

**Rule no. 41/2016**  
**amending and supplementing Rule no. 27/2015 on the financial audit activity at**  
**entities authorized, regulated and supervised by ASF**

In force starting January 1<sup>st</sup>, 2017

Published in the Official Journal, Part I, no. 1054 of December 28th, 2016.

The latest application update: June 9, 2017

In accordance with the provisions of Art. 3(1) Letter b), and Art. 6 of Government Emergency Ordinance No. 93/2012 on the establishment, organisation and operation of the Financial Supervisory Authority, approved as amended and supplemented by Law No. 113/2013, as subsequently amended and supplemented,

on the basis of the provisions of Art. 258(1) of Capital Market Law No. 297/2004, as subsequently amended and supplemented, art. 1 (6) of Law no. 74/2015 on alternative investment fund managers, of Art. 51(4) -(6) and of Arts. 105-110 of Law No. 411/2004 on privately managed pension funds, republished, as subsequently amended and supplemented, of Art. 15(7) and (8), of Art. 35, Art. 81(2) and (3) and of Art. 83 Letter d) of Law No. 204/2006 on voluntary pensions, as subsequently amended and supplemented, and of Art. 51, Art. 173(1) Letter k) and of Art. 179(4) of Law No. 237/2015 on the authorisation and supervision of the insurance and reinsurance business, as subsequently amended

further to the deliberations held in the meeting of the Financial Supervisory Authority's Board of December 20, 2016,

The Financial Supervisory Authority hereby issues this rule.

Art. I. - Rule no. 27/2015 on the financial audit activity at entities authorized, regulated and supervised by the Financial Supervisory Authority, published in the Official Gazette of Romania, Part I, no. 976 of 29 December 2015, shall be amended and completed as follows

1. In Article 1, paragraph 2, the introductory part of paragraph 4 and paragraph 5 shall be amended and shall have the following content:

" (2) The entities that are subject to the provisions of this rule are

a) financial investment companies;

- b) investment management companies with undertakings for collective investment;
- c) market/system operators;
- d) central depositaries;
- e) clearing houses and central counterparties;
- f) alternative investment fund managers;
- g) Investor Compensation Fund;
- h) insurance and/or reinsurance undertakings;
- i) privately managed pension funds and their managers;
- j) voluntary pension funds and their managers.

.....

(4) The obligation to appoint a financial auditor - legal entity, authorised by A.S.F. in accordance with the provisions of this rule does not apply to the following entities:

.....

(5) "The financial audit engagements for entities referred to in paragraph (4) shall be carried out by financial auditors, natural or legal entities, members of the Chamber of Financial Auditors of Romania (CFAR) with experience in the field to be audited, without the need for their approval by A.S.F. The entities referred to in paragraph (4) may appoint for carrying out the financial audit engagements including financial auditors authorised by A.S.F."

2. In Article 1, after paragraph (5), a new paragraph (6) shall be inserted, with the following content:

" (6) Financial auditors - natural persons who perform audit engagements to the entities referred to in paragraph (4) have the obligation to attend professional training courses organized in accordance with the provisions of the Cooperation Protocol between the Chamber of Financial Auditors of Romania and the Financial Supervisory Authority".

3. In Article 3, paragraph 1 is amended and will have the following content:

" Art. 3. - (1) The financial audit activity conducted at the entities referred to in art. 1 paragraph (2) shall cover the annual / consolidated financial statements "

4. Article 4 shall be amended and shall have the following content:

" Art. 4. - The financial auditors carrying out audit engagements at the entities referred to in Art. 1(2) must comply with the ethics and professional conduct requirements provided by the legislation applicable in this respect."

5. In Article 7 paragraph (1), letters a), g) and k) shall be amended and shall have the following content:

" a) is a member of CFAR having at least 4 years of experience in the profession

.....

g) it has concluded a professional liability insurance contract, in accordance with the rules regarding the insurance for professional risk issued by CFAR; having a liability insurance contract is mandatory for the duration of conducting financial audits for the entities regulated by A.S.F; A.S.F. does not assume liability for the compliance of the professional liability insurance contract with the rules regarding the insurance for professional risk issued by CFAR;

.....

k) the audit team shall have an expert in auditing the computer systems having CISA "Certified Information Systems Auditor" certification", in accordance with the relevant regulations;

6. In Article 7, paragraphs (2) and (3) shall be amended and shall have the following content:

" (2) The key audit partner shall be an active member of CFAR and shall meet the requirements referred to in para. (1) letters c), e), and f).

