived, contain at least the following information (if this kind of information is not apparent or cannot be deduced from other documents):
- (a) To which business relationship, customer or case these are related
  - (b) The employee who entered the data, amended the data or completed the data, etc.
  - (c) Date and eventually time when it was performed
  - (d) All the other relevant information (reason, background documents supporting the decision, references to external data, etc.).

## **V.7. Obligation to Assess Regulations and Update Them**

### **§ 96. Frequency of assessment of AML rules and updates**

- (1) The responsible person shall assess, at least every 12 calendar months, whether the provisions set out in this document and in the Risk Assessment document are current, proportionate to the nature, scale and complexity of currency exchange services and related activities. If necessary, it performs or arranges for updates to keep the regulations current and in line with the actual situation.
- (2) In addition to this regular 12-month interval, the responsible person shall, without undue delay (ideally in advance), review and update this document and the Risk Assessment if any such need arises:
  - (a) the conclusion made in the Risk Assessment; or
  - (b) information provided by Newborn Change s.r.o. obtains and leads to the conclusion that the Risk Assessment or the supporting documents used for it are no longer up - to - date, or
  - (c) a change in the business or strategy of Newborn Change s.r.o., or
  - (d) amendments to legal regulations published especially on the website of the Financial Analytical Office <http://www.financnianalytickyurad.cz/>, on <http://www.amlsystems.cz/AML-documents> and on the website of the Czech National Bank <https://www.cnb.cz/cs/dohled-financni-trh/legislativni-zakladna/legalizace-vynosu-z-trestne-cinnosti/>; these pages are informative only and the responsible person is supposed to be active
- (3) The responsible person will always create a written record of the assessment result and any further steps (whether the update and other details have been made).
- (4) If there is a change in the Risk Assessment, the responsible person shall record the procedures used to draw up or update the Risk Assessment and shall also record the

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reasons on which it has drawn the conclusions contained therein.

- (5) Furthermore, if the procedures set out in this document or in the Risk Assessment are substantially changed, the responsible person will organize training for the staff affected. It will record the content and attendance of the training according to the Chapter V.4.
- (6) Changes in this document and in the Risk Assessment are approved by the Company's statutory body.

#### **§ 97. Customer's data updates**

- (1) If the procedures set out in this document or in the Risk Assessment are changed, the responsible person shall verify that the information provided by Newborn Change s.r.o. about customers (information obtained during the identification and control of the customer and any other information used to prevent ML-FT), its content and scope correspond to new obligations. If not, the responsible person will oblige the employees to supplement or update this information. The employee shall always do so at the latest before making another trade with the customer.

## **VI. Internal verification**

### **VI.1. Monitoring and Sanctions**

#### **§ 98. Monitoring performance**

- (1) Monitoring of the compliance with rules and procedures stated herein shall be performed by a person responsible. A person responsible may forward a partial monitoring towards an AML officer or other person. All the employees and an AML officer are obliged to undergo such a monitoring. The monitoring is to be performed in place, analysing the data and documents, or applying other ways of monitoring.
- (2) The monitoring shall be performed regularly, ideally once a month. A person performing the monitoring selects a control sample, on which he/she checks whether the procedures stated herein and prescribed by legal regulations were adhered to. The ideal situation is when a control sample is in compliance with all the business relationships or services provided within the monitored period, however, this is not possible due to capacity reasons, thus a random selection is sufficient.

#### **§ 99. Report on internal monitoring performance**

- (1) A person that performs the internal monitoring shall, when the monitoring is finished, draw up a report. This report sample is shown in the Annex No. 1.

#### **§ 100. Infringement's detection**

- (1) Each person that has found out any infringement shall report this state immediately to a person responsible, also in the case when the infringement was caused by this person.

#### **§ 101. Evaluation of infringements and further procedure**

- (1) In the event when a breach of rules and procedures prescribed herein are found out from the monitoring or notification, such a breach shall be assessed individually, in particular upon the level of seriousness and the extent, up to which these could jeopardize the effectiveness of measures applied against the legalization of the proceeds of crime and terrorism financing. A personal responsibility shall be then inferred on employees within the scope of applicable labour legal regulations. A person responsible shall, within the scope of his/her possibilities, simultaneously adopt the measures to prevent a repeated breach (repeated training of the employees, approval of additional measures, etc.).

#### **§ 102. Advice of consequences of rules infringement**

- (1) All the persons to which is the present document shall be aware of the fact that any breach (infringement) of the rules and procedures stated herein would most probably result also in a breach of the provisions stated within the AML Act, and therefore the company Newborn Change s.r.o. may be subject to a sanction or even the withdrawal of business license may be applied.

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## **VI.2. Amendments to Regulations**

### **§ 103. Monitoring of Amendments to Regulations**

(1) Persons responsible, i.e., an AML officers, are obliged to perform permanent monitoring of the development in the field of measures against legalization of proceeds of crime and financing of terrorism (i.e., the Acts, Decrees, Notices, etc.). Relevant regulations are published by the FAU (Financial Analytical Office) on its websites [www.financnianalytickyurad.cz](http://www.financnianalytickyurad.cz), and also on the websites of the Czech National Bank at: <https://www.cnb.cz/cs/dohled-financni-trh/legislativni-zakladna/legalizace-vynosu-z-trestne-cinnosti/>. The websites shall be understood as information source only, and a person responsible shall be actively involved in this kind of activity.

### **§ 104. Implementation of the Present Document Amendments**

(1) In the event when the mentioned regulations are amended, or the new regulations come into force, the person responsible, i.e., an AML officer, shall implement such amendments to the present document to ensure the compliance of the present document with these regulations, a AML officer is also obliged to ensure the training of all the persons who shall be familiarized with such amendments.

## **Risk Assessment AML (Anti Money Laundering) policies**

Created on: 13.10.2023

Last updated on: 13.10.2023

Name of the company: Newborn Change s.r.o.

ID number: 197 52 687

Legal address: Cimburkova 916/8, Žižkov, 130 00, Praha 3

Phone number: \*\*\*

Email address: \*\*\*

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# I General Points

## I.1 Introduction

### §1. Meaning of the document

- (1) This Risk Assessment identifies and assesses risks arising from the legalization of proceeds of crime and financing of terrorism that may potentially occur in the company of Newborn Change s.r.o. within the scope of provision of virtual assets services.
- (2) This risk assessment forms part of the System of Internal Rules, Procedures and Measures for the fulfilment of obligations arising from Act No. 253/2008 Coll., on selected measures against legalization of proceeds of crime and financing of terrorism, as amended (further as AML law). Definitions and abbreviations used throughout this document are explained in the System of Internal Rules.

### §2. Explanation of the Purpose of the Risk Assessment

- (1) The norm in the fight against ML-FT has been the application of the so-called risk-based approach (abbreviated as RBA in English). The AML Act prescribes the required minimum of obligations that must be fulfilled.

### §3. Basic Obligations

- (1) In relation to this Risk Assessment and pursuant to the AML Act, Newborn Change s.r.o. is obligated to fulfil the following obligations:
  - (a) to prepare and approve this Risk Assessment
  - (b) to apply measures to reduce the ML-FT risks listed in this Risk Assessment (Chapter II)
  - (c) to carry out internal supervision and monitoring of compliance with legal regulations (Chapter II.3)
  - (d) to check employees (Chapter II.4)
  - (e) to update this Risk Assessment periodically (Chapter II.5).

