



UNION BANCAIRE PRIVÉE

# Individual Self-Certification Form for Beneficial Owners or Controlling Persons

## General Information and Instructions

The following sections of this form must be completed by the following individuals:

	Part 1	Part 2	Part 3	Part 4 <sup>1</sup>	Part 5
Controlling Person of a Passive Non-Financial Entity or a Professionally Managed Investment Entity resident in a non-participating jurisdiction	✓	✓	✓	✓	✓
Beneficial owner of an entity that is not a Passive Non-Financial Entity or a Professionally Managed Investment Entity resident in a non-participating jurisdiction	✓		✓	✓	✓

### General Background

Union Bancaire Privée, UBP SA (the “Bank”) is required to determine the status and qualification of the Account Holder and/or Beneficial Owners, for purposes of United States (“U.S.”) legislation, including but not limited to the Foreign Account Tax Compliance Act (FATCA) and Qualified Intermediary, as U.S. Person or Non-U.S. Person.

Under the applicable regulations under the Organization for Economic Cooperation and Development’s (OECD) Automatic Exchange of Information (AEOI) and Common Reporting Standard (CRS), the Bank is obliged under the laws and regulations of the Relevant Jurisdiction to collect information, particularly regarding the tax residency of Account Holders and, in some cases, the Controlling Persons of an Entity Account Holder (“Controlling Person”).

If the Controlling Person is resident for tax purposes in one or more countries/jurisdictions that have signed an agreement regarding the AEOI with the Relevant Jurisdiction, the Bank will be required to report Financial Account information concerning the following to the Relevant Tax Authority from 2018 (based on data collected from 1 January 2017). **This information will then be passed to the tax authorities in the Controlling Person’s country(-ies)/jurisdiction(s) of residence for tax purposes.**

Under the AEOI, if the Controlling Person is not resident in a country that has signed an agreement with the Relevant Jurisdiction, no information about these individuals will be automatically passed on to the Relevant Tax Authority. There will therefore be no automatic exchange of information with the tax authorities in the country(-ies)/jurisdiction(s) where the Account Holder/Controlling Person, is resident for tax purposes. However, information may under certain conditions be disclosed to the Account Holder’s/Controlling Person’s tax authorities in response to a request based on, in particular, a double taxation treaty. **In this respect, such information may also pertain to closed accounts.**

Definitions have been provided in the Appendix to this form to assist you with the completion of this form.

### Furthermore, please note:

- ◆ **This form is only intended to document individual Beneficial Owners, or Controlling Persons.**
- ◆ **If the individual completing this form is a U.S. taxpayer, or has other connections with the U.S., it may be a “Specified U.S. Person”** under U.S. Internal Revenue Service (IRS) regulations and, if so, a Form W-9 must also be completed along with the Statement of Tax Compliance.
- ◆ If the individual’s tax residency in Part 2 cannot be clearly established by application of the AEOI provisions, please note that the Bank will be obliged to report the individual based on the indications of tax residence defined in the CRS. If the indications of tax residence show a connection to one or more Reportable Jurisdictions, the information about the individual may be passed on to each of said jurisdictions.
- ◆ Should circumstances change and make the information contained in this form incorrect, please provide the Bank with a duly updated self-certification form within 30 days of such change in circumstances.

#### Important:

This form has significant legal and tax-related consequences for you and for the Bank: please complete it with the utmost care and, if needed, seek counsel from a professional tax advisor. Under no circumstances should this form, or any written or verbal explanation relating to it, be construed as tax advice. If you have any questions about this form or about the Account Holder’s/ Controlling Person’s tax residency status, we recommend you contact a tax advisor or the tax authorities.

<sup>1</sup> Only to be completed when U.S. Indicia is present

<sup>2</sup> Definition of U.S. Person with respect to U.S. Tax legislation (not exhaustive) : U.S. citizen, including multiple citizenship, U.S. Born person, even though the U.S. passport has never been required, U.S. Resident, including green card holder and Resident Alien, certain visa holders fulfilling substantial presence test, like L1 visa )



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## Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

The individual hereby gives the Bank the following representations and warranties:

### Part 1 – Identification of the Beneficial Owner/Controlling Person

The Bank reserves the right to reject this form if it contains information that contradicts details in its possession.

