

Customer Data Sheet to Framework Agreement No.

legal entity

To be completed by OANDA TMS Brokers S.A.

Cash Account Number		Identification Number	
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To be completed by the Client

Service variant: <input type="checkbox"/> CFDs (TMS Connect) <input type="checkbox"/> Stocks				
This document is an integral part of the Framework Agreement. Please, fill in this document legibly and sign it.				
Full name of the legal entity				
Registered office address	Street, house No./apartment No. number			
	Post code		City	
	Country		Region/Province	
	District		Commune	
Business address	Street, house No./apartment No.		Post code	
	City		Country	
Registration number				
LEI Number				
Base currency of the account **)	<input type="checkbox"/> PLN	<input type="checkbox"/> EUR	<input type="checkbox"/> USD	<input type="checkbox"/> GBP <input type="checkbox"/> CZK
**) For the CFDs (TMS Connect) service variant – OANDA TMS keeps cash accounts in: PLN, USD, EUR, CZK, GBP For the Stocks service variant – OANDA TMS keeps cash accounts in: PLN, USD, EUR, CZK.				
Client's bank account number (for withdrawals)				Currency of the account
Client's telephone number		E-Mail		
Telephone Password (for remote identification)				
I declare that I want to receive correspondence in the following way:	<input type="checkbox"/> Via e-mail to the provided e-mail address (without additional fee)			
	<input type="checkbox"/> By letter in printed form (the mode that may be associated in the cases indicated in the Table of Commissions and Fees with an additional fee to OANDA TMS)			
Purpose of the agreement	<input type="checkbox"/> investing financial surplus <input type="checkbox"/> hedging <input type="checkbox"/> increasing assets value			
Source of origin of funds	<input type="checkbox"/> contract of employment, for mandate, for other specific works, other similar <input type="checkbox"/> business activity <input type="checkbox"/> lack of income			
	<input type="checkbox"/> freelance activity <input type="checkbox"/> renting, leasing or other income from real estate			
	<input type="checkbox"/> transactions on the financial market <input type="checkbox"/> inheritance, donation, lottery win <input type="checkbox"/> pension or disability benefit			

Signature of the Client

Tax residence statement – CRS

Entity Name:		
NIP:		
The entity I represent has the following tax residences (not applicable to the U.S.):		
Poland	<input type="checkbox"/> Yes (if yes, please provide information regarding the Tax Office)	<input type="checkbox"/> No
Name, address and postal code of the Client's Tax Office		
Other countries of the tax residence (not applicable to the USA)	<input type="checkbox"/> Yes (if yes, please fill the table below)	<input type="checkbox"/> No
Country of tax residence	Tax Identification Number in the country of tax residence – TIN*)	Explain if there is no TIN
1)		<input type="checkbox"/> My country of residence do not assigning a TIN <input type="checkbox"/> I can't get a TIN <input type="checkbox"/> Other reason: _____
2)		<input type="checkbox"/> My country of residence do not assigning a TIN <input type="checkbox"/> I can't get a TIN <input type="checkbox"/> Other reason: _____

*) or its functional equivalent, or the numer used by the state of the residence for identification for tax purposes.

I declare that the entity I represent has the following status under the Law on Exchange of Tax Information with Other Countries ("CRS"). (indicate only one of the following options).

