**Annexes, Standard forms and Declarations**

(Annex 1)

**Table of Contents[[1]](#footnote-1)**

**(List of certificates and declarations in accordance with the PPA)**

|  |  |  |
| --- | --- | --- |
| **UPLOAD - SUBMIT TOGETHER WITH FIRST ROUND OFFER!** | | Page no. |
| Fiche (Annex 2) | |  |
| Table of contents (given the total number of pages, and authorized signature) (Annex 1) | |  |
| Statement of Tenderer in respect of Subsection (3) of Section 60 of the PPA (Annex 3) | |  |
| Statement in respect of Paragraphs a)-b) of Subsection (6) of Section 66 of the PPA (Annex 4) | |  |
| Declaration in accordance with Subsection (4) of Section 66 of PPA (Annex 5) | |  |
| **Further documents** | | |
|  |  | |
| Declaration on supplementary information signed duly. Original or authenticated by a notary. (Annex 9) |  | |
| Declaration of secrecy signed duly. Original or authenticated by a notary. (Annex 10) |  | |
|  |  | |
| Times schedule, detailed description of services (Annex 11) |  | |
| Draft contract – filled out with the necessary data – including eventual proposals for modification and comments (shown with markup) (Annex 12) |  | |
| European Single Public Procurement Document (ESPD) (Annex 13) |  | |
| Further documents |  | |
|  |  | |
| **UPLOAD - SUBMIT ONLY AFTER LAST ROUND!** |  | |
| **Certificates of the Tenderer(s) in respect of exclusion criteria** | | |
| Declaration by Tenderer not being covered by exclusion criteria (Annex 6) | | ONLY AFTER LAST ROUND |
| Declaration of Tenderer whether the company is listed or not listed on an official stock exchange (Annex 7) | |
| **Declaration on the basis of Paragraph kc) of Subsection (1) of Section 62 of the PPA original or authorized by a notary**  (Annex 8) – optional if the Tenderer is not listed on an official stock exchange | |
| **Further justifications of Tenderer(s) established (having its registered office) outside Hungary on not being covered by the exclusion criteria set forth in Section 62 of the PPA** | | |
| Optional: Tenderers shall attach their certificate of registration dated not earlier than 60 days reckoned from the deadline for submitting the tender. | | ONLY AFTER LAST ROUND |
| Simple photocopy of the specimen signature (or sample of signature) of the natural person signing the tender. | |
| Optional: In case the tender is signed by the authorized representative of the Tenderer(s), subcontractor(s) or organization providing resources, then the authorisation of such person has to be attached. Original or authenticated by a notary. | |
|  | | |

Number of pages included in the tender.

Date:

|  |
| --- |
| ………………..……………………………… |
| authorized signature |

(Annex 2)

**Fiche[[2]](#footnote-2)**

**„MATIAS A la carte 2017”**

|  |  |
| --- | --- |
| Name of Tenderer: |  |
| Registered Office of Tenderer: |  |
| Company registration number of Tenderer: |  |
| Tax number of Tenderer: |  |
| Name of contact person: |  |
| Mailing address of contact person: |  |
| Telephone number of contact person: |  |
| Telefax number of contact person: |  |
| E-mail address of contact person: |  |
| Name and title of the persons empowered to enter into negotiations: |  |
| **PRICE OFFER**  **UNIT PRICE (EUR in NET wo VAT):** | **………EUR**/POINT |

Date:

|  |
| --- |
| ………………..……………………………… |
| corporate signature |

(Annex 3)

**Declaration[[3]](#footnote-3)**

**„MATIAS A la carte 2017”**

We, the undersigned …………………….. company (hereinafter referred to as: Tenderer), represented by: ……………………………

