

Brussels, 13 March 2024

## **Annex 4 to Circular NBB\_2024\_05**

### **Periodic questionnaires on the prevention of money laundering and terrorist financing**

*Questionnaire relating to investment and asset management services and activities*

#### Scope of application

*Financial institutions falling within the scope of Circular NBB\_2024\_05 that provide the investment and asset management services and activities referred to in this questionnaire.*

| Investment services and activities   |  |        |   |
|--|--|--------|---|
| Please indicate which investment services and activities were <b>effectively</b> performed by your institution on 31 December of the reporting year as well as, for each activity, how important it is to your institution (activities which your institution is authorised to perform but which it does not actually perform need <b>not</b> be mentioned). | 1. Acceptance and transmission of orders for one or more financial instruments, including the bringing together of two or more investors to effect a transaction between them: | R8660. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 2. Execution of orders on behalf of clients:   | R8670. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 3. Proprietary trading:  | R8680. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 4. Asset management:   | R8690. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 5. Investment advice:  | R8700. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 6. Underwriting of financial instruments and/or placing financial instruments on a firm commitment basis:  | R8710. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 7. Placing of financial instruments without a firm commitment basis:   | R8720. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 8. Operation of a multilateral trading facility (MTF):   | R8730. | - Important activity<br>- Ancillary activity<br>- N/A |
|  | 9. Operation of an organised trading facility (OTF)  | R8740. | - Important activity<br>- Ancillary activity<br>- N/A |

| Ancillary services                                 |   |        |              |
|--|---|--------|--------------|
| Indicate which ancillary services your institution | 1. Safekeeping and administration of financial instruments on behalf of customers, including custodianship and related services such as cash/collateral management: | R8750. | [Yes] / [No] |

|   |  |        |              |
|---|--|--------|--------------|
| effectively provided on 31 December of the reporting year (activities which your institution is authorised to perform but which it does not actually perform need <b>not</b> be mentioned). | 2. Granting of credit or loans to investors allowing them to carry out transactions in one or more financial instruments, where the institution granting the credit or loan is involved in the transaction:  | R8760. | [Yes] / [No] |
|   | 3. Advising companies on their capital structure, industrial strategy and related matters, as well as providing advice and services in relation to mergers and the acquisition of companies:   | R8770. | [Yes] / [No] |
|   | 4. Providing foreign exchange services in connection with the provision of investment services:  | R8780. | [Yes] / [No] |
|   | 5. Conducting investment research and financial analysis or other forms of general recommendations relating to transactions in financial instruments:  | R8790. | [Yes] / [No] |
|   | 6. Providing services related to the underwriting of financial instruments:  | R8800. | [Yes] / [No] |
|   | 7. Providing the abovementioned investment services and activities, as well as ancillary services related to the underlying value of the derivatives referred to in Article 2, first paragraph, (1)(e), (f), (g) and (j) of the Act of 2 August 2002 , in connection with the provision of investment or ancillary services. | R8810. | [Yes] / [No] |

### Statement of positions in financial instruments

Please provide below, as at 31 December of the reporting year, the figures (expressed in euros) from section XXX in the annex to the Royal Decree of 23 September 1992 on the annual accounts of credit institutions, investment firms and management companies of undertakings for collective investment.

|  |        |                             |
|--|--------|-----------------------------|
| 1. Total financial instruments receivable by the institution on behalf of customers:   | R8820. | [Not available] or [Number] |
| 2. Total financial instruments to be delivered by the institution to customers:        | R8830. | [Not available] or [Number] |
| 3. Total financial instruments of customers received on deposit by the institution:    | R8840. | [Not available] or [Number] |
| 4. Total financial instruments of customers held in custody by the institution:        | R8850. | [Not available] or [Number] |
| 5. Total financial instruments of customers received as collateral by the institution: | R8860. | [Not available] or [Number] |
| 6. Total financial instruments of customers pledged as collateral by the institution:  | R8870. | [Not available] or [Number] |

### Asset management services for customers

*If your institution does not provide asset management services, please enter the number "0" in answer to the questions below.*

|   |        |                             |
|---|--------|-----------------------------|
| Number of customers receiving asset management services domiciled in Belgium at 31 December of the reporting year:      | R8880. | [Not available] or [Number] |
| Number of customers receiving asset management services domiciled outside Belgium at 31 December of the reporting year: | R8890. | [Not available] or [Number] |

|  |        |                             |
|--|--------|-----------------------------|
| Number of customers receiving asset management services domiciled in a country listed in Annex 6 at 31 December of the reporting year: | R8900. | [Not available] or [Number] |
| Asset management eligibility threshold set by your institution (as of 31 December of the reporting year):                              | R8910. | [Figure] / [Not applicable] |