1	<input type="checkbox"/>	<p>Financial institution</p> <p>(Bank, SKOK, life insurance company, brokerage house, investment fund, pension fund or other entity engaged in similar activities). E.g.:</p> <ul style="list-style-type: none"> • Bank (including a cooperative bank), • payment institution, brokerage house, • Investment fund, • Insurance company, • Pension fund, • Trust.
2	<input type="checkbox"/>	<p>Active Non-financial entity - a listed entity or related entity with a listed entity</p> <p>(An entity that is not a financial institution that is listed on the exchange market or is related within the meaning of the CRS (50% direct or indirect share in the entity making the statement has an entity listed on the stock exchange, the entity submitting the declaration has such a share in the entity listed on the stock exchange or one entity has such a share in the entity making the statement and the listed company). For ex.:</p> <ul style="list-style-type: none"> • A company listed on the stock exchange in Poland or in another country, • An entity belonging to a capital group in which the parent company is listed on the stock exchange in Poland or another country.
3	<input type="checkbox"/>	<p>Active Non-Financial Entity - government institutions, central bank, international organizations</p> <p>Government administration bodies, government agencies, local government units, e.g.:</p> <ul style="list-style-type: none"> • the National Bank of Poland or the central bank of another country, • UNO, • NATO.
4	<input type="checkbox"/>	<p>Active Non-Financial Entity - other</p> <p>An entity that is not a financial institution with more than 50% of gross income in the previous calendar year active (ie other than investment income such as interest, dividends, income from the sale of securities, derivatives, investment funds, etc.) and over 50% of assets held by this entity in the previous calendar year were assets that generate active income. This category also includes entities that carry out charitable activities, exempt from taxation in their country of residence.</p> <ul style="list-style-type: none"> • For ex .: • A company engaged in commercial, production or service activities based in Poland or another country. • Charities.
5	<input type="checkbox"/>	<p>Passive Non-Financial Entity</p> <p>An entity that is not a financial institution, having its registered office in Poland or another country that does not belong to any of the categories of the Active Non-Financial Entity indicated above. This category includes also investing entities (eg funds, trusts) from countries that have not joined the CRS (e.g. USA) whose revenues are mainly attributable to investing and reinvesting financial assets or trading in financial assets and managed by another entity being a depository institution, trust or insurance undertaking or an investing entity.</p> <ul style="list-style-type: none"> • A company (existing for more than 24 months), not carrying out a real economic activity, achieving only investment and savings income, • A company operating on the basis of a holding company that owns financial institutions,

Signature of the Client

		<p>• An investment fund or trust from the USA. (after selection, please complete the CRS status statements of the beneficiary)</p>
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I undertake to inform OANDA TMS about a change in circumstances that affects the Client's tax residence or causes that the information contained in the statement has become obsolete and submit a properly updated statement **within 30 days** from the day on which the change of circumstances took place. I am aware of criminal liability for making a false statement (Tax residence statement – CRS).

The controller of the personal data is OANDA TMS Brokers S.A. with its registered office in Warsaw, Zlota 59 St. The statement is collected for the purpose of fulfilling the obligations concerning the identification of clients who are residents of participating countries under the Act on exchange of tax information with other countries. The data subjects have the right to access their data, as well as to correct or delete it.

Politically Exposed Person (PEP) statement

Prejudiced about criminal liability for providing data inconsistent with the actual state (Article 233 of the Polish Criminal Code "Who, giving evidence to serve as evidence in court proceedings or other proceedings carried out under the Act, testifies untruth or conceals the truth, is subject to the penalty of prison sentence for 6 months up to 8 years"), I am aware of criminal liability for making a false statement, I confirm that I have read the definition of a Politically Exposed Person and the **List of National Public Positions and Functions that are Politically Exposed Positions**, defined as politically exposed positions and I hereby declare that and hereby declare that:

I am not considered Politically Exposed Person*

I am considered Politically Exposed Person*

I hereby undertake to inform OANDA TMS immediately of any changes in the data covered by this statement.

.....
Name and signature of person authorized to represent

Prejudiced about criminal liability for providing data inconsistent with the actual state (Article 233 of the Polish Criminal Code "Who, giving evidence to serve as evidence in court proceedings or other proceedings carried out under the Act, testifies untruth or conceals the truth, is subject to the penalty of prison sentence for 6 months up to 8 years"), I am aware of criminal liability for making a false statement, I confirm that I have read the definition of a Politically Exposed Person and the **List of National Public Positions and Functions that are Politically Exposed Positions**, defined as politically exposed positions and I hereby declare that and hereby declare that:

I am not considered Politically Exposed Person*

I am considered Politically Exposed Person*

I hereby undertake to inform OANDA TMS immediately of any changes in the data covered by this statement.

