

**SELF-DECLARATION BY THE PARTICIPANTS IN THE TENDER PROCEDURE OF THE
DATA NECESSARY FOR THE IDENTIFICATION OF THE "BENEFICIAL OWNER"**

AS PART OF THE INTERVENTIONS UNDER THE PNRR

Open procedure with the application of the criterion of the most economically advantageous offer identified on the basis of the best value for money, pursuant to art. 71 and 108 paragraph 1 of Legislative Decree no. 36/2023 as amended, concerning the supply of an "Automated mRNA Production System at scale suitable for drug discovery and preclinical development with Critical Reagent Supply and Processing".

IMPLEMENTING BODY: UNIVERSITY OF NAPLES FEDERICO II – DEPARTMENT OF PHARMACY

Project code MUR project code: CN00000041; CUP: E63C22000940007; CUI: F00876220633202400035;

The undersigned _____ born in _____ (_____)
on _____ tax code _____ resident at

_____ in street/square _____ Zip Code No. _____

e-mail address/PEC _____ Tel. _____

profession _____, as:

- ☐ Legal representative
- ☐ titular
- ☐ procurator
- ☐ (Other specify) _____

of the company / company _____

based in _____ (_____) in the
street/square

_____ e-mail address/PEC _____

Tax Code _____ Vat _____

classification of economic activities prepared by ISTAT (**ATECO code** and brief description of the activity):

participant in the selection procedure of the Implementing Entity under the National Recovery and Resilience Plan, pursuant to articles 46 and 47 of Presidential Decree no. 445 of 28 December 2000, aware of the criminal liability incurred by those who sign false declarations or form, exhibit, make use of false documents or no longer correspond to the truth and the related criminal sanctions referred to in art. 76 of Presidential Decree 445/2000, as well as the administrative consequences and forfeiture of any benefits resulting from the measure issued

STATES

Having read the instructions concerning the definition of "beneficial owner" and the related identification methods reported at the bottom of this declaration form:

Option 1)

☐ to be the sole beneficial owner of the company indicated above;

and holds the following role within the company: _____ **(by way of example, but not limited to: legal representative, managing director, CEO, etc.).**

Option 2)

☐ that you are the beneficial owner of the company together with:

(repeat the information below for each natural person identified as the beneficial owner)

Surname..... Name.....

born in (_ _ _ _) on

Tax code

resident in (_ _ _ _) ZIP CODE.....

road.....

domicile (if different from residence)

.....

**and hold/hold the following role within the company: _____ (by way of
example, but not limited to: legal representative, managing director, CEO, etc.)**

Valid identity document details:

☐ ID card

☐ Driving License

☐ Passport

☐ Other (specify) _____

with number

released on from.....

expiration.....

Option 3)

☐ that you are not the beneficial owner

The beneficial owner(s) of the company is indicated below:

(repeat the information below for each natural person identified as the beneficial owner)

Surname..... Name.....

born in (_____) on

Tax code

resident in (_ _ _ _ _) ZIP CODE.....

road..... domicile (if different from
residence)

**and hold/hold the following role within the company: (by way of
example, but not limited to: legal representative, managing director, CEO, etc.).**

**and hold/hold the following role within the company: (by way of
example, but not limited to: legal representative, managing director, CEO, etc.).**

.....

Valid identity document details:

☐ ID card

☐ Driving License

☐ Passport

☐ Other (specify)

with number

released on from.....

expiration.....

Option 4)

(ATTENTION: this choice is reserved only in cases where there is no control or significant shareholding in
the company)

☐ that there is no beneficial owner of the business since (specify the reason)

.....
.....

Therefore, the beneficial owners are identified as the natural persons holding powers of administration or management of the company indicated below: **and hold/hold the following role within the company:_____ (by way of example, but not limited to: legal representative, managing director, CEO, etc.).**

(repeat the information below for each natural person identified as the beneficial owner, including the registrant where the latter can be identified as the beneficial owner due to the absence of control or significant shareholdings)

Surname..... Name.....

born in (_ _ _ _) the

Tax code

resident in (_ _ _ _) ZIP CODE.....

road..... domicile (if different from residence)

.....

Valid identity document details:

☐ ID card

☐ Driving License

☐ Passport

☐ Other (specify)

with number

released on from.....

expiration.....