**hereby make the following declaration:**

1. Having carefully reviewed all requirements concerning form and content as well as all instructions, stipulations and technical descriptions set out in the Documentation, we hereby declare in accordance with Subsection (2) of Section 66 of the Act CXLIII of 2015 on Public Procurement (hereinafter referred to as: PPA) that we have read, understood and hereby accept all conditions set out in the Contract Notice and the Documentation.
2. By submitting this tender, we declare that we fully meet the requirements set out in the Contract Notice and the Documentation.
3. We agree and acknowledge that if our tender contains any stipulation that conflicts with the Documentation or any condition thereof, our tender will be deemed void.
4. We agree and acknowledge that our tender will be declared void if it is covered by the conflict of interest criteria set forth in the PPA. We accept that our tender will be declared invalid if we propose experts who participated in the preparatory or other phase of this public procurement procedure or we employed such persons or entities as advisors for preparing our tender or if the conditions detailed in Section 25 of the PPA apply in respect of our company, our subcontractors or the professionals employed.
5. We accept that the method of evaluation of the procedure is “the lowest price tender”.
6. We agree and acknowledge that we may not use the information set out in the Documentation for purposes other than submitting an application.
7. We declare pursuant to Subsection (1) of Section 36 of the PPA that in this public procurement procedure we do not submit another tender jointly with another Tenderer or participate as Tenderer of another tender or subcontractor of another Tenderer or supply capacities for another Tenderer.
8. We represent that there **is[[4]](#footnote-4)**  / **is no[[5]](#footnote-5)** pending issue for the amendment of the company register.
9. We declare and agree to be held liable that the contents of all documents included in this tender are true.

Date:

|  |
| --- |
| ……………………………… |
| authorized signature |

(Annex 4)

**Declaration with regard to the provisions of Paragraphs a)-b) of Subsection (6) of Section 66 of the PPA**

**„MATIAS A la carte 2017”**

We, the undersigned …………………….. (company name) as Tenderer, represented by: ……………………………

**declare,**

1. that on the basis of Paragraph a) of Subsection (6) of Section 66 we intend to employ/ not intend to employ a subcontractor in connection with the following part (parts) of the public procurement for the performance.

| **Part (parts) of the public procurement of which**  **the Tenderer(s) intends to employ a subcontractor,** |
| --- |
|  |
|  |
|  |

1. that on the basis of Paragraph b) of Subsection (6) of Section 66 we intend to employ the following subcontractor(s)

| **The name(s) and address(es) of the subcontractor(s) employed for the performance (which are already known by the tenderer).** |
| --- |
|  |
|  |
|  |

date:

|  |
| --- |
| ………………..……………………………… |
| authorized signature |

Delete as appropriate.

Complete the table only if Tenderer wishes to engage a subcontractor for performing the contract.

(Annex 5)

**Declaration with regard to the provisions of Subsection (4) of Section 66 of the PPA**

**„MATIAS A la carte 2017”**

We, the undersigned …………………….. (company name) as Tenderer, represented by: ……………………………

**declare**

that our company is a *micro/small/middle sized* company in accordance with Act XXXIV of 2004 on the development and supporting of the small- and middle sized companies, or *is not subject to* the Act[[6]](#footnote-6).

*middle sized*

small

micro

other, not subject to this law

(Annex 6)

**Tenderer’s statement about absence of grounds for exclusion**[[7]](#footnote-7)

**„MATIAS A la carte 2017”**

We, the undersigned …………………….. (company name) as Tenderer, represented by: ……………………………

**declare**

that our company is not fall under the grounds for exclusion of Subsection (1) of Section 62 of the PPA and the absence of the grounds for exclusion of Paragraphs a)-q) of Subsection (1) and Subsection (2) of Section 62 of the PPA are to be verified, according to the laws of its country of establishment, in the following way.

