



Tax Policy

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1. INTRODUCTION

ENAIRe, a public business entity (of the [Ministry of Transport and Sustainable Mobility \(MITMS\)](#)), is responsible for the planning, management, coordination, operation, maintenance and administration of air traffic, telecommunications and aeronautical information services, as well as of the communications infrastructure, facilities and networks of the air navigation system, with the aim of ensuring that the service is provided safely, efficiently, continuously and sustainably.

As a sign of its commitment to an [ethical culture](#), ENAIRe approves this **Tax Policy**, which is part of the [2025 Flight Plan](#), which is specifically implemented through various internal standards and procedures that comprise the [ENAIRe's Tax Risk and Tax Regulation Control System](#).

This Tax Risk Control System and Tax Regulations of ENAIRe strengthens the [commitment of the Governing Board and the CEO](#), as the representative of senior management, to the organisation's purpose, values and ethical principles, as well as the [express prohibition of any behaviour that involves the fraudulent commission of tax offences](#) or contravenes current tax laws and other regulations, values, and principles of ENAIRe.

ENAIRe, in its desire to be a driving force within the Ministry of Transport and Sustainable Mobility and the aviation sector, is aware of the need to approve a Tax Policy and commits to [promote responsible taxation](#) and develop tax transparency programmes. This will allow ENAIRe to adhere to the [Code of Best Tax Practices for Companies, Institutions and Public Entities](#) (hereinafter, [CBPT](#)), approved in April 2024 by the Forum of Companies, Institutions and Public Entities established by Spain's [Tax Agency](#) (hereinafter, [AEAT](#)).

As a result, ENAIRe's Tax Policy has been defined by taking as a reference the [principles and good practices contained in the AEAT's CBPT](#).

As part of its duties, ENAIRe's **Governing Board** approves:

- ⇒ This **Tax Policy** sets out the principles governing the Entity's actions in tax matters and its commitment to all good practices that enable the proper prevention and reduction of both tax and reputational risks, thereby creating greater legal and economic certainty for the entire organisation.
- ⇒ The Entity's **tax strategy** for investments, divestments or operations that, due to their high value or specific characteristics, involve a particular tax risk.

2. PURPOSE AND SCOPE

This mandatory **Tax Policy** aims to set out [ENAIRe's commitment](#) to the [express prohibition](#) of any behaviour involving the intentional commission of [tax offences or contravening current legislation, as well as ENAIRe's rules, values, and principles](#) over the course of its activities. This objective of respecting and complying with tax regulations is fully consistent with the Entity's social interest. To this end, ENAIRe has adopted a tax control framework through transparent procedures, involving all the Entity's staff, with the aim of promoting, developing and fostering a culture of full compliance with tax regulations and responsible tax practices.

Therefore, the Tax Policy provides a governance framework aimed at ensuring that ENAIRe's actions and operations are guided by clear principles that enable any employee, any person or entity connected with the organisation, and the Governing Board itself to make appropriate tax-related decisions in order to ensure [compliance with applicable regulations](#) and the proper implementation of [good tax practices](#).

All business-related operations will be carried out in strict compliance with both the letter and spirit of the applicable regulations, while [preventing significant tax risks](#). Should such risks arise, the Entity has a series of [mechanisms to detect and correct them](#), as well as learning standards to avoid or, where necessary, minimise them in the future.

As concerns [personnel](#), this Tax Policy applies to [ENAIRe and all its staff](#), including the members of ENAIRe's Governing Board, members of the Management Committee, and all employees. They are required to know, understand, and comply with the provisions of this Tax Policy, both in the performance of their duties and in their relations with third parties, regardless of the nature of their association and level of responsibility.

Similarly, [third parties or persons acting on behalf of and representing ENAIRe](#) without being part of its organisation will undertake to act in accordance with this Policy when representing the Company or acting on its behalf in the performance of their duties.

In its [objective scope](#), the Tax Policy covers all [activities, processes, projects, products and services within the business lines](#) in which the Entity operates, and will apply to:

- ⇒ All processes, tasks, activities and operations carried out within the Entity, and particularly those that have a quantitative or qualitative tax impact;
- ⇒ All taxes (e.g., direct or indirect taxes, fees, special contributions) and other tax obligations applicable to ENAIRe under the tax regulations in force in Spain, as well as any reporting obligations required by the relevant Tax Authorities;
- ⇒ The accounting record of taxes, both for the preparation of the annual financial statements and in the periodic reports of the financial department, and
- ⇒ The tax department's financial forecasts and projections.

3. OPERATING PRINCIPLES

Actions under the Tax Policy will be guided by the following principles of conduct:

⇒ INTEGRITY

This principle involves observing and complying with the applicable tax regulations in all its operations, with particular attention to those with greater tax significance, and maintaining a cooperative and good faith relationship with the various Tax Authorities. [ENAIRe prohibits the intentional commission of tax violations](#) and is committed to continuously minimising the culpable or negligent commission of such infractions.