(3) The provisions of para. (2) do not apply to financial auditors who have indicated their intention to carry out financial audit activities to the entities pursuing business in the private pension system market."

7. Article 8 shall be amended and shall have the following content:

" Art. 8. - The financial auditors requesting to be approved as financial auditors for the entities referred to in Art. 1 para.(2) shall provide evidence that they comply with the conditions referred to in Art. 7 by submitting to the ASF's Registry Office the following documents:

a) the document issued by CFAR attesting that they comply with the provisions of art. 7 para. (1) letter a);

b) the company details certificate issued by the National Office of the Trade Register, attesting to the up to date status of the legal entity, in original copy;

c) the document issued by CFAR specifying the latest score obtained, as well as good reputation mentions in accordance with the auditor's good reputa rules.

d) the professional liability insurance contract, valid on the date of submission of the documents, in copy;

e) the criminal record certificate and tax offense record certificate, in original copy;

f) the proof of payment of the approval fee, in accordance with the provisions of ASF's regulations on revenues;

g) the curriculum vitae, signed and dated, certifying the capacity as an active member of CFAR, as well as the statement referred to in letter k) and Annex no. 3 for the key audit partner;

h) the list of persons employed under an individual employment contract, active members of CFAR, for whom the proof of employment shall be presented, namely the copy of the individual employment contract;

i) the individual employment contract/services supply contract and curriculum vitae, in copy, for the actuary;

j) the individual employment contract/services supply contract and CISA certificate, in copy, for the expert in auditing computer systems;

k) the statement under own responsibility signed by hand attesting to the compliance with the requirements of art. 7 para. (1) letter. e);

l) the statement under own responsibility signed by hand, in the form set out in Annexes Nos. 2, 3 and 4, as appropriate, depending on the applicability within each financial supervision sector;

m) the questionnaire, filled out and signed, in the form set out in Annex no. 5"

8. Article 9 shall be amended and shall have the following content:

" Art. 9. - (1) The documentation provided in art. 8 shall be filed with the Registry Office of A.S.F. and shall be accompanied by a request prepared in accordance with Annex no. 1.

(2) If the financial auditor has received approval to carry out financial audit activities in a financial supervision sector and expresses its intention to carry out financial audit activities in the other financial supervision sectors as well, it shall submit, for approval, the request prepared in accordance with Annex No. 1, accompanied only by the specific documents required for those financial supervision sectors."

9. In Article 14, after paragraph (1), a new paragraph (11) shall be inserted, with the following content:

" (11) ASF may reject the request for approval referred to in Article 9 para. (2) if it considers that the necessary professionalism, experience and / or good repute requirements regarding the size, importance and complexity of the entities that would be audited are not met."

10. In Article 14, paragraph 2 shall be amended and shall have the following content:

" (2) ASF's rejection decision, written and grounded, shall be communicated within 5 working days from its issuance and may be challenged within maximum 30 days from its communication date, in accordance with the provisions of Law no. 554/2004 on administrative disputes, as subsequently amended and supplemented".

11. Article 16 shall be amended and shall have the following content:

" Art. 16. - Any change in the information and/or documents based on which the approval of the financial auditor was issued shall be communicated to ASF by the latter within 5 working days from that change."

12. In Article 17, paragraph 1 shall be amended and shall have the following content:

" Art. 17. - (1) After the approval by ASF the financial auditor has the obligation to notify the audit engagements contracts within maximum 15 days from the date of their conclusion, filling in accordingly the statements reflecting the cases of incompatibility set out in Annexes nos. 2, 3 and 4 hereto, and the questionnaire - Annex no. 5, updated, if any changes occurred in the information supplied upon the approval. If there were no changes, the financial auditor shall submit to ASF a statement under own responsibility signed by hand in this respect."