|  |  |
| --- | --- |
| **GROUND FOR EXCLUSION** | **METHOD OF VERIFICATION** |
| **Subsection (1) of Section 62 of the PPA** The following economic operators are excluded from participating in the procedure as a tenderer or a subcontractor, and may not contribute to the verification of eligibility either: |  |
| a) where the economic operator has committed either of the following criminal offences, if found guilty of such crime by final court verdict in the past five years, until exonerated from the detrimental consequences of having a criminal record:  *aa) participation in a criminal organization under Act IV of 1978 on the Criminal Code (hereinafter referred to as \_Act IV/1978"), and Act C of 2012 on the Criminal Code (hereinafter referred to as \_Criminal Code"), including if committed a criminal act in the framework of a criminal organization,*  *ab) active corruption, abuse of a function, indirect corruption, bribery in international transactions, indirect bribery in international transactions, misappropriation of funds or defalcation under Act IV/1978, or crimes of corruption provided for in Chapter XXVII of the Criminal Code and misappropriation of funds or defalcation under the Criminal Code,*  *ac) budget fraud, any violation of the financial interest of the European Communities under Act IV/1978, or budget fraud under the Criminal Code,*  *ad) acts of terrorism under Act IV/1978 and the Criminal Code, including instigation, aiding and abetting or attempt committed in connection therewith,*  *ae) money laundering under Act IV/1978 and the Criminal Code, and terrorist financing under the Criminal Code,*  *af) trafficking in human beings under Act IV 1978 and the Criminal Code, and forced labor under the Criminal Code,*  *ag) agreement in restraint of competition in public procurement and concession procedures under Act IV/1978 and the Criminal Code,*  *ah) a crime similar in nature to those under Paragraphs a)-g) according to the economic operators national law* |  |
| b) where the economic operator has not fulfilled obligations relating to the payment of taxes, customs duties or social security contributions which are overdue for over a year, except if the economic operator has fulfilled its obligations by paying such debts before the time of submission of the tender or request to participate, including, where applicable, any interest accrued or fines, or if deferred payment has been authorized |  |
| (c) where the economic operator is the subject of winding-up proceedings, or a court ruling ordering the opening of bankruptcy proceedings has been published or if undergoing liquidation proceedings by final decision, or if the economic operator is undergoing any similar proceeding under national law, or who is in any analogous situation under national law; |  |
| d) where the economic operator has suspended its activities or whose operations had been suspended |  |
| e) where the economic operator has been found guilty of a crime by final court verdict in connection with his economic or professional conduct within the past three years; |  |
| f) where the economic operator\_s activities are restrained for any period by final court verdict pursuant to Paragraph *b)* of Subsection (2) of Section 5 of Act CIV of 2001 on Criminal Sanctions in Connection with the Criminal Liability of Legal Persons, or under Paragraph *c)* or *g)* applicable to the given procurement procedure, during the period of exclusion, or if the tenderer\_s operations are restrained by final court order for similar reasons and by similar means; |  |
| g) where the economic operator has been excluded pursuant to Paragraph *f)* of Subsection (2) of Section 165 from participating in public procurement procedures, until the end of the period specified by the Közbeszerzési Dönto˝bizottság (*Public Procurement Arbitration Board*) or - in the case of review of the decision of the Közbeszerzési Dönto˝bizottság - in the final court decision |  |
| h) who or which supplied false data or made false declarations in an earlier procurement procedure or concession award procedure and was therefore excluded from that procedure and, in a period of three years after the completion of the procurement procedure in question, no judicial remedy was provided for the prohibition or a judicial remedy has been provided for the prohibition and the decision of the Public Procurement Arbitration Board or, in case of a judicial review thereof, the court’s final and binding ruling - issued within the previous three years - stated that the contracting authority’s decision on the prohibition was lawful and confirmed that false data had been supplied |  |
| i) where the economic operator is guilty in supplying false information in the given public procurement procedure (hereinafter referred to as false information") or misrepresentation in violation of the provisions on disclosures, or unable to meet the obligation of verification having regard to eligibility criteria, grounds for exclusion or the criteria provided for in Subsection (5) of Section 82 in spite of the statement submitted as preliminary evidence (hereinafter referred to collectively as false statement"), if  *ia) such false information or statement may have a material influence on the contracting authority\_s decisions concerning exclusion, selection or award, the tender\_s conformity with the technical specifications, or the evaluation of tenders, and*  *ib) the economic operator has undertaken to provide false information or statement, or should have been clearly aware within reason that the information he has supplied is false or untrue, or the statement provided is not in conformity with the certificates available;* |  |
