

## Requirements for the opening and maintenance of a Maritime Operator's Holding Account in the Spanish Area of the Union Registry Request for account opening and maintenance

---

### 1. Request for the opening and maintenance of a holding account.

Form to be completed containing all the information to be provided for the opening and maintenance of a Maritime Operator Holding Account (MOHA) according to Annex VII BIS of Commission Delegated Regulation (EU) 2023/2904 of 25 October 2023 amending Delegated Regulation (EU) 2019/1122 supplementing Directive 2003/87/EC of the European Parliament and of the Council as regards the operation of the Union Registry).

### 2. Annex I (Appointment of Legal Representatives)<sup>1</sup>.

### 3. Annex II (Appointment of Authorised Representative).

### 4. Rules and Security Advice.

### 5. Special Power of Attorney.

Specific powers granted by the Applicant to the legal representative for the specific powers, it must be taken into account that it is essential to follow the attached model power of attorney specifying the powers to be conferred and the form in which these are conferred. These powers must be either notarial abstracts or copies authorised by a notary public<sup>1</sup>.

### 6. Document of shipping company responsible for compliance with de RCDE EU.

6.1 If the shipping company holding the account is an organisation or person, such as the manager or bareboat charterer, to which the owner has entrusted the responsibility for the operation of the ship and which on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for pollution prevention as set out in Annex I to Regulation (EC) No 336/2006 of the European Parliament and of the Council, and has also assumed responsibility for the obligations to comply with the national measures transposing Directive 2003/87/EC and for the obligation to surrender allowances pursuant to Articles 3gb and 12 of that Directive ("ETS obligations"), that organisation or person shall provide a document clearly indicating that it has been duly authorised by the shipowner to comply with the ETS obligations.

---

<sup>1</sup> Legal Representative: The person who represents the company before the Registry and who is responsible for appointing the other Authorised Representatives. Every account must have at least one Legal Representative, which may coincide with one of the Authorised Representatives of the account.

This document must be signed by both the owner (shipowner) and the organisation or person. If written in a language other than English (except Spanish), an English translation shall be provided.

The document must contain the following information:

- (a) Name and IMO Unique Company and Registered Owner Identification Number of the organisation or person authorised by the shipowner.
- (b) The country of registration of the shipowner-authorized organisation or person as contained in the IMO Unique Identification Number system for companies and registered owners;
- (c) The name and the IMO Unique Company and Registered Owner Identification Number of the shipowner;
- (d) The following information concerning the shipowner's contact person: name, position, business address, business telephone number and business e-mail address;
- (e) Date of application of the shipowner's authorisation to the organisation or person;
- (f) IMO identification number of each ship covered by the authorisation.

If the information contained in this document changes, the updated version shall be submitted to the national administrator.

6.2. If paragraph 6.1 above does not apply and the shipping company holding the account is the shipowner, the shipowner shall provide a document listing the ships under his responsibility and their respective IMO ship identification numbers.

If this list of ships is amended, the shipowner shall inform the national administrator within 20 working days and provide him with an updated document and the name and IMO Unique Company and Registered Owner Identification Number of the new shipping company for each of the ships for which he is no longer responsible.

## 7. Group Structure

If the account holder is part of a group (all of a parent company and all of its subsidiaries), copy of the document clearly indicating the structure of the group.<sup>2</sup>.

## 8. Documentation regarding the physical person designated by the Account Holder:

---

<sup>2</sup> The reports required by Law 22/2015, of 20 July, on the Auditing of Accounts, such as the management report and the accounts audit report, will be accepted as identification of the structure of the group, provided that these reports clearly identify the complete structure of the parent companies and subsidiaries in which the company of the owner of the facility is integrated. If this is not the case, the company must issue a specific declaration of responsibility containing this information.

- a) Documentation corroborating the identity of each of the Account Holder's representatives. This may be a copy of one of the following documents::
- Identity document issued by a State that is a member of the European Economic Area or the Organisation for Economic Co-operation and Development;
  - Passport.
  - Foreigner id. N°
- b) Documentation that corroborates the permanent residency details of the physical person; this may be a copy of one of the following documents:
- Identity document presented in accordance with the previous point if it contains the permanent residence address;
  - Any other identity document issued by a State and which contains the permanent address details;
  - If the country of permanent residence does not issue identity documents containing the permanent residence address, a statement is required from the local authorities confirming the permanent residence of the natural person. In the event that the country of residence is Spain, the municipal register must be provided;
  - Any other document that is generally accepted in the account administrator's Member State as proof of permanent residency of the physical person;
- c) Certificate of criminal records of each of the physical person

## **9. Documentation regarding the legal person designated by the Maritime Operator Account Holder**

- a) Documentation corroborating the identity of each of the Account Holder's representatives. This may be a copy of one of the following documents::
- Identity document issued by a State that is a member of the European Economic Area or the Organisation for Economic Co-operation and Development;
  - Passport.
  - Foreigner id. N°

All physical documentation should be sent in Spanish or in English to the following address (it could additionally be advanced by e-mail: [correo.titulares.renade@grupobme.es](mailto:correo.titulares.renade@grupobme.es)):

IBERCLEAR – RENADE  
Palacio de la Bolsa  
Plaza de la Lealtad, 1  
28014–MADRID

**Please note that:**

- Any copy of a document submitted as documentary evidence in the framework of these proceedings must be certified as true by a notary. Documents issued outside Spain must be legalised, unless otherwise stipulated in Community regulations.
  - The date of the certification or legalisation must be within the three months prior to the date of the application to be made once the processes for opening these accounts are enabled.
-