.....
Name and signature of person authorized to represent

* Politically Exposed Persons means, excluding middle and lower level position groups, persons who hold significant public functions or positions, including:

- a) heads of state, heads of government, ministers, deputy ministers and secretaries of state;
- b) members of parliament or of similar legislative body;
- c) members of the governing bodies of political parties;
- d) members of supreme courts, constitutional tribunals and other high-level judicial bodies whose decisions are not subject to appeal, except in extraordinary procedures
- e) members of courts of auditors or of the boards of central banks;
- f) ambassadors, charges d'affairs and senior officers of the armed forces;
- g) members of administrative, management or supervisory bodies of state enterprises, including directors of state enterprises and members of management and supervisory boards of companies with State Treasury shareholding, in which more than half of the shares belong to the State Treasury or other state legal persons;
- h) directors, deputy directors and members of bodies of international organizations or persons performing equivalent functions in these organizations;
- i) directors general in the offices of chief executive and central state authorities and directors general in voivodship offices;
- j) other persons holding public functions or positions in state bodies or central government administration bodies,;
- k) spouses or persons cohabiting with Politically Exposed Person, parents and children of such persons, as well as children of spouses or persons cohabiting with Politically Exposed Person;
- l) close associates of Politically Exposed Persons, i.e. natural persons who are the beneficial owners of legal persons, unincorporated organisational units or trusts jointly with a Politically Exposed Person or who have other close relations with such person in connection with the business conducted, or natural persons who are the sole beneficial owner of legal persons, unincorporated organisational units or trusts which are known to have been established for the purpose of obtaining an actual benefit by a Politically Exposed Person

who have exercised or exercised these public functions within one year from the date of cessation of fulfilling the conditions set out in this point.

I declare that the Ultimate Beneficial Owner (UBO) is **):

	Data of the UBO	FATCA statement for UBO (please fill it if point 8 in the FATCA statement is marked)
1	First name and last name:	<input type="checkbox"/> is not a US taxpayer <input type="checkbox"/> is a US taxpayer
	Citizenship	TIN:
	ID No. or date of birth:	

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Signature of the Client

	Series and no. identity document: Address of residence: I hereby declare that the person controlling my activity as a UBO <input type="checkbox"/> is <input type="checkbox"/> is not considered as a Politically Exposed Person (PEP).	
2	First name and last name: Citizenship ID No. or date of birth: Series and no. identity document: Address of residence: I hereby declare that the person controlling my activity as a UBO <input type="checkbox"/> is <input type="checkbox"/> is not considered as a Politically Exposed Person (PEP).	<input type="checkbox"/> is not a US taxpayer <input type="checkbox"/> is a US taxpayer TIN:
3	First name and last name: Citizenship ID No. or date of birth: Series and no. identity document: Address of residence: I hereby declare that the person controlling my activity as a UBO <input type="checkbox"/> is <input type="checkbox"/> is not considered as a Politically Exposed Person (PEP).	<input type="checkbox"/> is not a US taxpayer <input type="checkbox"/> is a US taxpayer TIN:
4	First name and last name: Citizenship ID No. or date of birth: Series and no. identity document: Address of residence: I hereby declare that the person controlling my activity as a UBO <input type="checkbox"/> is <input type="checkbox"/> is not considered as a Politically Exposed Person (PEP).	<input type="checkbox"/> is not a US taxpayer <input type="checkbox"/> is a US taxpayer TIN:

) The **Ultimate Beneficial Owner (UBO) is understood as a natural person or natural persons exercising direct or indirect control over the Client through the rights that arise from legal or factual circumstances, enabling a decisive influence on actions or actions taken by the Client, or a natural person or natural persons on behalf of whom economic relations are established or an occasional transaction is carried out, including:

a) in the case of a Client who is a legal person other than a company whose securities are admitted to trading on a regulated market subject to disclosure requirements resulting from the provisions of European Union law or the corresponding provisions of the law of a third country:

- a natural person who is a shareholder or shareholder of a Client who has the right to own more than 25% of the total number of shares in that legal person,
- a natural person holding more than 25% of the total number of votes in the body that constitutes the Client, also as a lienor or user, on the basis of agreements with other persons entitled to vote,
- a natural person exercising control over a legal person or legal persons who jointly owns more than 25% of the total number of shares or Client shares, or jointly holding more than 25% of the total number of votes in the Client's body, also as a lienor or user, or based on agreements with other persons entitled to vote,
- a natural person exercising control over the Client by having in relation to this person the right, referred to in art. 3 par. 1 point 37 of the Polish Act of 29 September 1994 on accounting (Journal of Laws of 2018, item 395, 398 and 650), or
- a natural person in a higher management position in the case of a documented lack of ability to determine or doubt as to the identity of the natural persons referred to in the above indents and in the case of non-recognition of suspicions of money laundering or terrorist financing,

b) in the case of a Customer being a trust (the so-called legal relationship resulting from a legal event, contract or agreement, including a set of such events or legal acts under which the ownership is transferred or property is held as a trustee for the purpose of exercising trust management and making these values available to beneficiaries of this relationship):

- the founder,
- trustee,
- supervisor,
- beneficial owner,
- another person exercising control over the trust.

FATCA statement

I declare that the entity represented by me has the following status within the meaning of the Act of 9 October 2015 on the implementation of the Agreement between the Government of the Republic of Poland and the Government of the United States of America on improving the fulfillment of international tax obligations and the implementation of FATCA legislation.
 (please indicate only one of the following options)

1	<input type="checkbox"/>	A non-financial entity based outside of the US with active income	
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 Signature of the Client

2	<input type="checkbox"/>	The US taxpayer (Specified US Person)	TIN	
3	<input type="checkbox"/>	The US taxpayer (not a Specified US Person)		
4	<input type="checkbox"/>	Reporting/ Participating Financial Institution (compatible with FATCA)	GIIN	
5	<input type="checkbox"/>	Nonparticipating Financial Institution (incompatible with FATCA)		
6	<input type="checkbox"/>	Exempt Beneficial Owner (non-profit entity)		
7	<input type="checkbox"/>	Deemed – compliant Foreign Financial Institution (released from FATCA)		
8	<input type="checkbox"/>	Non-financial entity with headquarters outside the US with passive income		

Definitions of FATCA statuses can be found at OANDA TMS website in the Documents tab.

I undertake to update the statement regarding the status of the entity represented by me within the meaning of the Act of 9 October 2015 on the implementation of the Agreement between the Government of the Republic of Poland and the Government of the United States of America on improving the fulfillment of international tax obligations and the implementation of FATCA legislation, in the event of a change in circumstances causing the previous declaration to become obsolete and, if necessary, to provide additional documents to verifying the credibility of this statement.

I am aware of criminal liability for making a false statement (FATCA statement).

**** Definition of the US taxpayer** – should be interpreted in accordance with the provision of the Internal Revenue Code according to which the US taxpayer is a natural person who meets at least one of the conditions listed below:

1. has US citizenship (also in case of simultaneous possession of another citizenship);
2. obtained the right of permanent residence in the USA for any period in a given year (Green Card);
3. made the choice of an American residence for tax purposes after meeting the conditions provided in the US regulations;
4. stayed in the USA for at least 31 days during the tax year and the same time the total number of days in which the person was in the USA;
5. during the current year and 2 previous calendar years is at least 183 days (setting the total numbers of stay, the multiplier 1 for the number of days in the current years is used, 1/3 for the days of stay in the previous year and 1/6 for the days of stay two years back, which means that: 1 day in the current year = 1 day for the total number of days; 3 days in the previous year = 1 day for the total number of days; 6 days stay two years back = 1 day for the total number of days).