| j) if the contracting authority is able to prove that the economic operator has undertaken to unduly influence the decision-making process of the contracting authority, or to obtain confidential information that may confer upon it undue advantages in the procurement procedure, or was excluded from a previous public procurement or concession award procedure in consequence, and no remedy has taken place having regard to such exclusion within three years after the conclusion of the procurement procedure in question; |  |
| k) where the economic operator is subject to either of the following:  *ka) he is established for tax purposes in a country other than a Member State of the European Union, the European Economic Area or the Organization for Economic Cooperation and Development, a State that is a party to the World Trade Organization Agreement on Government Procurement or any of the overseas countries and territories mentioned in Article 198 of the TFEU, or a state with which Hungary has an agreement on double taxation, or with which the European Union has a bilateral agreement in the field of public procurement,* |  |
| *kb) being a company not listed on a regulated stock exchange, whose true owner provided for in Subparagraphs ra)-rb) or rc)-rd) of Paragraph r) of Section 3 of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing cannot be identified, or* |  |
| *kc) being an economic operator in which a legal person or any entity with legal capacity under national law controls directly or indirectly more than 25 per cent of the shares or voting rights, to whom the provisions under Subparagraph kb) apply* |  |
| l) where the economic operator has been found guilty of an infringement by a final administrative ruling adopted by the employment authority under Section 7/A of Act LXXV of 1996 on Employment Inspections within the preceding two years or, if reviewed, by final court decision subject to payment order of a sum payable to the central budget, or to a penalty for the protection of public policy imposed by the immigration authority under the Act on the Admission and Residence of Third-Country Nationals for the employment of a third-country national in Hungary, where such employment is subject to authorization |  |
| m) where a distortion of competition from the prior involvement of the economic operator in the preparation of the procurement procedure, or from the conflict of interest under Section 25, cannot be remedied by measures other than exclusion |  |
| n) where the economic operator has been guilty and sanctioned within the previous three years of a legal offense committed in a public award procedure by final and executable decision of the competition authority under Section 11 of the UMPA or under Article 101 of the TFEU, or by final and executable court ruling passed in conclusion of the judicial review of the said decision of the competition authority; or if the tenderer has been condemned, and fined, for a similar offense by another competition authority or court within the previous three years |  |
| o) if the contracting authority is able to prove that the economic operator has committed the infringement under Section 11 of the UMPA or under Article 101 of the TFEU, except if the economic operator admits to the Gazdasági Versenyhivatal (Hungarian Competition Authority) commission of the infringement under Section 11 of the UMPA or under Article 101 of the TFEU before submitting the tender, or the final tender in competitive procedures with negotiation and in competitive dialogues, and the Gazdasági Versenyhivatal verified the conditions provided for in Subsection (2) of Section 78/A of the UMPA for exemption from the fine in its ruling adopted according to Subsection (2) of Section 78/C of the UMPA |  |
| p) who failed to use the advance granted him in the contract concluded as a result of the procurement procedure or concession award procedure in compliance with the contract and such failure was established by a final and binding judicial decision, administrative decision or, in case of a review of the latter, a final and binding judicial decision issued within the previous three years |  |
| q) who seriously infringed the provisions of this Act concerning the fulfillment of the contract concluded as a result of the procurement procedure or concession award procedure and such infringement was established by the final and binding decision of the Public Procurement Arbitration Board or, in case of a review thereof, by the final and binding court decision issued not earlier than 90 days. |  |
| **Subsection (2) of Section 62 of the PPA** Furthermore, an economic operator may be excluded from participation in a contract as a tenderer, candidate tenderer, subcontractor, or from the attestation of competence: |  |
| a) if any executive officer or supervisory board member, or director of the economic operator, or the sole member in the case of a business association, or a member of management or supervisory body, or any person vested with decision-making powers under national law in a position similar to those aforementioned, where such person was found guilty of either of the criminal offenses defined in Paragraph a) of Subsection (1) by final court verdict in the past five years, and has not been exonerated from the detrimental consequences of having a criminal record, or |  |
| b) if the final court verdict for either of the criminal offenses defined in Paragraph *a)* of Subsection (1) was delivered in the past five years - or within the time period required for being exonerated from the detrimental consequences of having a criminal record, if this is shorter - against a person holding the position of executive officer or supervisory board member, or director of the economic operator, or the sole member in the case of a business association, or a member of management or supervisory body, or any person vested with decision-making powers under national law in a position similar to those aforementioned at the time the criminal offence was committed. |  |