## I.2 Starting points

### §4. Information Sources

- (1) The following sources were used in the process of ML-FT risk identification and assessment:
  - (f) Sector analyses from the sphere of ML-FT (especially by FATF-GAFI)
  - (g) National risk assessment processed in compliance with Section 30a of the Act<sup>1</sup>
  - (h) European risk assessment processed by the European Commission<sup>2</sup>,

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<sup>1</sup> Act No. 253/2008 Coll., on Certain Measures Against Money Laundering and Terrorism Financing, as amended

<sup>2</sup> Article 6 (1) to (3) of the Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on preventing the use of the financial system for the purpose of money laundering or terrorism financing, amending Regulation (EU) No 648 / 2012 and repealing Directive 2005/60 / EC of the European Parliament and of the Council and Commission Directive 2006/70 / EC.

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- (i) Sources considered by the Czech National Bank to be so called approved standards
- (j) Methodological and explanation materials and resolutions of the Czech National Bank and FAU
- (k) Information provided by the FAU and law enforcement authorities
- (l) Information obtained during identification and check of clients.

### **I.3 Identification of risk factors**

#### **§5. Vulnerabilities**

(1) In connection with the above listed threats, Newborn Change s.r.o. has identified the following vulnerabilities (i.e., "weak spots" that may facilitate a client's abuse of the services for ML-FT):

- (m) client identification: a person who does not wish to be associated with the virtual assets service is interested in the services and therefore another person (appearing to be the client), who is only the identity provider, acts on his behalf and conceals that he is acting on behalf of another person who does not actually wish to be associated with the virtual assets service
- (n) client check: a client provides false, superficial or incomplete information about the source of the financial resources because the client expects that reviewing the source of the financial resources is a very difficult or impossible process and expects the employee to neglect this obligation or fail to perform it appropriately;
- (o) Persons against whom the Czech Republic applies international sanctions (including persons involved in terrorism) are hidden in complex and non-transparent ownership and management structures of legal entities; such client expects that to uncover the ownership and management structure of the client-legal entity and expects the company to neglect this obligation or to perform it incompletely.

#### **§6. Types of risk**

(1) Newborn Change s.r.o. has identified and assessed the following threats:

- (p) High risk: abuse of the virtual assets services as a technique for the legalization of resources originating from criminal activity, especially resources originating from tax fraud, subsidy fraud, corruption activity, breach of trust in administration others' property, etc.
- (q) medium risk: international sanction evasion (i.e., changing the nature of and transferring property of persons subject to international sanctions)
- (r) medium risk: financing of terrorism
- (s) low risk: all other threats.

#### **§7. Risk Factors**

(1) The risk factor is the characteristics of the client, the product provided to him/her, or the way in which it is provided, which increases the risk that services of the company

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Newborn Change s.r.o. might be misused by the client for the purpose of money laundering or terrorism financing, based on which the client is assigned a risk profile of the type A, B, C, D or E.

**§8. Risk profile - type A**

- (1) The client is assigned a type A risk profile (client with no risk or with minimal risk) in the absence of known risk factors to be assigned a type B, C, D or E risk profile. These are therefore clients with no or only very small and negligible risk that they could use the services of the company Newborn Change s.r.o. for ML-FT purposes. This is a risk the company is willing to accept.

**§9. Risk profile - type B, C or D**

- (1) The client is assigned a risk profile of the type B, C or D or E.
- (2) A client with a risk profile of the type B, C or D represents for the company Newborn Change s.r.o. a potential risk from the ML-FT perspective and therefore all the employees, including the AML Officer, must pay close attention to the assessment of any suspicion character of this client's behaviour and place increased demands on the accuracy of the information provided by the client during the first or ongoing review, where appropriate, to substantiate the information disclosed by a specific document.
- (3) The following risk factors relate to the type B, C or D risk profile, while on the fact whether a risk profile of type B, C or D will be assigned to the client based on the risk factors described here the employee will decide in accordance with a special document for a risk assessment profile of the client annexed to this Risk Assessment:
- (t) the client uses services that include transaction to or from a country or territory that is identified as risky from the ML-FT perspective; a list of these countries is given in Annex 5 of the Internal Rules System;
  - (u) the client requires a transaction that is unusually complex or large-volume, or involves an unusual way of trading, or the economic and legal purpose of which is not obvious;
  - (v) the client or its beneficial owner engages in a business or other activity that is "cash intensive" - that is, an activity that generates large amounts of cash or other valuable commodities of a purely anonymous nature, including virtual currencies (e.g., currency exchange, trade in precious metals, virtual currency, etc.);
  - (w) the client or its beneficial owner carries on business or other activity in the field of gambling, military industry and services, nuclear energy;
  - (x) in the course of business, the client or its beneficial owner handles content accessible only to adults, with the exception of products designed for direct consumption, such as cigarettes, alcohol, etc.;
  - (y) the client is a non-entrepreneurial legal entity whose activity is not traceable in trustworthy sources and the client has difficulty to prove its activity or proves it in such a way that doubts arise;
  - (z) a client who has previously been the subject of a suspicious transaction

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notification;

- (aa) a client whose behaviour has previously shown some signs of a suspicious transaction but ultimately has not been classified as a suspicious transaction, although doubts remain;
- (bb) the client or its beneficial owner is a PEP, or the client is a person acting in the interest of such a PEP;
- (cc) any country of origin (including the registered office or residence) of the client, its beneficial owner or the person authorized to act on behalf of the client is a risk country from the ML-FT perspective; the list of these countries is given in Annex 5 of the System of Internal Rules;
- (dd) the country of origin of the person having direct or indirect participation in the client is a risk country from the ML-FT perspective; the list of these countries is given in Annex 5 of the System of Internal Rules;
- (ee) the country of origin of a person who is a member of the statutory body of a client, a representative of a legal entity in that body, or is in a position similar to that of a member of a statutory body or otherwise has the possibility to apply influence at the client, being a legal entity, is a risk country from the ML-FT perspective; the list of these countries is given in Annex 5 of the System of Internal Rules;
- (ff) the client is a trust fund;
- (gg) the ownership structure of the client is non-transparent;
- (hh) the behaviour of the client or the person representing it is abnormal in or during the establishment of a business relationship compared to a typical client similar to it (e.g., non - standard requirements, unusual ways of transaction performance, requirements for special or complex types of representation, etc.);
- (ii) uncertainties arise as to the origin of the client's property or the beneficial owner's property or the funds held by the client or the beneficial owner of the client;
- (jj) open trusted sources (e.g., news media) indicate that the client or related persons have been or are involved in criminal or other unfair activities;
- (kk) there is a suspicion that the client is not acting on his / her own name, i.e., the property that is the subject of the service actually belongs to someone else and the client is only an intermediary or identity provider;
- (ll) the client or a related person (member of the statutory body, the beneficial owner) is linked to another client (factually or legally) whose risk profile is of the type B;
- (mm) another fact that, according to the information held by Newborn Change s.r.o. available, there is an increased risk of money laundering or terrorist financing associated with the client's business activity and its beneficial owner;
- (nn) according to the information held by Newborn Change s.r.o. available, there is an increased risk of money laundering or terrorist financing related to