The undersigned declares that the data subjects have read the information issued by the Data Controller pursuant to art. 13 and 14 of Regulation (EU) 679/2016 – GDPR – published in the section dedicated to the facilitative measure on the institutional website of the Ministry and to be informed that the personal data provided are prescribed as necessary by the provisions in force for the purposes of the investigation of the procedure initiated here and that for this purpose they will be processed, including with IT tools. Failure to provide personal data will not allow the investigation to continue. Any interested party, pursuant to art. 15 et seq. of the GDPR, you may make requests for the exercise of your rights in the manner indicated in the aforementioned information

With reference to all the above-mentioned subjects, the following are attached hereto:

- copy of the identity documents of the legal representative and beneficial owners, the details of which have been reported in this declaration;**
- copy of the documents (health card, electronic identity card) certifying the issue of the tax code of the legal representative and beneficial owners.**

Place and date _____

Signature

INSTRUCTIONS FOR IDENTIFYING THE BENEFICIAL OWNER

1. REFERENCE LEGISLATION

According to the Anti-Money Laundering Legislation (Legislative Decree No. 231 of 21 November 2007), the beneficial owner is the natural person on whose behalf a transaction or activity is carried out. In the case of a legal entity, it is the natural person – or persons – who, by owning that entity, is the beneficiary of it. All legal entities must therefore have beneficial owners, with the exception of sole proprietorships and self-employed professionals, where the beneficial owner is the natural person. In light of the provisions of the MEF Ministerial Decree no. 55 of 11 March 2022 "Regulation containing provisions on the communication, access and consultation of data and information relating to the beneficial ownership of companies with legal personality, private legal persons, trusts producing legal effects relevant for tax purposes and legal institutions similar to trusts", and by the "Guidelines for the performance of control and reporting activities of PNRR interventions under the responsibility of Central Administrations and Implementing Entities" issued by the MEF - Central Service for the PNRR with circular no. 30 of 11 August 2022, the subjects participating in NRRP notices and calls are also required to provide the data necessary for the identification of the beneficial owner. The UIF Communication of 11 April 2022 also reiterates the importance of ascertaining the "beneficial owner" pursuant to Article 22 of Reg. 241/2021. In particular, "For the purposes of ascertaining beneficial ownership, by analogy with what is provided for the recipients of customer due diligence obligations, it is appropriate that public administrations take into account the notion and indications contained in Legislative Decree no. 231/2007, make use of aids deriving from public or private databases, where accessible, and keep evidence of the criteria followed for the identification of beneficial ownership".

More specifically, pursuant to art. 1 of the aforementioned MEF Decree no. 44/2022, for the identification of the beneficial owner, in the case of: - companies with legal personality, reference is made to the natural person or persons to whom the direct or indirect ownership is attributable pursuant to Article 20, paragraphs 2, 3 and 5, of the anti-money laundering decree; - private legal persons, reference is made to the subjects identified by Article 20, paragraph 4, of the anti-money laundering decree; - trusts and similar legal institutions, refers to the subjects identified by Article 22, paragraph 5, first sentence, of the anti-money laundering decree; The identification data of the subjects to whom the beneficial ownership refers are: - the name and surname; - the place and date of birth; - registered residence; - the domicile, if different from the registered residence; - the tax code.

2. CRITERIA FOR IDENTIFYING THE BENEFICIAL OWNER

The "Guidelines for the performance of control and reporting activities of PNRR interventions under the responsibility of Central Administrations and Implementing Entities" issued by the MEF - Central Service for the PNRR with circular no. 30 of 11 August 2022, in referring to Legislative Decree no. 231/2007, as amended by Legislative Decree no. 125 of 2019, recalls the application of 3 alternative criteria for the identification of the beneficial owner: **1. Ownership structure criterion:** on the basis of this criterion, the beneficial owner(s) is identified when one or more persons hold a stake in the company capital of more than 25%. If this percentage of corporate participation is controlled by another non-physical legal entity, it is necessary to go up the chain of ownership until the beneficial owner is found; **2. control criterion:** on the basis of this criterion, it is verified who is the person, or group of people, who, through the possession of the majority of votes or contractual constraints, exercises the greatest influence within the panorama of shareholders. This criterion is essential in the event that it is not possible to trace the beneficial owner with the analysis of the ownership structure (see point 1); **3. residual criterion:** this criterion establishes that, if the beneficial owners have not been identified with the previous two criteria, the latter must be identified as the person who exercises powers of administration or management of the company. The same MEF Circular 30/2022 specifies that all successful bidders/contractors with the PA are required to communicate data on beneficial ownership. In the event that subcontracting is used (if provided for in the Notice/Notice of Tender and the Contract), the communication of the data relating to the beneficial owner must be made not only by the successful tenderer of the contract, but also by the third party (subcontractor) to whom the contractor entrusts, in whole or in part, the execution of the work contracted to him. In the case of a Temporary Grouping of Companies (RTI), the communication of data on the beneficial owner must be carried out by all the economic operators who are part of the Group.