### Portfolio management

*If your institution does not offer portfolio management services, please enter the number "0" in answer to the questions in this section.*

|  |        |                             |
|--|--------|-----------------------------|
| What was the total volume (expressed in euros) of assets held by your institution on 31 December of the reporting year on behalf of customers in the context of portfolio management services? | R8920. | [Not available] or [Number] |
| What was the total volume (expressed in euros) of new assets attracted by your institution over the reporting year on behalf of customers in the context of portfolio management services?     | R8930. | [Not available] or [Number] |

### Transactions related to investment services and activities

Please indicate the number of disbursements<sup>1</sup> (and the corresponding total amount) that your institution received over the reporting year from customers or on their behalf in connection with **investment services and activities**. This includes all inbound disbursements related to the investment services and activities offered by your institution: remuneration or commissions, disbursements to your institution for the purchase of financial instruments, repayments of loans<sup>2</sup> granted by your institution, disbursements for the purchase of foreign currencies, etc.

|   |        |                             |
|---|--------|-----------------------------|
| ▪ Number of disbursements received:   | R8940. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):  | R8950. | [Not available] or [Number] |
| Of the inbound transactions, please indicate how many originated from a bank (or other) account located abroad (in a country other than Belgium). |        |                             |
| ▪ Number of disbursements received:   | R8960. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):  | R8970. | [Not available] or [Number] |
| Of the inbound transactions, please indicate how many originated from a bank (or other) account located in a country listed in Annex 6.           |        |                             |

<sup>1</sup> In this questionnaire, the term "disbursement" is used in order to avoid ambiguity or overlap with transactions carried out in connection with the provision of payment services, for which a separate questionnaire is provided. This refers to any incoming financial transaction carried out by or on behalf of a customer in connection with the investment services and activities offered by your institution.

<sup>2</sup> Reference is made here solely to loans granted by a financial institution to its customers in connection with the provision of investment services and activities, generally backed by assets under management or other forms of collateral.

|  |        |                             |
|--|--------|-----------------------------|
| ▪ Number of disbursements received:  | R8980. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):   | R8990. | [Not available] or [Number] |
| Please indicate the number of disbursements (and the corresponding amount) that your institution made to its customers over the reporting year <b>in connection with investment services and activities</b> . This includes all outgoing disbursements: proceeds from the sale of financial instruments, consideration paid for foreign exchange transactions, payments on loans granted, etc. |        |                             |
| ▪ Number of disbursements:   | R9000. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):   | R9010. | [Not available] or [Number] |
| Of the outbound transactions, please indicate how many were paid to a bank (or other) account located abroad and the total corresponding amount.   |        |                             |
| ▪ Number of disbursements made:  | R9020. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):   | R9030. | [Not available] or [Number] |
| Of the outbound transactions mentioned above, please indicate how many were paid to a bank (or other) account located in a country listed in Annex 6 and the total corresponding amount.   |        |                             |
| ▪ Number of disbursements:   | R9040. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):   | R9050. | [Not available] or [Number] |

### Significant inbound disbursements

|   |        |                             |
|---|--------|-----------------------------|
| Please indicate the number of disbursements (transfers and/or cash) of €200,000 or more made by your customers (or on their behalf) to your institution over the reporting year <b>in connection with investment services and activities</b> as well as the total corresponding amount of these payments. |        |                             |
| ▪ Number:   | R9060. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros):  | R9070. | [Not available] or [Number] |

**Loans granted in connection with investment services and activities**

Please indicate the number of credit agreements or loans<sup>3</sup> granted to customers to enable them to carry out a transaction involving one or more financial instruments as well as the total amount of these credit agreements or loans.

*If your institution does not grant this type of credit, please enter the number “0” in answer to the questions below.*

|  |        |                             |
|--|--------|-----------------------------|
| ▪ Number:                                    | R9080. | [Not available] or [Number] |
| ▪ Corresponding amount (expressed in euros): | R9090. | [Not available] or [Number] |

**Asset repatriation<sup>4</sup>**

|  |                         |        |                             |
|--|-------------------------|--------|-----------------------------|
| Please indicate the number and corresponding amount of transactions involving the repatriation of assets handled by your institution over the reporting year.<br><i>If your institution did not handle any asset repatriation transactions, please enter the number “0” in answer to these questions.</i>  | ▪ Number:               | R9100. | [Not available] or [Number] |
|  | ▪ Corresponding amount: | R9110. | [Not available] or [Number] |
| Of the transactions referred to in question R9100, please indicate the number involving the repatriation of assets <u>from countries outside the EU</u> and the corresponding amount<br><i>If your institution did not handle any asset repatriation transactions from countries outside the EU, please enter the number “0” in answer to these questions.</i> | ▪ Number:               | R9120. | [Not available] or [Number] |
|  | ▪ Corresponding amount: | R9130. | [Not available] or [Number] |
|  | ▪ Number:               | R9140. | [Not available] or [Number] |

<sup>3</sup> Reference is made here to loans granted by your institution to its customers in connection with investment services and activities; these loans are generally backed by assets under management or other forms of collateral.

