LIST OF POSITIONS THAT CONSTITUTE A 'PERSON WITH PUBLIC RESPONSIBILITY' FOR THE PURPOSES OF ARTICLE 14 OF LAW 10/2010 OF 28 APRIL IN RELATION TO Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT).

In accordance with Article 14(3) of Law 10/2010 of 28 April on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT), the COPBLAC must draw up and publish a list detailing the types of roles and positions that determine whether **a person** is considered **to be a Spanish public official**.

This list is drawn up without prejudice to the existence of other persons subject to legal liability by virtue of their positions or functions in other countries (foreign politically exposed persons), or in international organisations as defined in Article 14 of Law 10/2010 of 28 April.

Consequently, the list of functions and posts that determine whether a person is considered a Spanish public official, set out below, has been drawn up in accordance with the provisions of paragraphs 2 and 3 of the aforementioned Article 14 of Law 10/2010 of 28 April, and has taken into account the regulations on the status of senior officials set out in Law 3/2015 of 30 March, governing the exercise of senior positions within the General State Administration, and in the equivalent regulations of the various Autonomous Communities.

In accordance with the above regulations, persons who hold or have held[1] the following functions or posts shall be regarded as persons holding public office in Spain:

1. POLITICAL PARTIES AND TRADE UNIONS:

- Persons holding senior management positions in political parties with representation in the national parliament, regional parliaments or in provincial capital municipalities and local authorities with more than 50,000 inhabitants, specifically:
  - Chairperson.
  - Secretary-General and Deputy Secretaries-General.
  - National or federal executive committees or bodies of a similar nature.
  - Treasurer and deputy treasurer.
  - Regional chairpersons, secretaries-general and deputy secretaries-general of regional executive bodies.
- Persons holding senior management positions in Spanish trade union organisations, specifically:
  - General Secretary, Deputy General Secretaries and positions on the national or confederal executive committee or similar governing bodies.
  - General secretaries of national trade union federations and confederations.
  - Treasurer and deputy treasurer, if any, or posts with similar functions.
- Persons holding senior management positions in employers' organisations, specifically:

[1] The classification as a person in a position of public responsibility automatically extends for two years following the end of their term of office. Once this period has elapsed, the obliged entities must carry out an assessment of the person in a position of public responsibility in order to determine whether, in light of the remaining risk, it is appropriate to continue applying the enhanced due diligence measures provided for by the Law (Article 14.9 of Law 10/2010 of 28 April)

- Presidency, vice-presidencies and the General Secretariat.
- Positions on the executive committee or board, or similar governing bodies.
- Treasurer or positions with similar functions.
- Presidencies of regional business confederations.

2. STATUS:

Persons who hold (or have the status of) the following positions:

- Head of State.
- The Office of the Prime Minister, the Deputy Prime Ministers and the Ministries.
- Seats in the Congress of Deputies and the Senate.
- The Secretariats of State, the Secretariats General and the Under-Secretariats and equivalent bodies.
- The Directorates of the Offices of the President, Vice-Presidents and Ministries.
- Members of the Cabinets of the Presidency and the Vice-Presidencies of the Government holding the rank of Director-General.
- The Technical General Secretariats and Directorates-General of the General State Administration.
- The Directorate-General of the National Police.
- The Directorate-General of the Guardia Civil and persons holding the ranks of Lieutenant-General and Major-General in the Guardia Civil.
- Any other post in the state public sector, whatever its title, to which appointment is made by the Council of Ministers, with the exception of Deputy Directorates-General and equivalent posts.
- Government Delegations in the Autonomous Communities and in the Cities with Statutes of Autonomy of Ceuta and Melilla.
- Government Delegations in public-law bodies.

- Embassies, heads of permanent diplomatic missions abroad and chargés d'affaires.
- Embassies and Heads of Permanent Representation to international organisations.
- Senior military personnel of the Armed Forces: the Defence Staff Headquarters, the Joint Defence Staff Headquarters, the General Staff Headquarters of the Army, the Air Force and the Spanish Navy, and those holding the ranks of Lieutenant-General, Admiral, Major-General and Vice-Admiral in the Spanish Armed Forces.
- The Presidency, Vice-Presidencies and Judges of the Constitutional Court.
- The Presidency, the Presidencies of the Chambers and the Judges of the Supreme Court.
- The Presidency of the General Council of the Judiciary, its members, the General Secretariat and the Directorate of the Technical Office.
- The Presidents of the High Courts of Justice of the Autonomous Communities.
- The Presidency and the Presidencies of the Chambers of the Audiencia Nacional.
- The Prosecutor General.
- Deputy Public Prosecutor at the Supreme Court.
- All persons holding the rank of Chamber Prosecutor**,** regardless of whether they are heads of any body or have been seconded to the Supreme Court, the Public Prosecutor's Office before the Constitutional Court or another body of the Prosecutor General's Office. In any event, the following hold this rank:
    - The Head of the Public Prosecution Service's Inspection Department.
    - The head of the Public Prosecution Service of the Technical Secretariat of the Prosecutor General's Office.