This form relates to account(s) opened with the Bank in Singapore.

A. Last name\* \_\_\_\_\_  
First name\* \_\_\_\_\_  
Birth name (if different) \_\_\_\_\_

B. Date of birth\* \_\_\_\_\_

C. Place (City and Country) of birth\* \_\_\_\_\_

D. Nationalities\* \_\_\_\_\_

E. Permanent residence address (do not use post office box or “care of” addresses)

Address Line 1\* \_\_\_\_\_ Number\* \_\_\_\_\_  
Address Line 2 \_\_\_\_\_  
Postal Code \_\_\_\_\_ City \_\_\_\_\_  
Region/State \_\_\_\_\_  
Country\* \_\_\_\_\_

\* The field is mandatory.



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# Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

Applicable  Not applicable

## Part 2 – Country(-ies)/Jurisdiction(s) of tax residence and Taxpayer Identification Numbers (TINs)

Please complete the following table stating (i) all country(-ies)/jurisdiction(s) where the Controlling Person is tax resident and (ii) the Controlling Person’s Taxpayer Identification Number (TIN) or equivalent number for each country/jurisdiction of tax residence declared.

It is mandatory to indicate all relevant country(-ies)/jurisdiction(s). For a full definition of the term “Country/jurisdiction of tax residence” and any terms used below, please refer to the Appendix.

If it is not possible to specify a TIN in the table for each country/jurisdiction of tax residence, please indicate the reason in the right-hand column.

**Reason A** – The country/jurisdiction of tax residence specified does not issue TINs to its residents.

**Reason B** – The Controlling Person is unable to obtain a TIN or equivalent number or is in the process of being issued one (please explain why a TIN has not (yet) been obtained). If the TIN is in the process of being obtained, the TIN must be given to the Bank within 90 days.

**Reason C** – The TIN is not required (note: only select this reason if the domestic law of the relevant country/jurisdiction does not require the collection of the TIN issued by such country/jurisdiction).

	Country/jurisdiction of tax residence <sup>3</sup>	TIN	If no TIN is provided, please state the reason (A, B or C).
1			
2			
3			

<sup>3</sup> If the Controlling Person is resident for tax purposes in more than three countries/jurisdictions, please use and sign a separate page. This additional page will then form an integral component of this form.



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# Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

## Part 3 – Declaration regarding Non-U.S. or U.S. Status for the purposes of U.S. tax law

In this Part, 'you' refers to the individual providing the declarations below.

**A. Are you a U.S. citizen?**  Yes  No

*(Were you born in the United States (including U.S. territories, e.g. Puerto Rico, Guam or the U.S. Virgin Islands), or are you a U.S. citizen, a naturalized U.S. citizen, or a U.S. citizen who is also a citizen of one or more other jurisdictions?)*

- ◆ If you were formerly a U.S. citizen who has taken all steps necessary to relinquish U.S. nationality and have obtained the official documentation (e.g. a certificate confirming loss of nationality issued by the U.S. State Department), please tick "No". In this case, please also provide a copy of the official documentation received and a valid Form W-8BEN, duly completed and signed, a copy of Non-U.S. passport and complete Part 4 of this form.
- ◆ If you were born in the U.S. (including U.S. territories, e.g. Puerto Rico, Guam or the U.S. Virgin Islands), but believe you are not a U.S. Person, please tick "Yes" and provide a copy of proper documentary evidence (e.g. a valid Form W-8BEN, duly completed and signed, and documentary evidence you were born in the U.S. to Diplomats or other recognized government officials from foreign countries, per Title 8 of the U.S. Code) and complete Part 4 of this form.
- ◆ If you are a U.S. citizen, please provide a valid Form W-9, duly completed and signed, and the Statement of Tax Compliance.

