



The following must also undergo a **mandatory audit**:

1. Companies or organisations, whatever their legal nature, in the following circumstances:

(First Additional Provision of the 22/2015 Act of 20th July on the auditing of accounts)

- a) That issue securities admitted for trading on official secondary security markets or multilateral trading systems.
- b) That issue debentures in a public offer.
- c) Whose usual business is financial brokering and, in any case, credit institutions, investment service companies, the governing bodies of the official secondary markets, the governing bodies of the multilateral trading systems, the Spanish Central Securities Depository, counterparty clearing houses, the governing bodies of stock exchanges, the management companies of investment guarantee funds and other financial organisations, including collective investment institutions, asset securitisation funds and their management companies, recorded in the relevant Registers of the Bank of Spain and of the Spanish Stock Exchange Commission.

d) Whose corporate purpose is any business that is subject to the Consolidated Text of the Act on the management and supervision of private insurance, approved by Legislative Royal Decree 6/2004 of 29th October.

e) That receive subsidies or aid charged against the budgets of public authorities or European Union funds, with a total accumulated sum of over 600,000 euros. The obligation to submit annual accounts for audit includes those from of the financial year in which subsidies or aid are received, as well as those financial years in which the transactions or investments related to them were carried out.

(Second Additional Provision of Royal Decree 1517/2011 of 31st October)

f) That carry out projects, the management of public services, supplies, consultancy, assistance and services to public authorities, for a total accumulated sum of over 600,000 euros, which represents over 50% of their net annual turnover. The audit obligation will be for the annual accounts of said financial year and of the following one.

(Third Additional Provision of Royal Decree 1517/2011 of 31st October)

g) Through request by a number of shareholders that represent at least 5% of the share capital, in companies that are not subject to auditing. This request must be made to the registrar of companies of the town or city where the company has its registered office, within 3 months of the end of the financial year. The audit is carried out at the expense of the company.

(Article 265 of the Capital Companies Act)

h) When agreed by the General Meeting or Assembly.

i) By legal order initiated by a party that accredits a legitimate interest, including through non-contentious proceedings.

(Article 40 Code of Commerce)

2. Insuring institutions.

(Article 68 Royal Decree 2486/1998)

3. Housing cooperatives, in addition to the cases indicated generally, when any of the following situations occur:

- *When they have under development, including dwellings and business premises, over 50 properties in number.*
- *The construction in different phases or in different blocks that comprise, for financial purposes, different developments.*
- *The awarding of powers of attorney related to corporate management, to natural or legal persons other than the members of the governing body.*
- *Whenever provided for in the articles of incorporation or agreed by the general meeting.*

(Article 91 27/1999 Act)

4. Mutual guarantee companies.

(Article 54 1/1994 Act)

5. Branches of foreign credit institutions that are not obliged to file annual accounts in Spain. They must submit to audit any accounting information that they are obliged to make public as well as any classified information they are obliged to issue to the Bank of Spain.

(First Additional Provision of the 22/2015 Act)

6. Collective investment institutions and their management companies.

(Article 21 and 47 of the 35/2003 Act)

7. Sporting public limited companies.

(Article 20 of Royal Decree 1251/1999)

8. Companies carrying out electrical, natural gas and gas manufactured by channelling.

9. Foundations in which, on the date of the end of the financial year, at least two of the following circumstances exist:

- *When the total of the asset entries exceed 2,400,000 euros.*
- *When the net annual turnover exceeds 2,400,000 euros.*
- *When the average number of workers employed during the financial year is above 50.*

(Article 25.5 of the 50/2002 Act of 26th December, on foundations)

10. Pension fund management institutions must prepare the annual accounts of the management institution and the statement, the profit and loss account, the report and the management report of the administered funds and must be audited by experts or expert companies registered as auditors in the Spanish Institute of Accounting and Auditing (ICAC).

(Article 98.4 Royal Decree 304/2004)

11. Venture capital institutions.

(Article 26.4 of the 25/2005 Act)

12. Fixed-premium mutual companies, when members request the accounting verification of the corporate accounts of a certain financial year. To do this, at least 5,000 members or 5% of the mutual members that would have existed on the previous 31st December is the figure is lower, must make the request, within three months of the end date of said financial year and provided that the auditing of the accounts is not mandatory.

(Article 13 Royal Decree 2486/1998)