13. In Article 17, after paragraph (1), a new paragraph (11) shall be inserted, with the following content:

" (11) The obligation to notify the audit engagement contracts with the appropriate additions provided for in paragraph (1) shall also lie with the financial auditors auditing the entities referred to in art. 1 paragraph (4)."

14. In Article 18, paragraph 2 shall be amended and shall have the following content:

" (2) ASF shall update, at the end of each month, the list of approved financial auditors by financial supervision sectors and/or a common list, and shall ensure its publication on the website."

15. Article 19 (2) shall be amended and shall have the following content:

" (2) Where the financial auditor is changed/a new financial auditor is appointed as a result of the conclusion of the financial audit engagement, the entities referred to in Art. 1 para.(2) shall submit to ASF, within 15 days from the date of the decision, a notice regarding the reasons why the financial auditor was changed and the name of the newly appointed financial auditor."

16. In Article 21, the introductory part and letters a), b) and d) shall be amended and shall have the following content:

" Art. 21. - Financial auditors that carry out audit engagements for the entities referred to in Art. 1 para. (2) must comply with the following provisions, Including those related to key partners and their actuaries, as applicable:

a) the audit period of an entity by the same financial auditor is of maximum 5 consecutive years, period which may be extended once at the request of the audited entity for a maximum of 3 years by the Board of ASF, in compliance with the sectoral legislation in force, based on a substantiated analysis of the activity carried out by the financial auditor and based on a recommendation from CFAR;

b) the financial auditors which, during the exercise of their duties within an entity provided by art. 1 para. (2) closely linked to a company for which it carries out a financial audit, are obliged to inform ASF of the matters related to the audited company, at the request of ASF or upon identifying such matters, as provided in Art. 26(1) Letters a), b) and c);

.....

d) the key audit partner must allocate sufficient resources to the actuary appointed in the audit team so as to ensure the quality of the audit engagement carried out in compliance with the requirements of the audit standards; an actuary that accepts a work within the audit engagement must meet the professional and ethics standards of the actuary profession, having the obligation to allocate sufficient time so as not to affect the quality of the actuarial analyses required for the fulfilment of the audit engagement; the actuary appointed in the audit team cannot accept to participate in audit engagements if its own time does not allow it to allocate the necessary time for the proper and timely performance of the works it has to perform; the actuary is not allowed to work in two or more audit engagements at the same time;".

17. Article 22 shall be amended and shall have the following content:

" Art. 22. - (1) The financial auditor who audits the annual/consolidated financial statements of the entities referred to in Art. 1 para. (2) must prepare an audit report in accordance with the international auditing standards.

(2) The audit report must be dated, signed by the key partner of the financial audit engagement and must include, in clear, the name of the person who prepared it and the individual registration number with the public registry held by CFAR.

(3) Financial auditors auditing the annual financial statements of private pension funds managers and / or voluntary pension funds managers, as well as the annual financial statements of a privately managed pension fund / voluntary pension fund, are required to complete the models of audit reports as shown in annexes no. 6, 7 and 8."

18. In Article 23, letter a) shall be amended and shall have the following content:

" a) the audit contract shall be concluded prior to 31 October of the current year, so as to enter into force starting from 1 January of the following year; if the audit contract is concluded for a period longer than one year, its conclusion is made in compliance with the provisions of art. 21 letter a)".

19. In Article 26 para. (1), letter d) shall be amended and shall have the following content:

" d) expressing a qualified acceptance on the annual/consolidated financial statements of the entity."

20. In Article 36, paragraph 1 shall be amended and shall have the following content

" Art. 36. - (1) The provisions of this rule shall be supplemented by the provisions regarding financial audit of the legislation applicable to the 3 financial supervision sectors"

21. Article 41 shall be amended and shall have the following content

" Art. 41. - Annexes nos. 1 to 8 form an integral part of this rule."

22. Annexes no. 1 and 3-5 shall be amended and replaced by Annexes no. 1-4 which shall form an integral part of this rule.