I undertake to update the statement regarding the status of the Client as a US taxpayer in the event of a change in circumstances causing, that the previous declaration has become obsolete and, if necessary, to provide additional documents to verify the credibility of this statement.

I hereby declare the completeness and compliance with the actual and legal status of the data contained in the Customer Data Sheet and I undertake to update them in writing immediately after the changes occur. I hereby declare that I have read the information contained in: Best Execution Policy of OANDA TMS Brokers S.A., Information Sheet about OANDA TMS, Description of Financial Instruments and Risks, Key Information Documents and accept their content. At the same time, I declare that before the conclusion of the Framework Agreement they have been made available to me, I have read and accept the content of the following documents:

1. The data controller of your personal data is OANDA TMS Brokers S.A. with its seat in Warsaw, Rondo Daszyńskiego 1, 00 - 843 Warsaw, NIP 526-275-91-31, for which the District Court for the capital city of Warsaw in Warsaw, XII Commercial Department of the National Court Register maintains registration files under the number KRS 204776, share capital PLN 3 537 560 (paid in full). The Data Protection Officer appointed by the data controller can be contacted by an e-mail or by telephone to the address or number indicated in the Information Sheet about OANDA TMS.
2. Your personal data will be processed in order to conclude and execute the Framework Agreement concluded with the data controller as well as fulfill the statutory duties of the data controller resulting from having the status of an entity conducting brokerage activities, in particular obligations under the Act of March 1, 2018 on counteracting money laundering and financing of terrorism (hereinafter: the "Act"). Your personal data will also be processed in order to implement the legitimate interests of the data controller, such as making necessary settlements and pursuing claims arising from the concluded Framework Agreement, security, anti-fraud or direct marketing of the data controller. In addition, they will be processed to provide information and education services. Data processing for purposes other than the above may take place: (i) based on obtaining additional consent, (ii) on the basis of applicable law, or (iii) when it is consistent with the purpose for which the personal data was originally collected (art. 6 par. 4 of EP and Council Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter: "GDPR").
3. The legal basis for the processing of your personal data is:
 - a. to the extent that data processing is necessary for the implementation of the Framework Agreement and taking action before its conclusion and providing an information and educational service - art. 6 par. 1 letter b of GDPR;
 - b. to the extent that the data processing is necessary for the data controller to perform legal obligations incumbent on him as an entity performing brokerage activities, in particular consisting in informing the financial supervisory authorities and financial information authorities about the services and transactions performed, verification and identification Client's identity and ongoing monitoring of its business relations and development of analyzes - art. 6 par. 1 letter c of GDPR in conjunction with the provisions of the Act, in particular with art. 34, 35, art. 36 and art. 37 of this Act;
 - c. to the extent that data processing is necessary to achieve the objectives arising from the legitimate interests of the data controller, such as making the necessary settlements and pursuing claims under the concluded Framework Agreement, security, anti-fraud or direct marketing of the data controller - art. 6 par. 1 letter f of GDPR.
4. You have the right to access your personal data, the right to rectify it, delete it, and the right to limit data processing. To the extent that the processing is necessary for the implementation of the Framework Agreement to which you are party or to take action on your request prior to its conclusion and providing an information and educational service (Article 6 (1) (b) of the GDPR) you also have the right to transfer data. If you believe that your data is being processed contrary to legal requirements, you can file a complaint with the competent supervisory authority with the President of the Office for Personal Data Protection in Poland.
5. Providing data is voluntary, but necessary for the conclusion of the Framework Agreement, the use of a brokerage service and providing an information and educational service. Failure to provide the data indicated in the Customer Data Sheet will result in the refusal to conclude the Framework Agreement.
6. Your personal data can be transferred to the following categories of entities: banks, entities offering quick payments, companies from the capital group to which the data controller belongs, couriers, postal operators, supervisory authorities, financial information authorities, market data providers, entities managing investment funds, suppliers of tools, software and platforms for servicing transactions and financial operations performed in the course of implementing the Framework Agreement, as well as for sending commercial information by means of electronic communication, legal counsels and entities providing servers and storing data.