\*\*\*

**Subparagraph kc) of Paragraph k) of Subsection (1) of Section 62 of the PPA:**

1. We, the undersigned ………………..……………………………… (company name) as Tenderer, represented by: ………………..………………………………

**make the below declaration:**

We hereby declare that there is such a legal person or any entity with legal capacity under national law/ there is no such legal person or any entity with legal capacity under national law[[8]](#footnote-8) that has an ownership share or voting rights in our company exceeding 25%, in a direct or indirect way.

1. [[9]](#footnote-9)this/these legal person(s) or entity(ies) is/are as follows:

| **Name and registered seat of the legal person or any entity with legal capacity under national law that has an ownership share or voting rights in our company exceeding 25%, in a direct or indirect way.** |
| --- |
|  |
|  |
|  |

We also declare that the above legal person(s) or entity(ies) are not subject to the grounds for exclusion as per Subparagraph kc) of Paragraph k) of Subsection (1) of Section 62 of the PPA.

**\*\*\***

We also declare, pursuant to Subsection (4) of Section 67 of the PPA, that for the performance of the contract we do not wish to employ any subcontractors that are subject to the grounds for exclusion as per Section 62 of the PPA, moreover, the entities used by as to verify eligibility are not subject to the grounds for exclusion as per Section 62 of the PPA either.

Dated:

|  |
| --- |
| ………………..……………………………… |
| authorized signature |

(Annex 7)

**Declaration on the basis of Paragraph kb) of Subsection (1) of Section 62 of the PPA[[10]](#footnote-10)**

**„MATIAS A la carte 2017”**

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of *……………………………….… Tenderer (registered seat of Tenderer)*, hereby represent that our company is a company which is not quoted on the regulated stock exchange.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

2. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of *……………………………….… Tenderer (registered seat of Tenderer)*, hereby represent that our company is a company which is quoted on the regulated stock exchange.

Done at:

|  |
| --- |
| ……………………………… |
| authorized signature / signature of proxy |

*Tenderer shall make a declaration based on the actual data of the company according to Paragraph 1* ***or*** *Paragraph 2!*

*If Tenderer make a declaration according to Paragraph 1, it* ***shall also make a declaration*** *according to Annex 8.*

*If Tenderer makes a declaration according to Paragraph 2, it* ***need not make a declaration*** *according to Annex 8.*

*Tenderer(s)/Joint Tenderer(s) shall declare according to the point 1, or 2. as the real data of their company!*

*If Tenderer(s)/Joint Tenderer(s) shall declare according to the point 1, the Annex 9 has to be fulfilled as well****.***

(Annex 8)