23. After Annex no. 5, 3 new annexes shall be inserted, annexes no. 6-8, with the content set out in Annexes no. 5-7 which form an integral part of this rule.

Art. II. - (1) The financial auditors included in the lists published on the website of the Financial Supervisory Authority and which have not been approved by the Financial Supervisory Authority according to the provisions of the Norms no. 27/2015 regarding the financial audit activity at the entities authorized, regulated and supervised by the Financial Supervisory Authority, as amended and supplemented by this rule, within 6 months from the date of entry into force of this rule have the obligation to submit the documents referred to in art. 8 letters a) -e) and letters g) -m) of Rule no. 27/2015, with the amendments and additions made by this rule, in order to verify the observance of the conditions stipulated in art. 7 of the rule.

(2) Failure to submit documents in accordance with paragraph 1) or the non-fulfillment of the conditions stipulated in art. 7 of Rule no. 27/2015, as amended and supplemented by this rule, may lead to withdrawal of the approval granted by the Financial Supervisory Authority.

(3) Any alteration in the documents provided in art. 8 letters a) -e) and letters g) -m) of Rule no. 27/2015, as amended and supplemented by this rule, shall be communicated to the Financial Supervisory Authority by the financial auditor within maximum 15 days from the date of the relevant alteration.

(4) Failure to comply with the obligation provided in paragraph (3) may lead to withdrawal of the approval / granted by the Financial Supervisory Authority to the financial auditor.

Art. III. - This rule shall be published in the Official Journal of Romania, Part I, and shall enter into force on January 1<sup>st</sup>, 2017

President of the Financial Supervisory  
Authority,  
Mișu Negrițoiu

Bucharest, 21 December 2016.

No. 41.

ANNEX No. 1  
(Annex no. 1 to Rule no. 27/2015)

REQUEST  
for approval of the financial auditor

The financial auditor, a legal entity . . . . . with office/residence in . . . . ., hereby request the approval to carry out the financial audit activity for the entities authorised, regulated and supervised by the Financial Supervisory Authority from the . . . . . Sector, namely for \*. . . . .

\* To be filled in according to the situation existing at the time of application..

1. identification data of the financial auditor, legal entity:

Name of the financial auditor, legal entity

. . . . .

Legal form

. . . . .

Address of the registered office

.....

Tax registration number

.....

Number of the operation certificate/authorisation issued by the Chamber of Financial Auditors of Romania. ....

Contact details (telephone, fax, email)

.....

2. Data regarding the legal representative of the financial auditor, legal entity:

Surname and first name

.....

Position

.....

Contact details (telephone, fax, email)

.....

3. Data regarding the actuary (employee or collaborator under a services supply contract with the legal entity auditor):

Surname and first name

.....

Position

.....

4. Data regarding the expert in the audit of computer system holding CISA "Certified Information Systems Auditor" certification (employee or collaborator under a services supply contract with the legal entity auditor):

Surname and first name

.....

Position

.....

5. Additional information that may be deemed relevant for the financial auditor's activity:

.....

The undersigned, in full awareness of the provisions of the Criminal Code regarding false statements, hereby declare on my own responsibility, subject to the penalties provided by law, that all answers are complete and true and that there are no relevant facts of which the Financial Supervisory Authority should be informed. Also, in the name of the legal entity financial auditor that I represent/personally undertake to communicate to the Financial Supervisory Authority any change regarding the information supplied.

Legal representative of the financial  
auditor  
legal entity  
.....  
(surname and first name)  
.....  
(signature and stamp)

ANNEX No. 2  
(Annex no. 3 to Rule no. 27/2015)

## STATEMENT

The undersigned, ..... (surname and first name), key audit partner of. ...., (name of the legal entity financial auditor) proposed to carry out the financial audit for \* ..... (name of the entity

- hereby declare that I am not in any of the cases of incompatibility or conflict of interest provided by the legislation in force;

- I declare that I no longer have the status of a key audit partner;

or\*\*

I am the key partner of the financial auditor ..... in conducting financial audit for the following entities: \*\*\*.