**B. Are you a U.S. Green Card holder? (irrespective of expiry date)**  Yes  No

*(Are you in possession of an alien registration card as a permanent resident issued by the U.S. Citizenship and Immigration Service (Green Card), regardless of its expiry date, and thus considered a lawful permanent resident of the U.S. even if you are resident outside the U.S.?)*

- ◆ If you have formally surrendered your green card and have taken all steps necessary to relinquish it (using Form I-407), please tick "No". Please provide valid copies of Form I-407 Abandonment of Lawful Permanent resident status, Form 8854 and Form W-8BEN, duly completed and signed, and complete Part 4 of this form.
- ◆ If you are a U.S. Green Card Holder, please provide a valid Form W-9, duly completed and signed, and the Statement of Tax Compliance.

**C. Are you to be considered a U.S. Resident Alien?**  Yes  No

*(Do you satisfy the Substantial Presence Test<sup>4</sup>)*

- ◆ If you satisfy the Substantial Presence Test but are not a U.S. Person with respect to U.S. Tax legislation, please tick "Yes" and provide an explanation on why you are not a U.S. Person with respect to U.S. Tax legislation and provide a copy of proper documentary evidence (e.g. a valid Form W-8BEN, duly completed and signed, a copy of Non-U.S. passport, and a copy of visa) and complete Part 4 of this form.

If you are a U.S. Resident Alien, please provide a valid Form W-9, duly completed and signed, and the Statement of Tax Compliance.

**D. Are you a U.S. taxpayer for any other reason?**  Yes  No

*Are you liable to taxation in the U.S. on your total income for some other reason (e.g. dual residence, being a non-U.S. Person submitting an U.S. tax return together with an U.S. spouse or are in the process of relinquishing U.S. citizenship of long term permanent residence in the U.S.? Please note that being a real estate owner in the U.S., or having shareholding in, or having claims against, a U.S. entity (e.g. in a partnership) does not give rise to classification as a U.S. resident in itself.*

- ◆ If the answer is Yes, please state the reason.

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<sup>4</sup> A person is treated as a resident of the United States if such person has lived in the USA for at least a total of 183 days in the year or having met the substantial presence test. To meet this test, the person must have been physically present in the United States for at least 31 days during the current year, and 183 days during the 3 year period that includes the current year and the 2 years immediately before. Please refer to the IRS website for more details on the substantial presence test.



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# Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

Applicable  Not applicable

## Part 4 – U.S. Reference Explanation Form

In this Part, 'you' refers to the individual providing the declarations<sup>5</sup> below.

The Bank has been provided with a non-U.S. status declaration (Form W-8 or equivalent) as well as one or several of the following:

- ◆ U.S. mailing address.
- ◆ U.S. residence address.
- ◆ only U.S. telephone numbers.
- ◆ Standing order to an account maintained in the U.S.
- ◆ U.S. place of birth.
- ◆ U.S. tax identification number (EIN or SSN number).
- ◆ U.S. nationality.

In accordance with the Qualified Intermediary (QI) rules and/or FATCA legislation in force, the Bank needs to obtain a reasonable explanation of these U.S. Indicia or connections in order to maintain your non-U.S. person status.

- If you are a non-U.S. person, please specify and explain in the following the U.S. Indicia
- If you conclude that you are a U.S. person (i.e., U.S. citizen, U.S. resident or a U.S. entity), provide instead valid Form W-9, duly completed and signed.

The annex lists examples of reasonable explanations for each of the U.S. references mentioned.

### U.S. mailing address

Please specify \_\_\_\_\_  
\_\_\_\_\_

Explanation \_\_\_\_\_

### U.S. residence address

Please specify \_\_\_\_\_  
\_\_\_\_\_

Explanation \_\_\_\_\_  
\_\_\_\_\_

I have provided or will provide the Bank with any other documentation requested by the Bank to support my claim of non-U.S. status (including a copy of my visa, diplomatic credentials or other evidence of my non-U.S. status, including but not limited to, a copy of Form 8843 filed with the IRS by a student, teacher/trainee, professional athlete or individual with medical condition or medical problem) and will update such documentation upon request.