**Declaration on the basis of Paragraph kc) of Subsection (1) of Section 62 of the PPA[[11]](#footnote-11)**

**„MATIAS A la carte 2017”**

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer (registered seat of Tenderer), hereby represent that, our company is a company that is not quoted on the regulated stock exchange, and I am able to denominate all the true owners as prescribed in subsections ra) – rb) or rc) – rd) of paragraph r) of section 3[[12]](#footnote-12) of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing and make the following representation with regard to their names and addresses of permanent residence[[13]](#footnote-13):

| Name of every true owner | Addresses of the permanent residencies of every true owner |
| --- | --- |
|  |  |
|  |  |

Date:

|  |
| --- |
| ……………………………… |
| authorized signature |

1. With respect to the public procurement procedure initiated in the subject above, I, the undersigned .......................................................... as the representative entitled to make representations on behalf of ……………………………….… Tenderer (registered seat of Tenderer), hereby represent that, our company is a company that is not quoted on the regulated stock exchange, and I do not have true owner as prescribed in subsections ra) – rb) or rc) – rd) of paragraph r) of section 3[[14]](#footnote-14) of Act CXXXVI of 2007 on the Prevention and Combating of Money Laundering and Terrorist Financing.

Date:

|  |
| --- |
| ……………………………… |
| authorized signature |

*Tenderer(s) and Joint Tenderer(s) shall make declarations according to the real data of the company.*

(Annex 9)

**Declaration on supplementary information[[15]](#footnote-15)**

**„MATIAS A la carte 2017”**

We, the undersigned ………………………………………. (company name) as Tenderer, represented by: ………………..……………………………… declare that all supplementary information issued in the course of the above public procurement procedure has been received and taken into consideration by us for the purposes of preparing this tender.

Date:

|  |
| --- |
| ……………………………… |
| authorized signature |

(Annex 10)

**Declaration of confidentiality**

We, the undersigned ………………..……………………………… (company name) as Tenderer, represented by: ………………..……………………………… hereby declare, and undertake the commitment - regarding the „ MATIAS A la carte 2017.” negotiated Public Procurement Procedure issued by HungaroControl Hungarian Air Navigation Services Pte. Ltd. Co. contracting authority -, that I will - during the procedure, and afterwards – ensure the confidentiality of all data, information and documentation divulged to the company represented by me; and I will ensure that during the tendering process the tenderer or the other contributors involved in the tendering process by the tenderer are not going to - directly or indirectly - use those data, information, and documentation for any purpose not connected to the tender, they will not make them public, nor divulge them to any unauthorised person, nor they are not going to use them illegitimately.

Date: ……………………………… (place, day, month, year)

………………………………..

authorized signature

(Annex 11)

**Detailed price table**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **MATIAS A la carte 2017** | | | | | | | |
| Item | | Part # | | Description | QTY  (pc) | **EUR in NET /pc** | **EUR in NET /SUM (QTY x pc.)** |
| 1 | |  | |  |  |  |  |
| 2 | |  | |  |  |  |  |
| 3 | |  | |  |  |  |  |
| 4 | |  | |  |  |  |  |
| 5 | |  | |  |  |  |  |
| 6 | |  | |  |  |  |  |
| 7 | |  | |  |  |  |  |
| 8 | |  | |  |  |  |  |
| 9 | |  | |  |  |  |  |
| 10 | |  | |  |  |  |  |
| 11 | |  | |  |  |  |  |
| 12 | |  | |  |  |  |  |
| **SUM TOTAL (EUR in NET wo VAT):** | | **EUR** | | | | |