\* Not applicable to the entities pursuing business in the private pension system market.

\*\* Choose the appropriate variant and fill it accordingly.

\*\*\* The information will be provided for each financial auditor holding the key partner status, mentioning the entities for which audit engagements are performed on behalf of the relevant financial auditor.

Date .....  
Surname and first name .....  
.....  
Number from the Register of  
the Chamber of Financial  
Auditors of Romania .....  
..

ANNEX No. 3  
(Annex no. 4 to Rule no. 27/2015)

## STATEMENT

The undersigned, ..... (surname and first name), actuary of ..... (employee/collaborator under a services supply contract) of ..... (name of the legal entity financial auditor), proposed to carry out the financial audit for \* ..... (name of the entity):

\* Not applicable to the entities pursuing business in the private pension system market and on the capital market.

- hereby declare that I am no longer part of any audit team;

or

- I declare that I am still part of the proposed audit team to perform the financial audit for the entity. . .  
.....

Date .....  
Surname and first name .....  
No. in the Registry of actuaries. ....  
...

ANNEX No. 4  
(Annex no. 5 to Rule no. 27/2015)

QUESTIONNAIRE \*  
for the financial auditor, legal entity

\* The questionnaire shall be filled in by the legal entity financial auditor, and the confidentiality of the information contained in the replies received will be kept, except in the cases provided for by law.

The questionnaire shall be prepared as shown in this template, in typed form; all questions must be answered. In case certain points are not applicable, this fact will be mentioned. Questionnaires signed by proxy are not accepted.

1. The identity of the financial auditor legal entity (Please indicate: the name, legal form, address of the registered office, tax registration number and number of the operation certificate/authorisation issued by the Chamber of Financial Auditors of Romania.)

.....

2. The identity of the legal representative of the financial auditor, legal entity (Please indicate: the surname, first name, position, contact details - address, telephone, email.)

.....

3. The identity of the key audit partner financial auditor (Please indicate: the surname, first name, position, contacts details - address, telephone, email.)

.....

4. The identity of the actuary/actuaries from the audit team to participate in the financial audit of the entity (Please indicate: the surname, first name, contact details - address, telephone, email.)

.....

5. The identity of the expert/experts in auditing the computer systems holding CISA "Certified Information Systems Auditor" certificate, to participate in the financial audit of the company (Please indicate: the surname, first name, position, contact details - address, telephone, email.)

.....

6. Please mention the company in which the legal entity financial auditor, coordinated or participated during its audit engagements in the audit of individual and/or consolidated financial statements, specifying the financial years for which they were prepared.

.....

7. Please mention if, during the past 10 years, any of the entities for which the legal entity financial auditor, has provided financial audit services, was subject to judicial reorganisation/bankruptcy/winding-up/special administration/financial recovery. If the answer is yes, please explain all the details.

.....

8. Please mention if, during the past 10 years, the legal entity financial auditor, or the shareholders of the legal entity financial auditor, were, whether in Romania or abroad, subject to any professional, disciplinary, administrative or judicial investigation or procedure, concluded with a sanction or is/are currently subject to such an investigation or procedure.

.....

9. If so, provide complete details, regardless if it/they regained reliability in the meantime.

.....

Indicate: the authority that ordered the sanction, the sanctioned deed, the sanction and its application date.

10. Please mention if the legal entity financial auditor, or the legal representative of the legal entity financial auditor, was convicted for crimes of corruption, money laundering, crimes against the patrimony, abuse of office, bribery, forgery and use thereof, embezzlement, tax evasion, gaining unfair advantages, trading in influence, false testimony, crimes provided by the special legislation regarding companies, the insolvency proceedings or the consumers' protection or for any other relevant acts.

.....

11. Please mention the entities for which the legal entity financial auditor referred to in Point 1 carried out over the past 5 years or is currently carrying out financial audit engagements.

.....

12. Please mention the entities for which the key audit partner carried out over the past 5 years audit engagements, specifying the audit engagements entrusted to him/her.

.....

13. Please mention any additional information that may be deemed relevant for the activity of the legal entity financial auditor mentioned in Point 1.

.....