### U.S. telephone number(s) (and no non-U.S. telephone number)

Only the following U.S. telephone number(s) (and no non-U.S. telephone number) has/have been provided with respect to the account mentioned above.

Please specify \_\_\_\_\_  
\_\_\_\_\_

Explanation \_\_\_\_\_  
\_\_\_\_\_

<sup>5</sup> Refer to Annex for a non-exhaustive list of reasonable explanation possible



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### Standing order

Please specify beneficiary, account, amount and frequency of transfers \_\_\_\_\_

Explanation \_\_\_\_\_

### U.S. place of birth

Please specify the place and country of birth \_\_\_\_\_

Explanation \_\_\_\_\_

### U.S. tax identification number

Explanation \_\_\_\_\_

### U.S. nationality (only in case a Certificate of Loss of Nationality cannot be provided):

Explanation of circumstances of loss of nationality and why no certificate can be provided (continue on a separate sheet if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Declaration of non-U.S. status

Under penalties of perjury, by completing Part 4, I certify that although I have the connection(s) indicated above with the United States, for the reason(s) indicated on this form, I am not a U.S. Person for U.S. tax purposes.

I agree to provide any document requested by the Bank to support my status as non-U.S. Person for U.S. tax purposes.

I acknowledge that I must inform the Bank within 30 days in the event of a change in circumstance impacting the accuracy of this form or causes the information contained herein to become incorrect, and to provide the Bank with a suitably updated form and a valid Form W-8BEN, duly completed and signed, within 30 days of such change in circumstances. If my status changes to that of a U.S. person, I agree to provide the Bank within 30 days of that change with a Form W-9 and any other document requested by the Bank relating to that status.



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### Part 5 – Declarations and Signature

#### DECLARATION REGARDING NON-U.S. OR U.S. STATUS FOR THE PURPOSES OF U.S. TAX LAW

##### ◆ Misrepresentation

In the event that the Bank discovers that any above representations are not correct, the Individual is required to provide either (A) a valid Form W-9, duly completed and signed, or (B) additional documentation to establish his/her non-U.S. status, as requested by the Bank.

##### ◆ Change of circumstances in status as a non-U.S. person

The Individual certifies that the information contained within this document is accurate and undertakes to notify the Bank in writing without delay and no later than thirty (30) days following an event resulting in the change of his status from a non-U.S. person to a U.S. person (according to U.S. tax principles).

##### ◆ Form W-9

If the Individual has answered "yes" to any one of the questions in Section A to D in Part 3 above or is unable to provide the additional documentation required to establish non-U.S. status, the Individual must provide the Bank with a valid Form W-9, duly completed and signed.

By providing Form W-9 and as per the General Conditions, the Individual agrees and irrevocably consent that the Bank shall be permitted to deliver Form W-9, directly or indirectly to the U.S. custodian bank and any relevant U.S. authorities, as well as permitted to disclose and/or forward the identity of the identified U.S. Person to the U.S. tax authorities, and any additional information relating to the banking relationship of the Individual, including but not limited to name, address of Account Holder and/or beneficial ownership information, copy of IRS Form, account statements, amount of income and any other information to the U.S. Tax authorities or any other U.S. authority may request in relation to the banking relationship. The consent to disclose applies even if the account is subsequently closed.

The Individual acknowledges that information maintained by the Bank relating to the Bank will no longer be protected by Swiss or domestic law. Therefore, the Individual fully releases the Bank from the Bank's obligation to maintain banking secrecy and from any obligation to maintain other secrecy or confidentiality provisions in relation to the banking relationship mentioned above.

The Individual confirms that the Individual is fully aware that it is the Individual's sole responsibility to file U.S. tax returns and to make all other applicable filings required under any applicable law to properly disclose the banking relationship. In addition, the Individual confirms to have verified the fiscal consequences of the purchase, holding or sale of investments or maintaining the banking relationship, including the question of whether the data available (e.g. bank statements) satisfies the Individual's needs.

