**RESTART ENERGY DEMOCRACY CARBON STANDARD**

**Preliminary Checklist/Fact Sheet On The Legal Situation Of The Contractual Partner**

Date: 7th July 2022

Version 1.0

**1. GENERAL INFORMATION**

 **1.1. Partner identification data:**

|  |  |
| --- | --- |
| Name: |  |
| Registered office: |  |
|  | (if different from the Registered office) |
| Mailing address:  |  |  |
| Registration number/code: |  |
| Phone number: |  |
| Website:  |  |
| Contact person: |  |
| Email: |  |

**1.2. Type of legal relationship considered:**

|  |  |  |
| --- | --- | --- |
| * [ ]  Agent
 |  [ ]  Consultant | [ ]  Franchisee |
|  [ ]  Supplier [ ]  Client  |  [ ]  Intermediate | * [ ]  Associate in a joint venture
 |
|  [ ]  Other (specify) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**1.3. The state(s) where the legal relationship is established:**

……………...........................

**1.4. Describe any previous or current relationship with………. Restart Energy Democracy or any of Restart Energy's affiliated companies:**

**2. INFORMATION ABOUT THE PARTNER'S BUSINESS**

**2.1. Legal status of the partner:**

|  |  |
| --- | --- |
| [ ]  Stand-alone entity  | * [ ]  Association representative (specify)
 |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| [ ]  Group member (specify) | * [ ]  Other (specify)
 |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**2.2 Partner history**

**2.2.1** Date and place of establishment of the partner:

**2.2.2** The partner was established as a result of an operation to transform another legal entity (*e.g.* merger, split-off, detachment)?

|  |  |
| --- | --- |
| * [ ] Yes
 | * [ ] No
 |

If the answer is “yes”, specify the name and identification data of the entity(s) at the origin of the partner:

**2.3 Ownership of the partner’s share capital**

**2.3.1** Shareholders (associates) of the partner

|  |  |  |
| --- | --- | --- |
| Shareholder’s name | Identification data[[1]](#footnote-1) | The ratio of share capital (%) |
|   |  |  |
|  |  |  |

**2.3.2** Final beneficiaries[[2]](#footnote-2) of the shares issued by the partner: **.....................**

**2.4 Partner group**

Indicate the identification data of any entities (companies, associations, foundations, economic interest groups, etc.) in which the partner holds shares/interests or in which the partner's shareholders hold shares/interests, together with the percentage share of ownership of the partner and the partner's shareholder, respectively, in the entity concerned.

|  |  |  |
| --- | --- | --- |
| Owned entity identification data[[3]](#footnote-3)  | Name / entity’s name / holding person[[4]](#footnote-4)  | The ratio of share capital (%) |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**2.5 Government or administrative affiliations**

**2.5.1.** Is any shareholder, director, director, employee, representative, or consultant of the partner or members of the partner group, also, **an employee or official of a governmental or administrative entity**?

|  |  |
| --- | --- |
| [ ]  Yes | * [ ]  No
 |

If the answer is "yes", write down the name of the person concerned, and the public office held:

**2.5.2.** Has any shareholder, director, director, employee, representative or consultant of the partner or members of the Partner Group, **a relative who is an employee or official of a government or administrative entity**?

|  |  |
| --- | --- |
|  [ ]  Yes | * [ ]  No
 |

If the answer is “yes”, describe below:

**2.5.3.** Is any shareholder, director, director, employee, representative or consultant of the partner or members of the Partner Group, A **Politically Exposed Person**[[5]](#footnote-5)?

|  |  |
| --- | --- |
|  [ ]  Yes | * [ ]  No
 |

If the answer is “yes", write down the name of the person concerned and the reason for the political exposure:

**2.6. Legal compliance**

**2.6.1.** Relations with entities in FATF countries[[6]](#footnote-6)

The partner, or any of its shareholders, beneficial owners, or members of its group, maintains business or collaboration relationships with state or private entities located or operating in states/jurisdictions that FATF has included in **the list of high risk or non-cooperating countries or the list of CSB/CFT strategic deficiencies** and who have not made sufficient progress in addressing the deficiencies or have not committed to an action plan developed together with FATF to address the deficiencies[[7]](#footnote-7)?

|  |  |
| --- | --- |
| * [ ]  Yes
 | * [ ]  No
 |

If the answer is “yes”, describe below or in an attached document the type and nature of the collaboration:

**2.6.2.** The partner, or any of the shareholders, beneficial owners or members of its group, or persons in the management of any of them, has been or is the subject of an **investigation, investigations, civil litigation, or criminal case or a governmental or administrative investigation, regarding the commission of acts of corruption, acts assimilated to acts of corruption, anti-competitive acts, acts on tax evasion or facts on money laundering**? If so, describe each case below or in an attached document:

|  |  |
| --- | --- |
| * [ ]  Yes
 | * [ ]  No
 |

If the answer is “yes”, describe below or in an attached document the subject of the actions and their result:

**2.6.3.** Has been any of the present or past management members of the partner, or of any of the shareholders, beneficial owners, or members of its group, or of the entity from which the partner originates, declared to be in **a** **state of incompatibility or conflict of interest**, in the sense of the legislation on transparency in the exercise of public dignity, public functions and in the business environment, preventing and sanctioning corruption?

|  |  |
| --- | --- |
| * [ ]  Yes
 | * [ ]  No
 |

If the answer is “yes”, describe below or in an attached document the situation and the legal consequences:

**2.6.4.** Has any of the current or past management members of the partner, or of any of the shareholders, beneficial owners, or members of its group, or of the entity from which the partner originates, applied for election to an elective position?