  - The head of the Public Prosecution Service's Support Unit within the Prosecutor General's Office.
  - The head of the Public Prosecutor's Office attached to the Constitutional Court.
  - The Head of the Public Prosecutor's Office of the Court of Auditors.
  - Prosecutors at the Supreme Court (including the Court Prosecutors' Office).
  - The Head of the Public Prosecutor's Office of the Audiencia Nacional.
  - The Head of the Special Anti-Drugs Prosecution Service.
  - The Head of the Special Public Prosecutor's Office for Combating Corruption and Organised Crime.
  - Court Prosecutor for Cybercrime.
  - Court Prosecutor for Violence against Women.
  - Court Prosecutor for Workplace Accidents.
  - Court Prosecutor for the Environment and Town Planning.
  - Prosecutor for Road Safety.
  - Senior Public Prosecutor for Immigration.
  - Junior Public Prosecutor for Juvenile Affairs.
  - Public Prosecutor for International Criminal Cooperation.

- Senior Chief Prosecutors at the High Courts of Justice of the Autonomous Communities.
- The Chairpersons and holders of posts with the rank of Directorate-General within the Social Security Management Bodies and Shared Services.
- The Chairpersons and Directors of State Agencies.
- The Chairpersons and Directors of Port Authorities.
- The Chair and the Secretary-General of the Economic and Social Council.
- The Chair of the Court of Auditors, the Regional Audit Offices and the General Secretariat.
- The Governor of the Banco de España, the Deputy Governor and the Board Members, as well as the heads of the Directorates-General and

the General Secretariat, and the Staff Representative on the Governing Council.

- The Chair, Deputy Chair and Board of the National Commission for Markets and Competition.
- The Chair of the Council for Transparency and Good Governance.
- The Chair of the Independent Authority for Fiscal Responsibility.
- The Chair and Deputy Chairs of the National Securities Market Commission, the Directorates-General, the Departmental Directorates attached to the Board and the Chair, the Deputy Director-General of the Legal Service and the Director of the Department of Research and Statistics.
- The Chair, Deputy Chair, Members and General Secretariat of the Nuclear Safety Council.
- The Chair, the Directorate-General and the Heads of Department of the State Tax Administration Agency.
- The Chair, Directorates-General and members of the General Council of the Official Credit Institute, excluding the person acting as Secretary to the General Council, provided that they do not hold the position of councillor.
- The Chair, Directors and members of the Governing Committee of the Fund for Orderly Bank Restructuring. Persons attending meetings of the Governing Committee in an advisory capacity (with a voice but no vote) shall be excluded.
- The Chair, Directors, Executive Directors, Secretaries-General or equivalent, and persons holding posts on the governing bodies of any regulatory or supervisory body.
- Individuals, other than those listed in the preceding paragraphs, who are classified as senior officials in accordance with the provisions of Article 1 of Law 3/2015 of 30 March, regulating the exercise of senior positions within the General State Administration.

- Directors and members of the administrative, management or supervisory bodies of publicly owned companies. However, persons acting as secretaries to publicly owned entities shall be excluded, provided they do not hold the position of director.

3. AUTONOMOUS COMMUNITIES:

Persons holding (or having the status of) the following posts:

- Presidents and Vice-Presidents of the Autonomous Communities.
- Seats in regional parliaments.
- Ministries and Deputy Ministries of the Autonomous Community Governments.
- Directorates-General or equivalent bodies, depending on the organisational structure of the regional ministries in each Autonomous Community.
- General Secretariats of the Regional Ministries and equivalent bodies.
- Directorates of the regional police forces.
- Heads of public enterprises in which each Autonomous Community holds a stake: Chairpersons, Deputy Chairpersons, Directorates-General, Executive Directors and equivalent positions, in public sector, administrative, foundation or business entities linked to or dependent on the regional administration, who hold the position of chief executive.
- Directors and positions on the administrative, management or supervisory bodies of public enterprises. However, persons acting as secretaries to publicly-owned entities shall be excluded, provided they do not hold the position of director.
- Individuals, other than those listed above, who are classified as senior officials in accordance with the provisions of the laws governing the exercise of senior office in each Autonomous Community.

4. LOCAL AUTHORITIES:

Persons holding (or having the status of) the following posts:

- Mayors, councillors and equivalent posts in provincial capitals or capitals of Autonomous Communities and, in all cases, in municipalities with more than 50,000 inhabitants.
- The presidencies, vice-presidencies and councillorships of governing boards, governing councils or executive committees, and equivalent posts, of any of the local authorities set out in Law 7/1985 of 2 April, regulating the bases of the local government system, and of those which, in accordance with that Law, may be created by the Autonomous Communities, provided that they have a population of more than 50,000 inhabitants (including Provincial Councils, Metropolitan Areas, Island Councils, Island Governing Bodies, Municipal Associations, Regional Councils, Consortia, etc.).
- Councillors and those holding similar administrative, executive, managerial or supervisory positions in public sector, foundation or business organisations linked to or dependent on provincial capitals, Autonomous Community capitals and local authorities with a population of more than 50,000.

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