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- the high client's turnover;
- (oo) the payment or other service used by the client, or its nature or the nature of individual transactions, is non-standard for the given type of client;
  - (pp) any of the factors listed above, if it occurs in a legal entity in which the client has a direct or indirect participation, or otherwise has the opportunity to exercise influence over it.
- (4) A risk country in this chapter is a country included in a list of countries where measures against money laundering or terrorist financing are not being applied to any extent or insufficiently. This list is included in Annex 5 to the System of Internal Rules and it is necessary to keep it up to date.
- (5) The country of origin is understood in this chapter:
- (qq) for a natural person, any state of which he or she is a national and, at the same time, all other states in which he / she is registered for a residence of more than 1 year or for permanent residence, if known,
  - (rr) for a legal entity that is a bank or financial institution, the state in which it has its registered office,
  - (ss) for a legal entity that is not a bank or financial institution, the state in which it has its registered office and simultaneously all the states in which it has a branch.
- (6) The non-transparent ownership structure in this chapter means a situation where the beneficial owner or ownership and management structure of the client cannot be established based on:
- (tt) a public register, records of trust funds or records of beneficial owners kept by a public authority of the Czech Republic, or
  - (uu) a similar register or register of another state, or
  - (vv) any other source or combination of sources that the company reasonably believes to be trustworthy and which it reasonably believes to provide, in its entirety, complete and up-to-date information on the beneficial owner and ownership and management structure of the client, in particular when issued by a public authority or officially legalized.
- (7) The ownership structure is not non-transparent if the client is a company whose securities are admitted to trading on a European regulated market or a foreign market similar to that of a European regulated market if it is subject to disclosure requirements equivalent to those of European Union law.

#### **§10. Risk profile - type E**

- (1) The client is assigned an E-type risk profile (unacceptable client) if any of the risk factors listed below are present.
- (2) A client with a risk profile of the type E represents for Newborn Change s.r.o. a high risk in terms of money laundering and terrorist financing. If the client is assigned a risk profile of the type E, the client will not be provided with a virtual assets service or a business relationship with the client, or the business relationship with him will be

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terminated and no other service will be provided. In this situation, the client is considered to no longer meet the client's acceptability criteria.

- (3) In this case, termination of the business relationship or failure to provide service will be ensured by the AML officer. It shall take all necessary steps without undue delay to ensure that the business relationship is effectively and legally terminated. In addition, it will prevent the Client from being provided with any new services until the business relationship is terminated.
- (4) Furthermore, great care must be taken when assessing whether the client's conduct is showing signs of a suspicious transaction.
- (5) The following risk factors relate to the type E risk profile:
  - (ww) there is a reasonable suspicion that the purpose of the business relationship is to provide services to a person other than himself (i.e., the client acts only as an intermediary or identity provider) and the client does not refute the suspicion;
  - (xx) the client or a person associated with it (a member of the statutory body, beneficial owner, etc.) or another payment recipient (if known) is a person against whom the Czech Republic applies international sanctions;
  - (yy) information provided by the client about himself / herself and his / her activities are grossly contrary to the reality, which was found from credible sources and the client did not justify the non-compliance;
  - (zz) there is a reasonable suspicion that the client is providing false, misrepresented or incomplete information in the course of duration of the business relationship or that he is submitting false or altered documents;
  - (aaa) business relationship with this client has been terminated in the past due to the initiative of the company Newborn Change s.r.o. and the client tries to establish it repeatedly;
  - (bbb) the client or a person associated with it (a member of the statutory body, the beneficial owner, etc.) is connected with another client with whom the business relation was terminated in the past due to the initiative of the company Newborn Change s.r.o.;
  - (ccc) for other reasons, the client represents a significant risk to the company in terms of money laundering or terrorism financing
  - (ddd) any of the factors listed above, if it occurs with a legal entity in which the client has a direct or indirect participation, or otherwise has the ability to exercise influence over it.

## **II Measures adopted to mitigate threats**

### **II.1 Measures for Client Identification**

#### **§11. Expansion of PEP Risk Status**

- (1) As stated in AML law, the company Newborn Change s.r.o. considers a person to be PEP one year after the termination of its function.

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**§12. Exclusion of simplified identification and control**

- (1) Simplified identification is applied only in case of clients with risk profile of type A.

**§13. Interval of updates**

- (1) The employee will update the identification data, information on whether or not the client is a PEP, whether the Czech Republic applies international sanctions against him or his related persons whenever the company Newborn Change s.r.o. gets to know about any change and at least once in the following time intervals:

- (eee) every 12 calendar months for a client with a risk profile of the type A
- (fff) every 9 calendar months for a client with a risk profile of the type B,
- (ggg) every 6 calendar months for a client with a risk profile of the type C and D.

- (2) The update is done by searching for identification and other data in public trusted sources or by asking the client if the identification and other data (PEP flag) are still current. In the case of a client with a risk profile of type B, C or D, it is not always sufficient within the framework of the update to provide written confirmation of the timeliness of the identification data, which Newborn Change s.r.o. keeps about the client.

- (3) The employee is obliged to create a record on the verification of international sanctions and on the result, which always corresponds to the requirement of retrospectibility according to chapter V.6 of the System of Internal Rules, i.e., it contains at least the following information:

- (hhh) date of verification and name of the person who performed the verification (whether performed by a specific employee or automated);
- (iii) a list of natural and legal persons that have been checked in the sanction lists;
- (jjj) information on the sanction lists under which the verification was carried out;
- (kkk) result of verification (negative or positive finding).

**II.2 Measures during Client's Control/Check**

**§14. Increase of intensity of the first control/check of the client**

- (1) If the client is assigned a risk profile of the type B, C or D, at the first check of the client before establishing a business relationship:

- (lll) the employee must check the source of client's financial resources from an independent source, as opposed to only relying on the client's oral or written statement (i.e., from bookkeeping records, third party issued documents, audited documents etc.); the employee shall obtain and keep a copy of such document (a simple Xerox copy shall suffice) or shall keep the original document; otherwise the employee will not execute the transaction with all the consequences (the client is obliged to comply with such a request and if he

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refuses it, it is a suspicious transaction that must be reported)

(mmm) if the employee is not able to establish the controlling and ownership structure of the client – a legal entity (up to the beneficial owner) from public trustworthy sources (e.g., extracts from the register of persons), he will require from the client not only to declare, but also to demonstrate the control and ownership structure to the beneficial owner;

(nnn) if the client is a legal entity or a natural person doing business, the employee will find out and record a detailed description of all the client's activities in a really detailed way and he will verify it from publicly available information (existence of appropriate business licenses, officially available service offerings on the website, publicly available client references, etc.) and if this information is not available, it will request the client to evidence the activities.