14. The undersigned, in full awareness of the provisions of the Criminal Code regarding false statements, hereby declare on my own responsibility, subject to the penalties provided by law, that all answers are complete and true and that there are no relevant facts of which the Financial Supervisory Authority should be informed. Also, in the name of the legal entity financial auditor that I represent, I personally undertake to communicate to the Financial Supervisory Authority any change regarding the information supplied.

Legal representative of the legal  
entity financial auditor. . . . .  
(surname and first name)  
Date . . . . .  
Signature and stamp. . . . .

ANNEX No. 5  
(Annex no. 6 to Rule no. 27/2015)

Audit report  
of annual financial statements applicable to managers of privately managed pension funds and / or  
voluntary pension funds.

1. Title . . . . .

2. The recipient . . . . .

Report on financial statements

3. Introductory paragraph identifying:

a) the audited annual financial statements that are subject to the financial audit, together with the  
financial reporting framework that was applied in their preparation;

b) the financial audit area, in compliance with the international audit standards according to which the  
audit was performed.

4. Management's responsibility for the financial statements

5. Auditor's responsibility

6. Auditor's opinion:

a) financial auditor's opinion clearly stating that the annual financial statements give a fair and  
accurate picture of the work of managers of privately managed pension funds and / or voluntary  
pension funds and consistent with the relevant financial reporting framework, with due regard for legal  
requirements; the audit opinion may be: unqualified, qualified, contrary to or impossible to express, if  
the auditor was unable to express an audit opinion. The auditing of the financial statements of the  
previous financial year by another financial auditor does not constitute the basis for expressing a  
qualified opinion;

b) a reference to the issues on which financial auditors draw attention through a distinct paragraph without the audit opinion being reserved. Report on other legal and regulatory provisions.

7. Other reporting responsibilities:

a) a reference to compliance with the provisions regarding the following:

- (i) methodology for calculating and recording the technical provisions set up by the manager;
- (ii) categories of assets allowed to cover the manager's technical provisions set up by the manager;
- (iii) diversification rules for assets admitted to cover technical provisions set up by the manager;
- (iv) calculation and bookkeeping of fees related to marketing activity;
- (v) calculation and bookkeeping of the manager's revenues established under the law;

b) a reference to the practices and procedures of internal control and internal audit of the pension company as well as any deficiencies found and recommendations made to remedy them.

Report on the compliance of the managers' report with the annual financial statements.

8. A reference to the degree of compliance of the manager's report with the annual financial statements for the same financial year. This statement, contained in the audit report, must be submitted to the manager by a document separate from the audit opinion, called "Letter to the management of the company."

9. Signature of the auditor. . . . .

10. Date of the auditor's report. . . . .

11. Auditor's address . . . . .

ANNEX No. 6

(Annex no. 7 to Rule no. 27/2015)

AUDIT REPORT

of the annual financial statements applicable to a privately managed pension fund

1. Title . . . . .

2. The recipient . . . . .

Report on financial statements

3. Introductory paragraph identifying:

a) the audited annual financial statements that are subject to the financial audit, together with the financial reporting framework that was applied in their preparation;

b) the financial audit area, in compliance with the international audit standards according to which the audit was performed.

4. Management's responsibility for the financial statements

5. Auditor's responsibility

6. Auditor's opinion:

a) financial auditor's opinion clearly stating that the annual financial statements give a fair and accurate picture of the activity carried out by the pension fund and consistent with the relevant financial reporting framework, with due regard for legal requirements; the audit opinion may be: unqualified, qualified, contrary to or impossible to express, if the auditor was unable to express an audit opinion. The auditing of the financial statements of the previous financial year by another financial auditor does not constitute the basis for expressing a qualified opinion;

b) a reference to the issues on which financial auditors draw attention through a distinct paragraph without the audit opinion being reserved. Report on other legal and regulatory provisions.