<sup>4</sup> “Asset repatriation” refers to the transfer of capital or financial assets from a foreign country to your institution.

|  |  |        |                             |
|--|--|--------|-----------------------------|
| <p>Of the transactions referred to in question R9100, please indicate the number involving the repatriation of assets <u>from countries with no or low taxation</u><sup>5</sup> and the corresponding amount.</p> <p><i>If your institution did not handle any asset repatriation transactions from low-tax or no-tax countries over the reporting year, please enter the number "0" in answer to these questions.</i></p> | <ul style="list-style-type: none"> <li>Corresponding amount :</li> </ul> | R9150. | [Not available] or [Number] |
|--|--|--------|-----------------------------|

| <b>Significant outbound disbursements</b>   |        |                             |
|---|--------|-----------------------------|
| <p>Please indicate the number of disbursements (transfers and/or cash) of €200,000 or more made by your institution to customers (or on their behalf) over the reporting year in connection with the provision of <b>investment services and activities</b> and the total corresponding amount.</p> |        |                             |
| <ul style="list-style-type: none"> <li>Number of disbursements:</li> </ul>  | R9160. | [Not available] or [Number] |
| <ul style="list-style-type: none"> <li>Corresponding amount (expressed in euros):</li> </ul>  | R9170. | [Not available] or [Number] |

| <b>Disbursements by and/or to third parties</b>  |        |                                 |
|--|--------|---------------------------------|
| <p>Do your institution's procedures impose restrictions or conditions on disbursements by and/or to third parties?</p> <ul style="list-style-type: none"> <li>Example: Disbursements by third parties are excluded, and customers may only make disbursements to your institution (e.g. for the purchase of financial instruments) from an account held in their name with another institution.</li> <li>Example: Customers may only deposit the proceeds from the sale of their financial instruments on an account held in their name with another institution. Transfers of funds to accounts belonging to third parties are prohibited or are only possible in exceptional circumstances (e.g. to notaries, to children of customers and/or to other third parties that are known or have already been identified by your institution).</li> </ul> | R9180. | [Yes] / [No]                    |
| <p>If you answered "yes" to the previous question, does your institution take concrete verification measures to ensure that inbound or outbound disbursements are only received from or made to accounts held in the name of your customers (e.g. by verifying whether the account numbers from or to which the disbursements are made correspond with those provided by your customers, possibly on a sample basis)?</p>  | R9190. | [Yes] / [No] / [Not applicable] |

| <b>Cash</b>   |        |              |
|---|--------|--------------|
| <p>Do your institution's internal procedures allow customers to use cash (notes and coins) to purchase financial instruments or pay for investment services? The use of cash in connection with manual foreign exchange services is not covered here.</p> | R9200. | [Yes] / [No] |

<sup>5</sup> A country with no or low taxation means one included on the list drawn up pursuant to the royal decree implementing Article 307 § 1/2, paragraph 3, of the Income Tax Code 1992 ("ITC 92").

|   |        |                             |
|---|--------|-----------------------------|
| Please indicate the total amount of cash (coins and banknotes), as referred to in the previous question, received from customers by your institution over the reporting year. If your institution does not allow the use of cash, please enter the number “0” in answer to this question. | R9210. | [Not available] or [Number] |
|---|--------|-----------------------------|

**General remarks on completion of the questionnaires by institutions**

As indicated in the methodology established by the Bank for answering these questionnaires (see the circular), institutions should, for each question, choose the answer that best reflects their internal organisation. The Bank recognises that the options provided may not fully capture the situation within an institution. Therefore, when selecting from among the available options, it is important to choose the one that most accurately corresponds to the situation within your institution, so as to be able to subsequently justify this choice. General comments on the answers submitted on behalf of your institution can be left in the free text field below (limited to 2,000 characters). Please note that these comments will not be taken into account in the initial automated analysis of your institution’s answers.

|  |        |  |
|--|--------|--|
| Comments (limited to 2,000 characters) | R9220. | [FREE TEXT, LIMITED TO 2,000 CHARACTERS] |
|--|--------|--|