#### **§15. Approval of a business relation and its changes by an AML officer**

(1) If the client is assigned a risk profile of the type B, C or D, the establishment of a business relationship must be approved by the AML officer or the Managing Director of the company Newborn Change s.r.o. and creates a record of approval. Similarly, the AML officer or Managing Director of the company Newborn Change s.r.o. must approve all and any substantial changes in the framework contract for the provision of virtual assets services that have been triggered by the client's request (e.g., request to increase limits, a new joint holder, etc.) and on approval to create a record.

#### **§16. Update of information**

(1) The employee shall update the information concerning the purpose of the business relationship and risk profile:

(ooo) every 12 calendar months for a client with a risk profile of the type A

(ppp) every 9 calendar months for a client with a risk profile of the type B,

(qqq) every 6 calendar months for a client with a risk profile of the type C and D.

(2) In case of change of the information concerning the purpose of the business relationship, or in case of the changes in ownership and management structure. Clients with the risk profiles B, C or D are obliged to prove the mentioned structure up to UBOs.

#### **§17. Circumstances causing continuous re-viewing of trades and intensity of re-views**

(1) Every 6 months, the employee checks:

(a) for a client with risk profile of the type A – of other 3 randomly selected transaction of any volume. The employee may also request additional proof of economic activity in the form of 2 invoices from the suppliers.

(b) for a client with risk profile of the type B – of 5 other randomly selected transaction of any volume. An employee may also request additional proof of economic activity in the form of 2 invoices from the suppliers.

(c) for a client with risk profile of the type C – and of 10 other randomly selected transaction of any volume. An employee may also request additional proof of

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economic activity in the form of 4 invoices from the suppliers and 4 actual contracts.

(a) for a client with risk profile of the type D – of 20 transactions exceeding 15 000 EUR and of other 20 randomly selected transactions of any volume. An employee may also request additional proof of economic activity in the form of 4 invoices from the suppliers and 4 actual contracts.

(3) Business control of the client is focused on comparison of the real business activity of the client to the one that was declared. It is performed if the expected amount and volume of transactions is exceeded by 50%. The client is supposed to provide confirmation about his income and business activity and new limits should be set.

(4) In case the criteria for the mentioned business control were met, it is necessary to ask the client to submit confirmation of income and business activity (in case of using services for business purposes). Once the business control happened, the new limits should be set for funds.

(2) If a client has been assigned a risk profile of the type D, the client's source of funds must be verified from an independent source, not simply relying on the client's oral or written statement (i.e., accounting documents, third party documents, audited documents, etc.); the employee shall make and keep a copy of such a document (a standard copy is sufficient to be kept) or keep the original of the document; otherwise the employee will not execute the transaction with all the consequences (the client is obliged to comply with such a request and if he refuses, it is a suspicious transaction that must be reported).

(3) Furthermore, in case of a client with a risk profile of the type B, C or D, when:

(a) the client uses services that include payment to or from a country or territory that is identified as risky from the ML-FT perspective; the list of these countries is given in Annex 5 to the System of Internal Rules;

(b) the client requires a transaction that is unusually complex or large-volume, or involves an unusual way of trading, or the economic and legal purpose of which is not obvious;

(c) the client or its beneficial owner engages in a business or other activity that is "cash intensive" - that is, an activity that generates large amounts of cash or other valuable commodities of a purely anonymous nature, including virtual currencies (e.g., currency exchange, trade in precious metals, virtual currency, etc.);

(d) the client or its beneficial owner carries on business or other activity in the field of gambling, military industry and services, nuclear energy;

(e) in the course of business, the client or its beneficial owner handles content accessible only to adults, with the exception of products designed for direct consumption, such as cigarettes, alcohol, etc.;

(4) The employee will always ask the client for a wider range of the required information (if it does not already have it) and will always investigate the background and purpose and method of performing such transactions.

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### **II.3 Measures for Employees Screening**

#### **§18. Requirements towards Employees**

- (1) An executive staff member shall screen and permit only such employee or contact person to perform the job that has no record in the Criminal Register of any EU country.

### **II.4 Obligation to Periodically Update This Document**

#### **§19. Updates and frequency**

- (1) An executive staff member shall ensure that this Risk Assessment be periodically updated at least once in two years. The Risk Assessment shall also have to be updated especially in case that:
  - (f) notice is approved about the next round of the national risk assessment process in the sphere of ML-FT
  - (g) a significant change occurs in the manner services are provided and new services are introduced, or potentially a new client group is targeted
  - (h) new threats are discovered, especially following a notice of a suspicious business transaction related to a situation not covered by this Risk Assessment.
- (2) This Risk Assessment is approved by the corporate statutory body.

## **Annex No. 1**

### **Record on Internal Check / Control Performance**

The form on the next page can be used as a record of internal control of compliance with the Internal Policies System and Risk Assessment in Practice. For this purpose, it may be copied at will.

Obligated person:	Newborn Change s.r.o., Company ID: 197 52 687
Date of check performance:	
Subject of check:	Compliance with obligations set out in the System of Internal Principles, Procedures and Control Measures, Risk Assessment and other obligations set forth by Act No. 253/2008 Coll., on some measures against money laundering and terrorism financing, as amended and other sub-legal regulations, or Act No. 69/2006 Coll., on the implementation of international sanctions, as amended.
Person performing the check:	
Checked sample description:	
Check result:	
Corrective measures applied:	

Signature of the controller

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**Annex No. 2**

**Data of the AML Officer**

For the purposes of the procedures set out in this document, the following person shall be designated as AML Officer:

Name and surname: \*\*\*

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Position held: Director

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Telephone: \*\*\*

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E-mail: \*\*\*

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### **Annex No. 3**

#### **Form of the Protocol on Employees' Training**

The form on the next page can be used as evidence of attendance and training content (i.e., employee training protocol) as required by the AML Act. For this purpose, it may be copied at will.

## Employees Training Protocol

pursuant to § 23 Act No. 253/2008 Coll.,  
on certain measures against money laundering and terrorism financing, as amended

Obligated person:	Newborn Change s.r.o., Company ID: 197 52 687
Date of training:	
Contents of the training:	<ul style="list-style-type: none"> <li>• introduction - legislation regulating this area</li> <li>• definition of beneficial owner, politically exposed person and controlling party</li> <li>• identification procedure (first and subsequent updates of identification data)</li> <li>• customer control procedure (first before establishing a business relationship and ongoing control)</li> <li>• ascertaining whether the customer is a politically exposed person and the procedures for doing so</li> <li>• verification of international sanctions, valid sanction lists, procedure of verification of international sanctions and procedure in case the Czech Republic applies international sanctions against a customer</li> <li>• prohibition to conduct a trade or establish a business relationship - situation and procedure, follow-up to the evaluation of suspicious trade</li> <li>• compiling and updating the risk profile, customer acceptance rules</li> <li>• risk assessment</li> <li>• typology of suspicious transactions and listing of suspicious transaction features and its assessment</li> <li>• other aspects of the assessment of suspicious transactions</li> <li>• procedures for suspicious transactions</li> <li>• postponing the fulfilment of the customer's order</li> <li>• AML officer information</li> <li>• the obligation of confidentiality</li> <li>• the obligation to retain data (time, method)</li> <li>• Inspection and detection of violations</li> </ul>

### Training participants:

Name of the person:	Signature:

Name of the tutor performing the training:	Signature:

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## Annex No. 4

### Form with Instructions for a Suspicious Business Reporting

#### *Suspicious business reporting*

The form, located on the next five pages, is intended for written notice of a suspicious transaction. For this purpose, it may be copied at will.

