Obliged subjects referred to by article 2 of Law 10/2010 of 28 April on the prevention of money laundering and terrorist financing

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Law 10/2010 of 28 April on the prevention of money laundering and terrorist financing is applicable the to following obliged subjects:

a) **Credit institutions**.

b) **Insurance companies** authorized to operate in the field of life insurance and **insurance brokers** acting in connection with life insurance or other investment related-services, with the exceptions laid down in the regulations.

c) **Investment services firms**.

d) Management companies of **investment funds** and investment companies whose management is not assigned to a management company.

e) **Pension fund management entities**.

f) Management companies of **venture capital** entities and venture capital companies whose management is not assigned to a management company.

g) **Mutual guarantee companies**.

h) **Payment institutions** and **electronic money institutions**.

i) Persons whose business activity includes **currency exchange**.

j) Postal services in respect of **giro or transfer activities**.

k) Persons professionally involved in **brokering loans or credits**, as well as persons who, without being licensed as credit institutions, carry out professionally any of the activities covered by the First additional provision of Law 3/1994, of 14 April 1994,

adapting Spanish legislation on credit institutions to the Second Banking Co-ordination Directive and introducing other changes relative to the financial system.

l) **Property developers** and persons whose business activities include those of **agency, commission or brokerage in real state trading**.

m) **Auditors**, **external accountants** and **tax advisers**.

n) **Notaries** and land, commercial and moveable property **registrars**.

ñ) **Lawyers**, **barristers** and **other independent** professionals when they participate in the design, implementation or advice on activities on behalf of clients relating to the buying and selling of real estate or business entities, the management of funds, securities or other assets, the opening or management of current, savings or securities accounts, the organization of contributions necessary for the creation, operation or management of companies or the creation, operation or management of trusts, companies or similar structures, or when acting on behalf of clients in any financial or real estate transaction.

o) Persons who on a professional basis and in accordance with the specific rules applicable in each case provide **the following services** on behalf of third parties:

1. forming companies or other legal persons.

2. acting as or arranging for another person to act as a director or a secretary not director of the board of directors or an external consultant of a company, a partner of a partnership or a similar position in relation to other legal persons

3. providing a registered office, business address, correspondence or administrative address and other related services for a company, a partnership or any other legal person or arrangement.

4. acting as or arranging for another person to act as a fiduciary in a trust or similar legal arrangement.

5. acting as or arranging for another person to act as a shareholder for another person, other than companies listed on a regulated market in the European Union and subject to information requirements in accordance with the Union law or equivalent international standards granting an adequate transparency on the information about the property.

p) **Casinos**.

q) Professional dealers in **jewels, precious stones or precious metals**.

r) Professional dealers in **works of art or antiques**.

s) Persons whose business activity includes those set down in art**icle 1 of Law 43/2007 of 13 December** on consumer protection in the procurement of goods with a price refund offer.

t) Persons engaged in the **deposit, custody or professional** transfer of **funds or means of payment**.

u) Persons responsible for the management, operation and marketing of **lotteries or other gambling activities** either face-to-face or by electronic, computer, telematics and interactive means. In the case of lotteries, sport-charitable bets, contests, bingos and type "B" recreational machines, only in respect of prize payment transactions.

v) Natural persons engaged in the movement of **means of payment**, under the terms laid down in article 34.

w) **Professional dealers in goods**, under the terms set out in article 38.

x) **Foundations and associations**, under the terms provided for in article 39.

y) **Managers of payment systems**, **clearing** systems and those for the **settlement** of securities and financial derivatives, as well as managers of credit cards or debit cards issued by other entities, under the terms established in article 40.

Likewise, the reporting and internal control obligations contained in chapters III and IV of Law 10/2010 of 28 April shall be applicable to the national administrator of the emission allowance registry established in Law 1/2005 of 9 March, regulating the system for the trading of greenhouse gas emission allowances, with the exceptions determined in the regulation pursuant thereto.

Law 10/2010 of 28 April on the prevention of money laundering and terrorist financing shall be considered to cover non-resident persons or entities that, through branches or agents or the provision of services without permanent establishment, carry out activities in Spain of a similar nature to the persons or entities referred to in the previous paragraphs.

Law 10/2010 of 28 April shall be considered to apply to the natural or legal persons carrying out the activities referred to in the previous paragraph. However, when natural persons act as employees of a legal person, or provide permanent or occasional services for the latter, the obligations imposed under Law 10/2010 of 28 April shall correspond to such legal person in respect of the services rendered.

Obliged subjects will be also subject to the obligations hereunder with respect to transactions performed through agents or other persons acting as mediators or intermediaries of the latter.

For the purposes of Law 10/2010 of 28 April the obliged subjects listed from letters (a) to (i) before shall be regarded as financial institutions.