3. REGULATORY APPENDIX

Legislative Decree No. 231 of 21 November 2007 Implementation of Directive 2005/60/EC on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, as well as Directive 2006/70/EC on implementing measures. Art. 1. Definitions... omitted... 2. In this decree, the following definitions shall apply: ... omitted... pp) beneficial owner: the natural person or natural persons, other than the client, in whose interest or in the last instance the ongoing relationship is established, the professional service is rendered or the transaction is performed; Art. 20. Criteria for determining the beneficial ownership of customers other than natural persons 1. The beneficial owner of customers other than natural persons is the natural person or persons to whom the direct or indirect ownership or control of the entity is ultimately attributable. 2. In the event that the client is a corporation: a) the ownership of a shareholding of more than 25 per cent of the client's capital, held by a natural person, constitutes an indication of direct ownership; b) the ownership of a percentage of shareholdings exceeding

25 per cent of the customer's capital, owned through subsidiaries, trust companies or through an intermediary, constitutes an indication of indirect ownership. 3. In the event that the examination of the ownership structure does not make it possible to identify unequivocally the natural person or persons to whom the direct or indirect ownership of the entity is attributable, the beneficial owner shall coincide with the natural person or persons to whom, in the last instance, control of the same is attributable by virtue of: a) control of the majority of the votes exercisable at the ordinary shareholders' meeting; b) the control of sufficient votes to exercise a dominant influence in the ordinary shareholders' meeting; c) the existence of particular contractual links that allow the exercise of a dominant influence. 4. In the event that the customer is a private legal person, referred to in Presidential Decree no. 361 of 10 February 2000, the following shall be cumulatively identified as beneficial owners: a) the founders, if alive; b) the beneficiaries, when identified or easily identifiable; c) holders of powers of legal representation, management and administration. 5. If the application of the criteria referred to in the preceding paragraphs does not make it possible to unequivocally identify one or more beneficial owners, the beneficial owner shall be the natural person or persons who hold, in accordance with their respective organizational or statutory structures, powers of legal representation, administration or management of the company or of the customer who is in any case different from the natural person. 6. The obliged entities shall keep records of the checks carried out for the purpose of identifying the beneficial owner and, with specific reference to the beneficial owner identified pursuant to paragraph 5, of the reasons that did not allow the identification of the beneficial owner pursuant to paragraphs 1, 2, 3 and 4 of this article. Art. 22. Obligations of the customer ... omitted... 5. Trustees of express trusts, regulated pursuant to Law No 364 of 16 October 1989, as well as persons exercising equivalent rights, powers and faculties in similar legal institutions, provided that they are established or resident in the territory of the Italian Republic, shall obtain and hold adequate, accurate and up-to-date information on the beneficial ownership of the trust, or of the similar legal arrangement, by these means those relating to the identity of the settlor(s), the trustee(s), the guardian(s) or other person on behalf of the trustee, if any, the beneficiaries or class of beneficiaries and other natural persons exercising control over the trust or similar legal arrangement and any other natural person exercising, ultimately, control over the assets conferred in the trust or similar legal arrangement through direct or indirect ownership or through other means. Trustees of express trusts and persons exercising equivalent rights, powers and powers in similar legal arrangements shall retain such information for a period of not less than five years after the termination of their status as trustees and shall make it readily accessible to the authorities referred to in Article 21(2)(a) and (b). The same trustees who, in this capacity, establish an ongoing or professional relationship or perform an occasional service declare their status to the obliged parties.