Notification need not be made on this form, but must comply with the requirements set out in Section 18 of the AML Act. The FAU has also issued a Methodological Instruction for Reporting Suspicious Transactions (General Procedure), which is available for download at: <http://www.financnianalytickyurad.cz/pravni-predpisy.html>.

#### *Instructions for filling-in*

The first, second and third parties of the form shall be used to draw up the suspicious transaction notification. The fourth and fifth pages (Natural Person Identification Data and Legal Person Identification Data) shall be used, if desired, in the necessary number of copies.

If there is not enough space in some of the pre-printed boxes, the information may also be given on a separate sheet of paper, but it must always be clear what the information is.

If some of the required information (such as identification data, etc.) is not available, it will not be included in the form. Instead, an explanation shall be given as to why the data are not available.

#### *For part 1.*

It is not necessary to add anything.

#### *For part 2.*

In this section, indicate whether the notice applies to a customer who is a natural or legal person and fill in the required information. The required identification data need not be broken down in detail if they are accompanied by a copy of the part of the relevant document (e.g., extract from the commercial register or identity card) containing the information in an annex to the notification.

#### *For part 3.*

The subject matter and the essential circumstances of the suspicious trade that are known are listed here. They shall specify in particular: the reason for the service provided by the trade participant; time data; currency; the reason the trade is suspicious; identified telephone and fax numbers, where applicable; a description of the conduct of the trade participant and its associates, and other information that could be of informative interest to the persons involved or to the transaction in question.

It shall also indicate whether the person is the person against whom the Czech Republic applies international sanctions under the Act on the Implementation of International Sanctions or whether the property is subject to international sanctions.

Any other information that might be relevant to the suspicious trade and which is relevant for its assessment in terms of measures against money laundering or terrorism financing shall also be included here. Data on the employee who detected the suspicious transaction is not provided.

The description shall include copies of all the documents referred to in the notification and related to the subject of the notification, which are available to the notifier. The notification may also be accompanied by other information and records available to the notifier regarding the suspicious transaction - e.g., audiovisual recordings, photographs and others. Therefore, the data carrier (CD, DVD, USB flash memory and others) may be included in the annex to the notification. Please list the attached documents and other media in this section.

#### *For part 4.*

Information on whether the fulfilment of the customer's order was postponed and how the property subject to the service was secured.

#### *For part 5.*

Here you will find information about the AML officer. The AML officer is responsible for the accuracy of the data.

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List of documents and other media annexed to this notice:

4. Information on whether the customer's instruction was postponed:

5. Contact information and information on the person making the notification on behalf of the obliged person:

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Name and surname:	
Office held:	
Telephone:	
Fax:	
Email:	
Contact out of office hours:	

Date and time of the notification lodging:	
Place of the notification lodging:	
Signature of the AML officer:	

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### Identification Data of a Natural Person

All names and surnames:	
Personal ID (if assigned), otherwise the date of birth:	
Place and country of birth:	
Sex:	<input type="checkbox"/> male <span style="margin-left: 200px;"><input type="checkbox"/> female</span>
Citizenship:	
Permanent or other residence:	
Identity card type:	
Identity card number:	
State respectively authority issuing the identity card:	
Validity:	
The result of determining whether this person is a politically exposed person:	<input type="checkbox"/> is a politically exposed person <span style="margin-left: 100px;"><input type="checkbox"/> is not a politically exposed person</span>
The result of finding out whether the Czech Republic applies international sanctions towards this person:	<input type="checkbox"/> no sanctions applied <span style="margin-left: 100px;"><input type="checkbox"/> sanctions applied</span>

If the natural person is an entrepreneur, the following data shall also be filled in:

Trade name, distinguishing amendment or other marking:	
Place of business:	
Identification number:	

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### Identification Data of a Legal Entity

Trade name or name including amendment or other marking:	
Identification number or similar number assigned abroad:	
Headquarters address:	

List of members of the statutory authority of controlling persons:	
--	--

Fill in the identification data of each of the persons listed here on the sheet "Identification data of a natural person" or "Identification data of a legal entity". In case of insufficient space, use a blank sheet of paper and attach it firmly to the sheet.

### Beneficial owner of a legal entity:

List of beneficial owners (all names and surnames):	
---	--

Fill in the identification data of each of the persons listed here on the sheet "Identification data of the natural person".

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## Annex No. 5

### List of countries grouped according to the risk of money laundering a terrorism financing, determined by Newborn Change s.r.o. for the needs of creation of client's risk profile upon own risk assessment.

Within the determination of the client's risk profile from the ML-FT point of view, Newborn Change s.r.o. individually determined areas of factors, which can potentially influence the form of the client's risk profile, both during the establishment of a business relationship and during it.

The individual risk factors are the factors which are set within the own risk evaluation as per § 6 section a), 3. of the Regulation No. 67/2018 Coll. This annex stipulates own risk factors related to the subjective risk perception considering the location or legal seat of the client or legal entity in the client's structure (hereinafter referred to as the "legal seat").

Newborn Change s.r.o. uses three risk categories pertaining the aforementioned area - black list, high risk, low risk. Pursuant to these categories, Newborn Change s.r.o. hereby provides the list of activities, which can include the possible client's legal seat. The client's legal seat in a certain category affects the perception of his risk and may (but must not necessary) affect the final determination of the weight of a given factor in relation to the determination of his risk profile.

Stipulation of risk categories relating to the individually set risk factor is indicative, where the decisive is the final assessment of factor's weight by the AML Officer and its further reflection on the final form of client's risk profile. The designated categories are thus the starting point for the assessment of the client's riskiness by AML Officer in the context of other facts and factors.

Additionally, the current wording of Act No. 253/2008 Coll., On Certain Measures Against Money Laundering and Terrorism financing stipulates the obligation to always inspect customers established in a country, which is required by the European Commission (EC), Financial Action Task Force (FATF) or otherwise be considered high risk.

While creating this list Newborn Change s.r.o. took into consideration the following lists:

- List of countries identified by the EC as high risk and published in the Commission Delegated Regulation (EU) 2016/1675 as in force as of 13.03.2022.
- List of countries identified as being at risk in the Public Notice of the Financial Action Task Force (FATF) dated 17.06.2022.

Lists created by EU and FATF are essential for assessing the risk of individual customers, transactions and business relationships. In the event that the establishment, origin or activity of the customer is related to the territory in these lists, or is related to a trade or business relationship, it is necessary to pay high or increased attention in assessing the potential risk with all possible consequences (strengthened level of customer control; or establish a business relationship, end a continuing business relationship, or file a suspicious transaction report).

This list does not replace the list of persons against whom the Czech Republic applies international sanctions or the list of so-called politically exposed persons.

In this list you will find the following symbols:

- E – EU considers measures against money laundering and terrorism financing of these countries have shortcomings.
- F – FATF considers measures against money laundering and terrorism financing of these countries have shortcomings.
- HR – EU and FATF consider measures against money laundering and terrorism financing of these countries show serious shortcomings or have not yet committed to international cooperation.

