

Austria

National specificities

Function for which the questionnaire is submitted	
English	Language of the Member State
<input type="checkbox"/> member of the management body in its management function	<input type="checkbox"/> Geschäftsleiter(in)
<input type="checkbox"/> Chief Executive Officer (CEO)	<input type="checkbox"/> Chief Executive Officer (CEO)
<input type="checkbox"/> Chief Financial Officer (CFO)	<input type="checkbox"/> Chief Financial Officer (CFO)
<input type="checkbox"/> Chief Risk Officer (CRO)	<input type="checkbox"/> Chief Risk Officer (CRO)
<input type="checkbox"/> member of the management body in its supervisory function	<input type="checkbox"/> Aufsichtsratsmitglied
<input type="checkbox"/> Chairperson of the management body in its supervisory function	<input type="checkbox"/> Aufsichtsratsvorsitzende(r)
<input type="checkbox"/> employee representative (member of the management body in its supervisory function)	<input type="checkbox"/> Arbeitnehmervertreter(in)
<input type="checkbox"/> Head of the compliance function	<input type="checkbox"/> Leiter der Compliancefunktion
<input type="checkbox"/> Person responsible for the internal audit function	<input type="checkbox"/> Verantwortliche(r) für die interne Revision
<input type="checkbox"/> Head of the internal audit function	<input type="checkbox"/> Leiter(in) der Internen Revision
<input type="checkbox"/> Head of the risk management function	<input type="checkbox"/> Leiter(in) der Risikomanagementfunktion
<input type="checkbox"/> Chairperson of the audit committee	<input type="checkbox"/> Vorsitzende(r) des Prüfungsausschusses
<input type="checkbox"/> Chairperson of the remuneration committee	<input type="checkbox"/> Vorsitzende(r) des Vergütungskontrollausschusses
<input type="checkbox"/> Chairperson of the risk committee	<input type="checkbox"/> Vorsitzende(r) des Risikoausschusses
<input type="checkbox"/> Chairperson of the nomination committee	<input type="checkbox"/> Vorsitzende(r) des Nominierungsausschusses
<input type="checkbox"/> member of the audit committee	<input type="checkbox"/> Mitglied des Prüfungsausschusses
<input type="checkbox"/> member of the remuneration committee	<input type="checkbox"/> Mitglied des Vergütungsausschusses
<input type="checkbox"/> member of the risk committee	<input type="checkbox"/> Mitglied des Risikoausschusses
<input type="checkbox"/> member of the nomination committee	<input type="checkbox"/> Mitglied des Nominierungsausschusses

List of mandatory annexes

1. CV
2. Criminal record check
3. (Draft) Board minutes regarding the appointment
4. (Draft) minutes of the Nomination Committee (if any) regarding the appointment and/or other summary of the suitability assessment
5. Copy of ID card/passport
6. Suitability reports (individual and collective, in the event of performance of tasks in a collegiate body)
7. Organisational Chart (required in case of notifications regarding members of the management body in its management function and key function holders)
8. Confirmation of removal (required in case of notifications regarding members of the management body in its management function)
9. Sworn declaration of formal independent supervisory board member under Art 28a (5b) BWG
10. Sworn declaration of additional formal independent supervisory board member under Art 28a (5c) BWG

Drafting Guidance for Heads of Internal Control Functions (Head of Compliance, Head of Internal Audit, Head of Risk Management)

General remark:

Notifications for heads of internal control functions according to Art 73 (1) 11 BWG, Art (1b) 1 and 2 BWG need to use the same questionnaire as members of the management body. However, as several criteria do not apply to them, they may follow the following drafting guidance in order to be able to submit the questionnaire without filling in information on criteria that do not apply to them!

Specific drafting guidance:

Section 2 Function for which the questionnaire is submitted

- **Formal independence: select 'Not applicable'**

Section 3 Experience

- **D presumption: enter 'Yes' as default value**

Section 5 Conflict of Interest

- **D cooling-off period: enter 'No' as default value**

Section 6 Time commitment

- **A to H: for all free-text fields KFH enter e.g. 'N/A' as default value**
- **D: for fields other than free-text, enter:**
 - **Function within the entity: KFH (Key Function Holder)**
 - **Privileged counting: 'No counting'**
 - **Time commitment: workdays per year, e.g. 240**
 - **Number of meetings: '0'**



Section 7 Collective suitability

- **A Subject to gender diversity:** enter 'No' as default value
- **B Internal target:** enter 'No internal target exists' as default value
- **C Compliance with internal principles of diversity:** enter 'Not applicable' as default value
- **D Contribution to collective suitability:** free text, enter e.g. 'N/A' as default value
- **E List of members:** For all free-text fields, enter e.g. 'N/A' as default value, otherwise:
 - **Date of appointment:** Date of appointment

Footnotes	
Footnote 6	According to Article 5 para 4 of the Austrian Banking Act
Footnote 10	According to Article 28a para. 5b Austrian Banking Act
Footnote 12	According to Article 28a para 4, Article 73 para. 1a, Article 73 para. 1b, Article 73 para. 1c Austrian Banking Act
Footnote 44	According to the relevant company law (Stock Corporation Act, Limited Liability Companies Act, the Societas Europaea Act and the Labour Constitution Act)