The Individual declares not to hold the Bank responsible for any possible consequences that may result from the Bank's disclosure and agrees to release, indemnify and hold harmless the Bank from any liabilities, losses damages and claims in this regard that may result from such disclosure.

##### ◆ Indemnification and termination of banking relationship

The Individual acknowledges and accepts that the relationship with the Bank can be terminated any time, should the U.S. Person not comply with the Bank internal regulations, rules and policies with respect to the treatment of U.S. Persons.

##### ◆ Additional Certifications

In full knowledge of the penalties of perjury laid down by U.S. tax law, the Individual certifies:

- a) that, if necessary, the Individual has taken appropriate tax advice in the United States and in the Individual's country of residence or country of treaty eligibility on the issues covered herein, in particular in order to be able to confirm that it meets the conditions allowing it to claim treaty benefits, and
- b) that to the best of its knowledge and belief, the information contained herein is true, correct and complete, and
- c) that, no contrary information has, directly or indirectly, been provided to the Bank or to any of its officers, employees, agents or intermediaries.



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# Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

## DECLARATION REGARDING COUNTRY(-IES)/JURISDICTION(S) OF TAX RESIDENCE AND TINS

By signing this form, the Individual certifies that the Individual has declared all country(-ies)/jurisdiction(s) that the Individual is a tax resident in.

The Individual understands that the information supplied will be covered by the full provisions of CRS laws and regulations of the Relevant Jurisdiction which set out how the Bank may use and share such information.

The Individual acknowledges and accepts that the information contained in this form and information regarding the account(s) may be reported to the Relevant Tax Authority and thereafter exchanged with the tax authorities of another country(-ies)/jurisdiction(s) in which the individual to whom this form relates may be tax resident if that/those country(-ies)/jurisdiction(s) has/have entered into Agreements to exchange financial account information.

Should the Individual's circumstances change and make the information contained herein incorrect, the Individual undertakes to provide the Bank with a suitability updated self-certification form promptly and within 30 days of such change in circumstances. The Individual understands that if the information is not corrected, this may lead to reporting the wrong country, which may have adverse tax consequences for the Individual.

**By signing this form, the Individual acknowledges and agrees that (a) the information contained in this form is collected and may be kept by the Bank for the purpose of automatic exchange of financial account information, and (b) such information and information regarding the Account Holder and any reportable account(s) may be reported by the Bank to the Relevant Tax Authority and exchanged with the tax authorities of another jurisdiction or jurisdictions in which the Account Holder may be resident for tax purposes, pursuant to the legal provisions for exchange of financial account information provided under the laws and regulations of the Relevant Jurisdiction.**

## GENERAL DECLARATIONS

### ◆ Indemnification and termination of banking relationship

Furthermore, the General Conditions of the Bank are applicable. The Individual will hold the Bank harmless and guarantee and indemnify it within the meaning of its General Conditions in respect of all damages, claims, expenses or charges that may arise in relation to any tax claim resulting from International Tax Agreements and affecting the Bank and/or in relation to any misrepresentation given by the Client.

**I declare that the information given and statements made in this form are, to the best of my knowledge and belief, true, correct and complete.**

I certify that I am the Controlling Person/Beneficial Owner (or am authorised to sign for the Controlling Person(s)/Beneficial Owner(s)) of all the accounts to which this form relates. If I have been authorized to fill and sign this form on behalf of the Controlling Person/Beneficial Owner, I hereby confirm that I have informed the Controlling Person(s)/Beneficial Owner(s) of the contents of the present form and of the undertakings made, and that he/she/they acknowledge(s) and accept(s) them, and in particular that he/she/they has/have agreed to the disclosure of his/her/their name(s) and personal data to foreign tax authorities where applicable and as described herein.