|  |  |
| --- | --- |
| * [ ]  Yes
 | * [ ]  No
 |

If the answer is “yes”, describe below or in an attached document the subject of the actions and their result:

**2.6.5.** Does the partner have internal procedures on preventing and combating corruption, tax evasion or money laundering?

|  |  |
| --- | --- |
| * [ ]  Yes
 | * [ ]  No
 |

If the answer is “yes”, describe below or in an attached document:

**2.6.6.** Are the financial statements and the activity of the partner audited?[[8]](#footnote-8)

|  |  |
| --- | --- |
| * [ ]  Internal Audit
 | * [ ]  External Audit
 |
|  [ ]  Both | * [ ]  None
 |

**3. REFERENCES**

**3.1. Banking references**

|  |  |
| --- | --- |
| Name: |  |
| Subsidiary: |  |
|  | (if different from the Registered office) |

|  |  |
| --- | --- |
| IBAN Code: |  |

**4. REPRESENTATIONS AND WARRANTIES**

**4.1.** By completing and signing this document we certify that the information provided is true and correct.

**4.2.** We acknowledge and agree that, in connection with the contractual relationship with the subscriber, Restart Energy Democracy Platform intends to keep the information contained herein in a database. By signing this document, the undersigned agrees that Restart Energy Democracy Platform will retain and process this information and that the database may be accessed by Restart Energy Democracy Platform affiliates.

**4.3.** We declare that we allow Restart Energy Democracy Platform access to the subscriber's records, records, and information to audit them and establish compliance with the contractual terms and all applicable laws.

**4.4.** To verify the accuracy of the information provided herein, the subscriber grants Restart Energy Democracy Platform the following Rights, which are options available to Restart Energy Democracy Platform and not obligations to Restart Energy Democracy Platform:

* Contact and correspond with the persons and/or entities referred to in point 3 above or with any other entities or persons who may provide relevant information about the subscriber's activity;
* Carry out independent checks in accessible and available databases, such as but not limited to, search engines, registers of public institutions, portals of courts, or administrative authorities;
* Order a third party to draw up a report based on information from the sources mentioned above.

**4.5.** We undertake not to use any amounts, goods, or remuneration for illicit, immoral, or illegal purposes, particularly if such amounts, remuneration, or goods are the result of working with Restart Energy Democracy Platform or its affiliates. We also declare that we will not undertake activities and will not allow or authorize the execution of activities that violate applicable law. We represent that the subscriber has not offered to pay, has not paid, and will not pay political contributions to any person or entity on its behalf or behalf of any third party (including Restart Energy Democracy Platform or its affiliates).

**4.6.** At the written request of the undersigned Restart Energy Democracy Platform, we will request the signature, by its subcontractors, consultants, agents, or representatives, of an information sheet substantially similar to this document.

**4.7.** Us is not going to take charge of the Restart Energy Democracy Platform, or any representative or agent thereof, if, as a result, at least to some reasonable doubt concerning a possible violation by us of the entities or persons referred to in paragraphs 2.2.2, 2.3, or 2.4, or representatives, or the members of their boards, the rules for the prevention and combating of money laundering and the financing of terrorism, or of the rules on competition, or the fight against corruption and tax evasion, The Restart Energy Democracy Platform, or representatives, or its servants shall take any appropriate measure, which may have as its purpose or as the result of the termination, the termination or sanction of any such breach, without such a measure should be a mandatory subject of discussion, or communicated to you before the Restart Energy Democracy Platform to us.

**4.8.** The lack of accuracy or authenticity of the information presented by us in this document, or the concealment of any of the elements that are significant to confer the Restart Energy Democracy Platform and its affiliates the right to suspend the execution of the obligations in respect of us, and, where appropriate, to terminate the contractual relationship (current or future) of them, and us, without such a measure is to be regarded as the cause of the attraction of the liability of the Restart Energy Democracy Platform or its affiliates.

**4.9.** Subscriber will indemnify Restart Energy Democracy Platform, its representatives, or representatives, as the case may be, for all losses, costs, or damages suffered by any of them as a result of subscriber's violation of the statements herein or as a result of any consequences related to the lack of accuracy or truthfulness of such statements.

|  |  |
| --- | --- |
| Representative signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Company name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name in clear (upper case)  | Date of signature:  |
| Position held: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

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# 5. DOCUMENT UPDATE

|  |  |  |
| --- | --- | --- |
| **Version**  | **Date**  | **Comments or additional information** |
| 1  | 07.07.2022  | Initial version of the document. |

1. For legal entities: registered office address, registration number in public registers. For individuals: citizenship, domicile, personal code, series, and number of identity documents. [↑](#footnote-ref-1)
2. Any natural person who ultimately owns or controls the partner and/or the individual on behalf of or in whose interest the ownership of the shares issued by the partner is carried out, directly or indirectly. (minimum percentage of ownership - 20% of share capital) [↑](#footnote-ref-2)
3. Name, form of organization (company, association, etc.), address of registered office, registration number in public registers. [↑](#footnote-ref-3)
4. According to the entities / persons referred to in 2.3.1 and 2.3.2. [↑](#footnote-ref-4)
5. Politically exposed persons are individuals who hold or have held important public office, direct members of their families, as well as persons publicly known as close associates of individuals holding important public office. [↑](#footnote-ref-5)
6. International Financial Action Task Force is the inter-governmental body that sets international standards, develops and promotes policies to combat money laundering and terrorist financing. [↑](#footnote-ref-6)
7. The list of countries can be found on the FATF website <http://www.fatf-gafi.org/> [↑](#footnote-ref-7)
8. Multiple response possibility [↑](#footnote-ref-8)