⇒ TRANSPARENCY

The principle of transparency will be present in all operations carried out by ENAIRe, to which end it will adopt the commitment to [provide to authorities, regulatory bodies and public entities the relevant tax information](#) that affects both ENAIRe's activities and other stakeholders. It will do so while ensuring the transparency and accuracy of the published information, which must be appropriate, useful and reliable in relation to its performance and actions.

⇒ PRUDENCE

Defined as the principle of [caution in assuming the tax risks arising from operations carried out by ENAIRe](#), this will involve the necessary prior assessment of the tax implications of any decisions that are made. To enforce this principle, processes will be established beforehand to assess the tax implications of activities, and measures for supervision, review, and compliance control will be implemented to [ensure impartiality and objectivity in ENAIRe's internal relations and with third parties](#). Employees will refrain from participating in and making decisions on matters where a conflict of interest may arise, maintaining an independent stance that is free from any external pressure or personal interests.

⇒ PREVENTION

The adoption of this principle must [promote the prevention of tax risks and combat tax fraud](#), in line with the values of the Code of Ethics approved by ENAIRE. Measures will be established to prevent and address fines and penalties resulting from malpractice, failure to comply, and misinterpretation of tax regulations.

⇒ EXCELLENCE

ENAIRE will ensure the proper implementation and continuous improvement of this [Policy](#) and [the Tax Risk and Tax Regulation Control System of ENAIRE](#), adapting to the organisational context and the needs of ENAIRE and its relevant stakeholders. In this context, an objective and rigorous performance evaluation, along with an efficient, independent system reporting directly to the CEO and the Governing Board, will facilitate the adoption of the corresponding improvement actions.

⇒ SUSTAINABILITY

The Entity takes into account the [public interest](#) that converges in its activity and the contribution of the taxes it pays to the support of public finances. Therefore, ENAIRE's tax department will fulfil its duties and comply with tax obligations in line with its [commitment to corporate social responsibility and sustainable development](#).

4. GOOD TAX PRACTICES

In keeping with the above principles, ENAIRE adopts the following tax practices, which may be updated by the Governing Board of ENAIRE as a commitment to continuous improvement.

4.1. Tax risk prevention

ENAIRE must include that [tax risks are identified, monitored and neutralised](#) with the aim of identifying, assessing, monitoring, controlling, and, where necessary, mitigating the main tax risks to which the Entity is exposed, in order to manage and control them and thus provide greater certainty in achieving its strategic objectives.

[Tax risks](#) are defined as those that arise from the improper or incorrect application of tax regulations, interpretative complexity, or changes in such regulations, as well as the potential reputational impacts of managing tax-related matters.

Consequently, ENAIRE will:

- ⇒ [Ensure compliance with the applicable tax laws and tax obligations](#), interpreting the applicable regulations reasonably and in close alignment with the Entity's activities.
- ⇒ [Not use artificial tax structures unrelated](#) to the Entity's activities solely for the purpose of reducing its tax burden, evading taxes, and/or hindering the work of the various Tax Authorities.
- ⇒ [Not consider implementing opaque structures](#) for tax purposes unrelated to its activities, designed to prevent or hinder the identification by Tax Authorities of the ultimate party that is responsible for the activities, or the ultimate owner of the assets or rights involved.
- ⇒ [Not establish or acquire companies resident in tax havens](#) or non-cooperative jurisdictions for the purpose of evading tax obligations.
- ⇒ Ensure the [timely and proper fulfillment of its tax obligations](#), submitting its taxes appropriately, with all relevant information and in accordance with the applicable regulations.

- ⇒ Ensure that [transactions with related entities are always conducted at market value](#), provided there is no legal restriction, in keeping with the principles of free competition, value creation, and the assumption of risks and benefits.
- ⇒ [Seek the services of reputable independent tax experts](#) both to review the tax criteria implemented and to verify the fulfilment of its tax obligations whenever necessary.
- ⇒ [Align this Tax Policy](#) with the guiding principles of Good Governance, Ethics, Compliance, and Good Tax Practices of ENAIRE, as well as with the [CBPT](#) of the [AEAT](#).
- ⇒ Promote the [provision of training](#) with the aim of reinforcing compliance with and achieving the objectives of this Tax Policy, as well as of spreading knowledge of tax regulations to prevent tax risks.
- ⇒ Adopt [appropriate mechanisms to cover, prevent, reduce and monitor tax risks](#), considering, among other factors, the associated reputational impact. It will also promote practices that lead to the prevention and reduction of significant tax risks by assessing, beforehand, the tax implications arising from the operations and/or decisions of ENAIRE that may, in principle, present a particular tax risk.

Consideration will be given to the fact that the above will affect all departments of the Entity, which must report to the Internal Control System for Financial Information (“**SCIIF**”) any tax evidence impacting the control of financial information.