#### Category:

<b>Black List:</b>	<b>High Risk:</b>	<b>Low Risk:</b>
1) Abkhazia	1) Aland Islands	1) Australia
2) Afghanistan <sup>E</sup>	2) Albania <sup>F</sup>	2) Austria
3) Akrotiri and Dhekelia	3) Algeria	3) Belgium
4) Antarctica	4) Angola	4) Cyprus
5) Artsakh	5) Anguilla	5) Czech Republic
6) Burkina Faso <sup>HR</sup>	6) Antigua and Barbuda	6) Denmark
7) Central African Republic	7) Argentina	7) Estonia
8) Congo (Democratic Republic of) <sup>E</sup>	8) Armenia	8) Finland
9) Crimea	9) Aruba	9) France
10) Donetsk People Republic	10) Ashmore and Cartier islands	10) Germany
11) Haiti <sup>HR</sup>	11) Azerbaijan	11) Greece
12) Hawaii	12) Bahamas	12) Ireland
13) Heard Islands and McDonalds Islands	13) Bahrain	13) Italy
14) Iran <sup>HR</sup>	14) Bangladesh	14) Latvia
15) Iraq	15) Barbados <sup>HR</sup>	15) Lithuania
16) Kosovo	16) Belarus	16) Luxembourg
17) Libya	17) Belize	17) Netherlands
18) Lugansk People Republic	18) Benin	18) Norway
19) Mali <sup>HR</sup>	19) Bermuda	19) Poland
20) Myanmar <sup>HR</sup>	20) Bhutan	20) Portugal
21) Nicaragua <sup>HR</sup>	21) Bolivia	21) Slovakia
	22) Bonaire	22) Slovenia

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22) North Korea (Republic of) <sup>HR</sup>	23) Bosnia and Herzegovina	23) Spain
23) Pakistan <sup>HR</sup>	24) Botswana	24) Sweden
24) Palestinian Territory	25) Bouvet islands	25) Switzerland
25) Russia	26) Brazil	
26) Somalia	27) British Indian Ocean Territory	
27) South Ossetia	28) British Virgin Islands	
28) South Sudan <sup>HR</sup>	29) Brunei	
29) Syria <sup>HR</sup>	30) Bulgaria	
30) Transnistria	31) Burundi	
31) Us Minor Outlying Islands	32) Cambodia <sup>HR</sup>	
32) Us Virgin Islands	33) Cameroon	
33) USA	34) Canada	
34) United Kingdom of Great Britain and Northern Ireland (the)	35) Canary Islands	
35) Western Sahara	36) Cape Verde	
36) Yemen <sup>HR</sup>	37) Caribbean Netherlands	
37) Zimbabwe <sup>E</sup>	38) Cayman Islands <sup>HR</sup>	
	39) Ceuta	
	40) Chad	
	41) Chile	
	42) China People Republic	
	43) Christmas Island	
	44) Clipperton Islands	
	45) Cocos (Keeling) Island	
	46) Columbia	
	47) Comoros	
	48) Congo	
	49) Cook Islands	
	50) Coral Sea Islands	
	51) Costa Rica	
	52) Croatia	
	53) Cuba	
	54) Curacao	
	55) Djibouti	
	56) Dominica	
	57) Dominican Republic	
	58) Eastern Island	
	59) Ecuador	
	60) Egypt	
	61) El Salvador	
	62) Equatorial Guinea	
	63) Eritrea	
	64) Eswatini	
	65) Ethiopia	
	66) Falkland Islands	
	67) Faroe Islands	
	68) Federated States of Micronesia	
	69) Fiji	
	70) French Guiana	
	71) French Polynesia	
	72) French Southern Territories	
	73) Gabon	
	74) Gambia	
	75) Georgia	
	76) Ghana	
	77) Gibraltar <sup>F</sup>	
	78) Greenland	
	79) Grenada	
	80) Guadeloupe	
	81) Guam	
	82) Guatemala	
	83) Guernsey	
	84) Guinea	
	85) Guinea Bissau	

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	86) Guyana 87) Honduras 88) Hong Kong 89) Hungary 90) Iceland 91) India 92) Indonesia 93) Isle of Man 94) Israel 95) Ivory Coast (Côte d'Ivoire) 96) Jamaica <sup>HR</sup> 97) Japan 98) Jersey 99) Jordan <sup>HR</sup> 100) Kazakhstan 101) Kenya 102) Kiribati 103) Korea (Republic of) 104) Kuwait 105) Kyrgyzstan 106) Laos 107) Lebanon 108) Lesotho 109) Liberia 110) Liechtenstein 111) Madagascar 112) Madeira 113) Malawi 114) Malaysia 115) Maldives 116) Malta 117) Marshall Islands 118) Martinique 119) Mauritania 120) Mauritius 121) Mayotte 122) Melilla 123) Mexico 124) Moldova 125) Monaco 126) Mongolia 127) Montenegro 128) Montserrat / brit 129) Morocco <sup>HR</sup> 130) Mozambique 131) Namibia 132) Nauru 133) Navassa island 134) Nepal 135) New Caledonia 136) New Zealand 137) Niger (The) 138) Nigeria 139) Niue 140) Norfolk Island 141) North Macedonia 142) Northern Mariana Islands 143) Oman 144) Palau 145) Panama <sup>HR</sup> 146) Papua 147) Papua New Guinea 148) Paraguay	
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	<p>149) Peru  150) Philippines<sup>HR</sup>  151) Pitcairn / brit  152) Puerto Rico  153) Qatar  154) Reunion  155) Romania  156) Rwanda  157) S. Georgia &amp; S. Sandwich Isl  158) Saba  159) Saint Barthelemy  160) Saint Helena, Ascension and Tristan da Cunha  161) Saint Kitts and Nevis  162) Saint Lucie  163) Saint Martin  164) Saint Pierre and Miquelon  165) Samoa  166) San Marino  167) Sao Tome and Principe  168) Saudi Arabia  169) Senegal<sup>HR</sup>  170) Serbia  171) Seychelles  172) Sierra Leone  173) Singapore  174) Sint Eustatius  175) Sint Maarten  176) Solomon Island  177) South Africa  178) Sri Lanka  179) St. Vincent and The Grenadines  180) Sudan  181) Surinam  182) Svalbard and Jan Mayen / Norway  183) Taiwan  184) Tajikistan  185) Tanzania  186) Thailand  187) Timor-Leste  188) Togo  189) Tokelau Island / New Zealand  190) Tonga  191) Trinidad and Tobago<sup>E</sup>  192) Tunisia  193) Turkey<sup>F</sup>  194) Turkmenistan  195) Turks &amp; Caicos Islands  196) Tuvalu  197) Uganda<sup>HR</sup>  198) Ukraine  199) United Arabic Emirates<sup>F</sup>  200) Uruguay  201) Uzbekistan  202) Vanuatu<sup>E</sup>  203) Vatican City State  204) Venezuela  205) Vietnam  206) Wake island  207) Wallis and Futana / France  208) West Papua  209) Zambia</p>	
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<p><i>Evaluation of corruption level and sanction list.</i></p>	<p>Newborn Change s.r.o. uses for evaluation of corruption level the Corruption Perceptions Index, which is referred to by the European Commission at <a href="https://ec.europa.eu/knowledge4policy/organisation/transparency-international_en">https://ec.europa.eu/knowledge4policy/organisation/transparency-international_en</a>. Is available at <a href="https://www.transparency.org/en/cpi">https://www.transparency.org/en/cpi</a>.</p> <p>Newborn Change s.r.o. uses the sanctions list to verify a country, which has been the subject of sanctions, embargoes or similar restrictive measures imposed, for example, by the European Union or the United Nations. This list is available at <a href="https://eeas.europa.eu/headquarters/headquarters-homepage/423/sanctions-policy_en">https://eeas.europa.eu/headquarters/headquarters-homepage/423/sanctions-policy_en</a>. The interactive map is available at <a href="https://www.sanctionsmap.eu/#/main">https://www.sanctionsmap.eu/#/main</a>.</p>
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## Annex No. 6