7. Other reporting responsibilities:

a) annual audit of the value of the net asset and the value of the fund unit, the financial auditor having the obligation to express his opinion regarding the observance of the methodology for the calculation of the financial indicators specific to the privately managed pension funds;

b) a reference to compliance with the provisions regarding the following:

(i) calculating, converting and recording individual contributions of participants to privately managed pension funds;

(ii) calculating and recording the fee established by law;;

(iii) calculating and recording the assets of privately managed pension funds assets, including dividends receivable;

(iv) calculating and recording the collection and payment operations through the accounts of the privately managed pension fund;

(v) calculating and recording the transfers of participants between privately managed pension funds;

(vi) calculating and recording the use of the personal net asset of the participant in a private pension fund in case of invalidity, death or opening of the pension right, according to the law;

(vii) calculating and recording the technical provisions set up by the manager, the categories of assets admitted to cover the technical provisions of the manager set up by the manager, as well as the diversification rules for the assets admitted to cover the technical provisions constituted by the manager;

(viii) calculating and recording the minimum guarantee for each participant of the private pension fund;

c) a reference to the manager's internal control and audit practices and procedures, as well as any deficiencies noted and recommendations made to remedy them. This specification, contained in the audit report, shall be forwarded to the manager by a document separate from the audit opinion, called "Letter to the Management of the Company".

Report on the compliance of the managers' report with the annual financial statements

8. A reference to the degree of compliance of the manager's report on the management of the pension fund with the annual financial statements for the same financial year.

9. Signature of the auditor. . . . .

10. Date of the auditor's report. . . . .

11. Auditor's address. . . . .

ANNEX No. 7

(Annex no. 8 to Rule no. 27/2015)

## AUDIT REPORT

of the annual financial statements applicable to a voluntary pension fund

1. Title . . . . .

2. The recipient . . . . .

Report on financial statements

3. Introductory paragraph identifying:

a) the audited annual financial statements that are subject to the financial audit, together with the financial reporting framework that was applied in their preparation;

b) the financial audit area, in compliance with the international audit standards according to which the audit was performed.

4. Management's responsibility for the financial statements

5. Auditor's responsibility

6. Auditor's opinion:

a) financial auditor's opinion clearly stating that the annual financial statements give a fair and accurate picture of the activity carried out by the voluntary pension fund and consistent with the relevant financial reporting framework, with due regard for legal requirements; the audit opinion may be: unqualified, qualified, contrary to or impossible to express, if the financial auditors were unable to

express an audit opinion. The auditing of the financial statements of the previous financial year by another financial auditor does not constitute the basis for expressing a qualified opinion;

b) a reference to the issues on which financial auditors draw attention through a distinct paragraph without the audit opinion being reserved.

Report on other legal and regulatory provisions.

7. Other reporting responsibilities:

a) annual audit of the value of the net asset and the value of the fund unit, the financial auditor having the obligation to express his opinion regarding the observance of the methodology for the calculation of the financial indicators specific to the voluntary managed pension funds;

b) a reference to compliance with the provisions regarding the following:

(i) calculating, converting and recording individual contributions of participants to voluntary managed pension funds;

(ii) calculating and recording the fee established by law;

(iii) calculating and recording the assets of voluntary managed pension funds, including dividends receivable;

(iv) calculating and recording the collection and payment operations through the accounts of the voluntary managed pension fund;

(v) calculating and recording the transfers of participants between voluntary managed pension funds;

(vi) calculating and recording the use of the personal net asset of the participant in a voluntary pension fund in case of invalidity, death or opening of the pension right, according to the law;

(vii) calculating and recording the technical provisions set up by the manager, the categories of assets admitted to cover the technical provisions of the manager set up by the manager, as well as the diversification rules for the assets admitted to cover the technical provisions constituted by the manager;

c) a reference to the manager's internal control and audit practices and procedures, as well as any deficiencies noted and recommendations made to remedy them. This specification, contained in the audit report, shall be forwarded to the manager by a document separate from the audit opinion, called "Letter to the Management of the Company".

Report on the compliance of the managers' report with the annual financial statements

8. A reference to the degree of compliance of the manager's report on the management of the pension fund with the annual financial statements for the same financial year

9. Signature of the auditor. . . . .

10. Date of the auditor's report. . . . .

11. Auditor's address. . . . .