1. The Table of Contents must be updated according to the contents of the submitted tender. [↑](#footnote-ref-1)
2. In case of Joint Tenderers, the data of the Joint Tenderer(s) have also to be given and officaly signed. [↑](#footnote-ref-2)
3. In case of jointly proposal all Tenderer(s)s shall sign it. [↑](#footnote-ref-3)
4. If there is an ongoing procedure to amend a registration related to the certificate of incorporation, a copy of the application to amend the registration and of the confirmation of the submission thereof issued by the court of registration shall be enclosed to the offer document [↑](#footnote-ref-4)
5. Please underline the appropriate. [↑](#footnote-ref-5)
6. the suitable term should be underlined [↑](#footnote-ref-6)
7. To be completed by the tenderer or joint tenderers, separately. [↑](#footnote-ref-7)
8. Delete as appropriate. [↑](#footnote-ref-8)
9. **Optional – Section II has to be completed only if there such a legal entity or organisation without legal personality that has shares or voting rights in the candidate exceeding 25%, either directly or indirectly, in all other cases please delete.** [↑](#footnote-ref-9)
10. Tenderer(s) and Joint Tenderer(s) shall declare separately. [↑](#footnote-ref-10)
11. Tenderer(s) and Joint Tenderer(s) shall declare separately. [↑](#footnote-ref-11)
12. Paragraph r) of section 3 of Act CXXXVI of 2007:

    r) True owner shall mean:

    ra) **the natural person**, who directly or – in a manner specified in Subsection (3) of Section 685/B of Act IV of 1959 on the Civil Code (hereinafter referred to as ‘Civil Code’) – indirectly owns or controls at least twenty-five per cent of the shares or voting rights in a legal person or in an organisation not having a legal personality, if that legal person or organisation not having a legal personality is not a registered company on the regulated market to which publication requirements consistent with Community legislation or equivalent international requirements apply;

    rb) the natural person, who has a dominant influence in a legal person or an organisation not having a legal personality as determined in Subsection (2) of Section 685/B of the Civil Code;

    rc) the natural person, on whose behalf a transaction order is executed;

    rd) in the case of foundations, the natural person:

    1. who is the beneficiary of at least twenty-five per cent of the property of the foundation, if the future beneficiaries have already been determined;

    2. in whose main interest the foundation is established or operates, if the beneficiaries have yet to be determined; or

    3. who is a member of the managing organisation of the foundation, or who has a dominant influence over at least twenty-five per cent of the property of the foundation, or who acts on behalf of the foundation; and

    re) in the absence of a natural person specified in Subparagraphs ra)–rb), the executive officer of the legal entity or the organisation not having a legal personality; [↑](#footnote-ref-12)
13. **In event the economic operator does not have true owner as provided for in Subparagraphs *ra)-rb)* or *rc)-rd)* of Paragraph *r)* of Section 3 of the Money Laundering Act, the corresponding declaration shall be attached.** [↑](#footnote-ref-13)
14. Paragraph r) of section 3 of Act CXXXVI of 2007:

    r) True owner shall mean:

    ra) **the natural person**, who directly or – in a manner specified in Subsection (3) of Section 685/B of Act IV of 1959 on the Civil Code (hereinafter referred to as ‘Civil Code’) – indirectly owns or controls at least twenty-five per cent of the shares or voting rights in a legal person or in an organisation not having a legal personality, if that legal person or organisation not having a legal personality is not a registered company on the regulated market to which publication requirements consistent with Community legislation or equivalent international requirements apply;

    rb) the natural person, who has a dominant influence in a legal person or an organisation not having a legal personality as determined in Subsection (2) of Section 685/B of the Civil Code;

    rc) the natural person, on whose behalf a transaction order is executed;

    rd) in the case of foundations, the natural person:

    1. who is the beneficiary of at least twenty-five per cent of the property of the foundation, if the future beneficiaries have already been determined;

    2. in whose main interest the foundation is established or operates, if the beneficiaries have yet to be determined; or

    3. who is a member of the managing organisation of the foundation, or who has a dominant influence over at least twenty-five per cent of the property of the foundation, or who acts on behalf of the foundation; and

    re) in the absence of a natural person specified in Subparagraphs ra)–rb), the executive officer of the legal entity or the organisation not having a legal personality; [↑](#footnote-ref-14)
15. Optional – if there has been supplementary information [↑](#footnote-ref-15)