### List of activities grouped according to the risk of money laundering a terrorism financing, determined by Newborn Change s.r.o. for the needs of creation of client's risk profile upon own risk assessment.

Within the determination of the client's risk profile from the ML-FT point of view, Newborn Change s.r.o. additional individually determined areas of factors, which can potentially influence the form of the client's risk profile, both during the establishment of a business relationship and during it.

The individual risk factors are the factors which are set within the own risk evaluation as per § 6 section a), 3. of the Regulation No. 67/2018 Coll. This annex stipulates own risk factors related to the subjective risk perception considering the activity of the client or legal entity in the client's structure (hereinafter referred to as the "activity").

Newborn Change s.r.o. uses four risk categories pertaining the aforementioned area - black list, high risk, medium risk and low risk. Pursuant to these categories, Newborn Change s.r.o. hereby provides the list of activities, which can include the possible clients' activities. The client's activity in a certain category affects the perception of his risk and may (but must not necessary) affect the final determination of the weight of a given factor in relation to the determination of his risk profile. In case the risk factor is already included within other list in relation with the need to stipulate the risk profile outside the own risk's evaluation, the below-stated risk factors can be additional and could be repeatedly taken into account even outside the framework of their compulsory consideration.

Stipulation of risk categories relating to the individually set risk factor is indicative, where the decisive is the final assessment of factor's weight by the AML Officer and its further reflection on the final form of client's risk profile. The designated categories are thus the starting point for the assessment of the client's riskiness by AML Officer in the context of other facts and factors.

If the activity has the suffix "**industrial**", it means that the client's activity has the scope of a large company according to individually determined parameters (the company has more than 100 employees, more than 20 million EUR in assets, its turnover is 3 million EUR per month (40 million EUR per year), or similar criteria). To fulfill this condition the client must overdraft the limits of 2 criteria.

#### Category:

<i>Black List</i>	<i>High Risk</i>	<i>Medium Risk</i>	<i>Low Risk</i>
<ul style="list-style-type: none"> <li>● Production or trade in any product or activity deemed illegal under host country laws or regulations or international conventions and agreements, including without limitation host country requirements related to environmental, health and safety and labor aspects;</li> <li>● Weapon, drug, tobacco, adult               <ul style="list-style-type: none"> <li>○ Tobacco                   <ul style="list-style-type: none"> <li>▪ Growing</li> <li>▪ Manufacture</li> <li>▪ Wholesale and Retail</li> </ul> </li> <li>○ Drug and pharmaceutical crops, related accessories (intoxicating substances), Pharmaceuticals and goods whose effect is doubtful.                   <ul style="list-style-type: none"> <li>▪ Growing</li> <li>▪ Manufacture</li> <li>▪ Wholesale and Retail</li> </ul> </li> <li>○ Weapon                   <ul style="list-style-type: none"> <li>▪ Manufacture of weapons and ammunition</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Sub-Acquiring / merchant aggregation</li> <li>● Diamond trading, Jewel, Gem, Precious metal dealers, with license</li> <li>● Alcohol (with license)               <ul style="list-style-type: none"> <li>○ Wholesale and Retail</li> </ul> </li> <li>● Adult               <ul style="list-style-type: none"> <li>○ Pornography with verification</li> <li>○ Dating</li> </ul> </li> <li>● Money exchange dealer, Forex/Binary Options (CFD) with license</li> <li>● Gambling and betting activities with license               <ul style="list-style-type: none"> <li>○ Gambling and betting activities</li> <li>○ Lottery activities</li> <li>○ Organization of gambling games and betting</li> <li>○ Organization of other games of chance</li> <li>○ Poker Room</li> </ul> </li> <li>● Financial and insurance activities</li> </ul>	<ul style="list-style-type: none"> <li>● Wholesale and retail trade; repair of motor vehicles and motorcycle               <ul style="list-style-type: none"> <li>○ Wholesale and retail trade and repair of motor vehicles and motorcycles                   <ul style="list-style-type: none"> <li>▪ Sale of motor vehicles</li> <li>▪ Maintenance and repair of motor vehicles</li> <li>▪ Sale of motor vehicle parts and accessories</li> <li>▪ Sale, maintenance and repair of motorcycles and related parts and accessories</li> </ul> </li> <li>○ Wholesale trade, except of motor vehicles and motorcycles                   <ul style="list-style-type: none"> <li>▪ Wholesale on a fee or contract basis</li> <li>▪ Wholesale of agricultural raw materials and live animals</li> <li>▪ Wholesale of information and communication equipment</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Retail</li> <li>● Food</li> <li>● Restaurants</li> <li>● manufacturing (not industrial)</li> <li>● medium risk activities with monthly turnover less than 5000 EUR/month</li> <li>● Person using service for personal goals (e.g., investments in virtual assets)</li> <li>● Other</li> </ul>