7. In the case of transferring personal data to third countries, i.e. to recipients established outside the European Economic Area or Switzerland, in countries that according to the European Commission do not provide sufficient data protection (third countries that do not provide an adequate level of protection), the data controller transfers them using mechanisms in accordance with applicable law, which include, among others EU "Standard Contractual Clauses".
8. Your personal data will be stored for the duration of the Framework Agreement, as well as after its termination, in accordance with art. 49 of the Act, for a period of 5 years, starting from the first day of the year following the year in which the economic relations with the client were concluded or until the limitation period for claims arising from legal provisions. Data included in the results of the assessments of economic relations referred to in art. 34 par. 3 of the Act shall be processed for a period of 5 years, starting from the first day of the year following the year of their execution. In the absence of positive verification of identity in connection with the conclusion of the Framework Agreement and a return transfer of funds equivalent to EUR 15,000 or more (occasional transaction), your personal data will be stored for a period of 5 years, counting from the first day of the year following the year of its execution or until the limitation of claims arising from legal provisions; in the case of smaller amounts, your personal data (excluding those that are processed for the purpose of providing an information and educational service) will be deleted as soon as the return transfer is carried out. The above data retention periods may be extended on the terms specified in art. 49 par. 3 of the Act.
To the extent that the data processing is based on the legitimate interest of the data controller, the data will be processed for the time necessary for its implementation (in particular to the time limitation of claims under the applicable law), but no longer than until the opposition is considered justified by your special situation, and where the legitimate interest is direct marketing of the data controller - until you express your objection.
9. Your personal data will be processed for the duration of the information and educational service agreement, as well as after its termination, until the limitation period for claims arising from legal provisions.
10. To the extent that the data is processed for the purposes of direct marketing of the data controller, you have the right to object to the processing of data which does not require justification. If the processing is based on other legitimate interests of the data controller, exercising your right of objection requires justifying your special situation.
11. If you fill in questionnaires regarding financial situation and readiness to investment risk, the data controller may apply to you profiling consisting in grouping of clients according to financial standing, readiness for investment risk and knowledge about financial instruments. The data controller will not, however, apply to you automated decision-making. Also, when analyzing transactions, profiling may occur in terms of meeting the requirements of counteracting money laundering and financing of terrorism, which is not automated decision-making.

I hereby declare the completeness and conformity with the factual and legal status of the data contained in the Customer Data Sheet and I undertake to update them in writing immediately after the changes occur.

Date	Name and surname of the person representing the Client	PESEL./Date and place of birth ***)	Citizenship	Series, number of identity document and expiry date	Signature

***) In the case of persons who do not have a PESEL number, the PESEL should be filled in with the date of birth and the country of birth of the person representing the Client.

¹ 1 = Agriculture, forestry and fishing; 2 = Mining and quarrying; 3 = Industrial processing; 4 = Production and supply of electricity, gas, steam and air for air conditioning systems; 5 = Water supply, sewage and waste management as well as remediation related activities; 6 = Construction; 7 = Wholesale and retail trade, repair of motor vehicles and motorcycles; 8 = Transport and storage management; 9 = Accommodation and food service activities; 10 = Information and communication; 11 = Financial and insurance activities; 12 = Activities related to real estate market services; 13 = Professional, scientific and technical activities; 14 = Activities in the field of administration services and support activities; 15 = Public administration and national defense; obligatory social insurance; 16 = Education; 17 = Healthcare and social services; 18 = Activities related to culture, entertainment and recreation; 19 = Other service activities; 20 = Households employing employees; households producing goods and providing services for their own needs; 21 = Extra-territorial organizations and teams.

Signature of the Client