4.2. Relations with Tax Agencies

ENAIRE will promote and foster a relationship of cooperation and good faith with tax authorities that is based on the principles of transparency, integrity, respect, excellence, mutual trust and flexibility, contributing to the prevention of conflicts and minimisation of tax-related litigation. To this end, the Entity will adopt, among others, the following key tax practices:

- ⇒ [It will provide any information and documentation](#) with tax relevance that is requested by the competent Tax Authorities as quickly as possible, in the most comprehensive manner possible, and with the appropriate scope.
- ⇒ In the case of conflicting tax interpretation criteria, [ENAIRE will resort to all available collaboration and cooperation mechanisms and instruments](#) in tax matters (e.g., binding consultations).
- ⇒ ENAIRE [will cooperate with the competent Tax Authorities in any potential audit procedures](#), aiming to reach agreements and settlements whenever possible, without compromising good business management or the legitimate right to disagree in case of a dispute.
- ⇒ ENAIRE will adhere to the [Code of Best Tax Practices for Companies, Institutions, and Public Entities](#) developed by the Forum of Companies, Institutions, and Public Entities, and promoted by the AEAT.

5. INTERNAL REPORTING SYSTEM OF ENAIRE

In compliance with the provisions of this [Policy](#), ENAIRE makes available to its own staff and to third parties its [Internal Reporting System](#), through which they can report suspicious acts or behaviours involving tax violations, as outlined in the scope of [ENAIRE’s Internal Reporting and Whistleblower Protection System Policy](#).

[ENAIRE’s Internal Reporting System](#) can also be used to submit relevant questions or queries.

ENAIRE guarantees the absence of retaliation provided that the report was made in good faith, is within the objective scope of application and complies with the protection conditions laid out in Law 2/2023 on the protection of whistleblowers. This ensures that the whistleblower can report any suspected tax

infringements anonymously, confidentially and securely. Once the information is received, the corresponding proceedings will be initiated, guaranteeing confidentiality, protection of personal data and the absence of conflict of interest at all times.

6. CONSEQUENCES IN THE EVENT OF NON-COMPLIANCE

Personnel who violate this [Tax Policy](#) may be subject to disciplinary measures proportional to the degree of non-compliance, in accordance with the provisions of collective agreements and other applicable regulations.

In the case of third parties, the sanctions regime specified in the relevant commercial, civil or other regulations shall apply.

If applicable, the competent authority will be promptly notified.

7. SUPERVISION MECHANISMS

The [Governing Board](#) of ENAIRe is ultimately responsible for implementing and improving the [Tax Policy](#), promoting and fostering ENAIRe's ethical culture and tax transparency.

The Governing Board is responsible, in the broadest sense, for managing the taxes levied on ENAIRe's activities, a function it allocates to the [Economic and Financial Directorate](#). Additionally, the Governing Board has appointed the Economic and Financial Director as [ENAIRe's representative in the AEAT Forum of Companies, Institutions, and Public Entities](#). Furthermore, the Governing Board designates the Economic and Financial Directorate as the body responsible for enforcing this Policy and the Code of Best Tax Practices for Companies, Institutions, and Public Entities, through the implementation of [ENAIRe's Tax Risk and Tax Regulation Control System](#).

The Economic and Financial Directorate will approve and periodically review guidelines to [assess and manage the tax risks applicable to the Entity](#). These guidelines will include objective criteria to classify operations based on their tax risk, as well as various procedures for their approval. The directorate will also act as the body responsible for tax compliance at ENAIRe, in coordination with [Internal Audit](#), as an independent and objective unit overseeing the adequacy and effectiveness of how the tax risk is governed and managed.

In this way, the control of tax risks will have the necessary traceability and allow for constant monitoring to ensure that the prior tax control protocols are being followed in each and every activity and operation classified as having potential tax risk.

Therefore, the [Economic and Financial Directorate](#) is responsible for ensuring proper compliance with tax obligations, proactively and independently overseeing adherence to tax regulations, as well as to the principles and good practices outlined in this Policy. It will also report to the [Governing Board](#) on the control and management of any inherent tax risks, and on the tax impact of significant operations during the financial year, at a minimum, aligning with the preparation of the Annual Accounts and the submission of the Corporate Tax return to the relevant governing bodies.

To this end, it will report the results derived from the implementation of [ENAIRe's Tax Risk and Tax Regulation Control System](#), having the necessary authority and legitimacy to ensure the continuous fulfilment of its functions and the execution of the strategy for detecting, preventing and mitigating tax risks. Additionally, [Internal Audit](#) may assess the adequacy, effectiveness and consistency of this System in managing and controlling tax risks.

8. DISCLOSURE AND DISSEMINATION

In compliance with the requirements of international transparency standards and practices, this [Tax Policy](#) will be made available to all stakeholders on ENAIRE's website for their information and consultation.

Similarly, the Policy will be appropriately communicated and disseminated internally using existing tools, to help everyone acting on behalf of ENAIRE to understand and apply it.

9. APPROVAL AND VALIDITY

Following its presentation to the Management Committee on 20 February 2025, this [Tax Policy](#) was approved by ENAIRE's Governing Board at its meeting of 26 February 2025, coming into force 10 days following its approval, and it shall remain in force until any amendments are made to the Policy, which will be properly communicated.

This [Tax Policy](#) is subject to review and updating as needed to adapt it to any regulatory, social, economic or organisational changes.