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<ul style="list-style-type: none"> <li>▪ Specialized retail sale of weapons and ammunition <ul style="list-style-type: none"> <li>• Pyrotechnics</li> <li>• Weapon of mass destruction</li> <li>• Cold weapon</li> <li>• Ammunition</li> </ul> </li> <li>○ Adult <ul style="list-style-type: none"> <li>▪ Any business relating to prostitution</li> </ul> </li> <li>• Outbound-Telemarketing</li> <li>• Night clubs / Cabaret bars</li> <li>• Debt collection agencies</li> <li>• Church-like organizations or groups that do not have church status</li> <li>• Charitable societies</li> <li>• Chain letters</li> <li>• High-risk telemarketing companies (horoscopes, predictions / forecasts of any kind)</li> <li>• Timesharing</li> <li>• Guarantees (long-term nature of contract makes risk difficult to calculate)</li> <li>• Replicas</li> <li>• Public administration and defense; compulsory social security</li> <li>○ Public administration and defense; compulsory social security <ul style="list-style-type: none"> <li>▪ Administration of the State and the economic and social policy of the community</li> <li>▪ Activities of religious organizations</li> <li>▪ Activities of political organizations</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ Financial service activities, except insurance and pension funding</li> <li>○ Insurance, reinsurance and pension funding, except compulsory social security</li> <li>○ Activities auxiliary to financial services and insurance activities</li> <li>• Providing virtual assets services</li> <li>○ Virtual assets exchange</li> <li>○ Virtual assets trading</li> <li>• Agriculture, forestry and fishing (<i>industrial</i>) <ul style="list-style-type: none"> <li>○ Crop and animal production, hunting and related service activities <ul style="list-style-type: none"> <li>▪ Growing of non-perennial crops</li> <li>▪ Growing of perennial crops</li> <li>▪ Plant propagation</li> <li>▪ Animal production</li> <li>▪ Support activities to agriculture and post-harvest crop activities</li> <li>▪ Hunting, trapping and related service activities</li> </ul> </li> <li>○ Forestry and logging <ul style="list-style-type: none"> <li>▪ Silviculture and other forestry activities</li> <li>▪ Logging</li> <li>▪ Gathering of wild growing non-wood products</li> <li>▪ Support services to forestry</li> </ul> </li> <li>○ Fishing and aquaculture <ul style="list-style-type: none"> <li>▪ Marine fishing</li> <li>▪ Marine aquaculture and Freshwater aquaculture</li> </ul> </li> </ul> </li> <li>• Mining and quarrying (<i>industrial</i>) <ul style="list-style-type: none"> <li>○ Mining of coal and lignite</li> <li>○ Extraction of crude petroleum and natural gas</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Other specialized wholesale</li> <li>• Accommodation <ul style="list-style-type: none"> <li>○ Hotels and similar accommodation</li> <li>○ Holiday and another short-stay accommodation</li> <li>○ Camping grounds, recreational vehicle parks and trailer parks</li> <li>○ Other accommodation</li> </ul> </li> <li>• Information and communication <ul style="list-style-type: none"> <li>○ Publishing activities <ul style="list-style-type: none"> <li>▪ Publishing of books, periodicals and other publishing activities</li> </ul> </li> <li>○ Motion picture, video and television programmed production, sound recording and music publishing activities <ul style="list-style-type: none"> <li>▪ Motion picture, video and television programmed activities</li> <li>▪ Motion picture, video and television programmed production activities</li> <li>▪ Motion picture, video and television programmed post-production activities</li> </ul> </li> <li>○ Sound recording and music publishing activities</li> <li>○ Information service activities <ul style="list-style-type: none"> <li>▪ Data processing, hosting and related activities; web portals</li> </ul> </li> </ul> </li> <li>• Professional, scientific and technical activities <ul style="list-style-type: none"> <li>○ Legal activities</li> <li>○ Accounting, bookkeeping and auditing activities; tax consultancy</li> <li>○ Activities of head offices; management consultancy activities <ul style="list-style-type: none"> <li>▪ Management consultancy activities</li> </ul> </li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"> <li>○ Mining of metal ores</li> <li>○ Other mining and quarrying <ul style="list-style-type: none"> <li>▪ Quarrying of stone, sand and clay</li> <li>▪ Quarrying of ornamental and building stone, limestone, gypsum, chalk and slate</li> <li>▪ Operation of gravel and sand pits; mining of clays and kaolin</li> </ul> </li> <li>○ Mining support service activities</li> <li>● Manufacturing (<i>industrial</i>) <ul style="list-style-type: none"> <li>○ Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials</li> <li>○ Manufacture of coke and refined petroleum products</li> <li>○ Manufacture of chemicals and chemical products</li> <li>○ Manufacture of basic pharmaceutical products and pharmaceutical preparations</li> <li>○ Manufacture of rubber and plastic products</li> <li>○ Manufacture of other non-metallic mineral products</li> <li>○ Manufacture of basic metals</li> <li>○ Manufacture of fabricated metal products, except machinery and equipment</li> <li>○ Manufacture of computer, electronic and optical products</li> <li>○ Manufacture of electrical equipment</li> <li>○ Manufacture of batteries and accumulators</li> <li>○ Manufacture of motor vehicles, trailers and semi-trailers</li> <li>○ Manufacture of other transport equipment</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Public relations and communication activities</li> <li>○ Architectural and engineering activities; technical testing and analysis <ul style="list-style-type: none"> <li>▪ Design and construction activities</li> <li>▪ Geodesic activities</li> <li>▪ Geological exploration and prospecting</li> <li>▪ Technical testing and analysis</li> <li>▪ Scientific research and development</li> </ul> </li> <li>○ Advertising and market research</li> <li>● Administrative and support service activities <ul style="list-style-type: none"> <li>○ Rental and leasing activities</li> <li>○ Employment activities</li> <li>○ Travel agency, tour operator reservation service and related activities</li> <li>○ Security and investigation activities</li> </ul> </li> <li>● Education <ul style="list-style-type: none"> <li>○ Pre-primary education</li> <li>○ Primary education</li> <li>○ Secondary education</li> <li>○ Higher education</li> <li>○ Other education</li> </ul> </li> <li>● Ticketing <ul style="list-style-type: none"> <li>○ Traveling <ul style="list-style-type: none"> <li>▪ Air</li> <li>▪ Railways</li> <li>▪ Buses</li> <li>▪ Taxis</li> <li>▪ Transportation</li> </ul> </li> <li>○ Concerts</li> <li>○ Cinema</li> <li>○ Events</li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"> <li>● Electricity, gas, steam and air conditioning supply (<i>industrial</i>) <ul style="list-style-type: none"> <li>○ Production, Transmission or Distribution of electricity, gas, steam and air conditioning</li> </ul> </li> <li>● Water supply; sewerage, waste management and remediation activities (<i>industrial</i>) <ul style="list-style-type: none"> <li>○ Water collection, treatment and supply</li> <li>○ Sewerage</li> <li>○ Waste collection, treatment and disposal activities; materials recovery</li> <li>○ Remediation activities and other waste management services</li> </ul> </li> <li>● Construction (<b>industrial</b>) <ul style="list-style-type: none"> <li>○ Construction of buildings <ul style="list-style-type: none"> <li>▪ Development of building projects</li> <li>▪ Civil engineering</li> <li>▪ Demolition</li> </ul> </li> </ul> </li> <li>● Human health and social work activities <ul style="list-style-type: none"> <li>○ Hospital activities</li> <li>○ Medical and dental practice activities</li> <li>○ Other human health activities</li> <li>○ Social work activities without accommodation</li> </ul> </li> <li>● Real estate activities <ul style="list-style-type: none"> <li>○ Renting and operating of own or leased real estate</li> <li>○ Real estate activities on a fee or contract basis</li> <li>○ Real estate agencies</li> </ul> </li> <li>● Activities of extraterritorial organisations and bodies</li> <li>● Arts, entertainment and recreation <ul style="list-style-type: none"> <li>○ Creative, arts and entertainment activities</li> </ul> </li> </ul>		
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	<ul style="list-style-type: none"> <li>○ Libraries, archives, museums and other cultural activities</li> <li>○ Sports activities and amusement and recreation activities</li> <li>● Other service activities</li> <li>○ Activities of membership organizations <ul style="list-style-type: none"> <li>▪ Activities of business, employers and professional membership organizations</li> <li>▪ Activities of trade unions</li> </ul> </li> </ul>		
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