Signature \_\_\_\_\_

Name in capitals\* \_\_\_\_\_

Date\* \_\_\_\_\_

## WARNING:

**It is an offence under section 105M of the Income Tax Act 1947 of Singapore for any person to provide any information which he knows is false or misleading through a self-certification. An individual who is guilty of the offence is liable on conviction to a fine of up to \$10,000 and/or imprisonment of up to 2 years.**

For internal use only (confirmation by Relationship Manager)

\_\_\_\_\_  
Date Trigram Signature

\* The field is mandatory.



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## Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

### Appendix - Glossary

#### “Relevant Jurisdiction”

The term “Relevant Jurisdiction” means the location of the account(s) to which this form relates, as confirmed in Part 1 of this form.

#### “Relevant Tax Authority”

The term “Relevant Tax Authority” means the competent tax authority/authorities of the Relevant Jurisdiction.

#### “Account Holder”

The term “Account Holder” means the person listed or identified as the holder of a Financial Account. A person, other than a financial institution, holding a Financial Account for the benefit of another person as an agent, a custodian, a nominee, a signatory, an investment advisor, an intermediary, or a legal guardian is not treated as the Account Holder. In these circumstances that other person is the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder.

#### “Active Non-Financial Entity (NFE)” (“Active NFE”)

The term “Active NFE” means any NFE that meets any of the following criteria:

- a) Active NFE by reason of income and assets: less than 50% of the NFE’s gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50% of the assets held by the NFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- b) Publicly traded NFE and NFE related to a publicly traded Entity: the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity with stock that is regularly traded on an established securities market;
- c) Government Entity, International Organization or Central Bank: the NFE is a Government Entity, an International Organization, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d) Holding Entity that is a member of a non-financial group: substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an Entity does not qualify for this status if the Entity functions (or holds itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes;
- e) Start-Up NFE: the NFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFE;
- f) NFE that is liquidating or emerging from bankruptcy: The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- g) Treasury Center that is a member of a non-financial group: the NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or
- h) Non-profit Entity: the NFE meets all of the following requirements:
  - i. It is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and is a professional organization, business league, chamber of commerce, labor organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare;
  - ii. It is exempt from income tax in its jurisdiction of residence;
  - iii. It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
  - iv. The applicable laws of the NFE’s jurisdiction of residence or the NFE’s formation documents do not permit any income or assets of the NFE to be distributed to, or applied for the benefit of, a private person or non-charitable entity other than pursuant to the conduct of the NFE’s charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and



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- v. The applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents require that, upon the NFE's liquidation or dissolution, all of its assets be distributed to a Government Entity or other non-profit organization, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision thereof.

### **“Collective Investment Vehicle that is an Investment Entity”**

An Entity is generally considered an Investment Entity if it operates or behaves like a collective investment vehicle, a mutual fund, an exchange-traded fund, a private equity fund, a hedge fund, a venture capital fund, a leveraged buyout fund or any similar investment vehicle whose strategy consists of investing or reinvesting in financial assets and carrying out transactions with such assets. An Entity whose primary activity consists of carrying out investment, administration or management transactions relating to non-debt direct interests in real estate on behalf of third-parties, such as a real estate investment trust, will not constitute an Investment Entity.

### **“Controlling Person”**

This is a natural person who exercises control over an entity. Where an entity Account Holder is treated as a Passive Non-Financial Entity (“NFE”) then a financial institution must determine whether such Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” as described in Recommendation 10 and the Interpretative Note on Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

In the case of a trust, this term means the settlor(s), the trustee(s), the protector(s), the beneficiary/beneficiaries or the members of a class or classes of beneficiaries and any other individual exercising ultimate effective control over the trust. In the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The members, defined based on characteristics only, of a class of beneficiaries must not be treated as Controlling Persons until the person is known by name (then the rules for beneficiaries known by name will be applied depending on the type of rights). A discretionary beneficiary known by name will only be deemed a Controlling Person for calendar years or other suitable reference periods during which the person actually receives a distribution. A discretionary beneficiary must therefore be documented using the “Tax Residency Self-Certification Form for Individual Account Holders and Controlling Persons” in the year in which they receive their first distribution.

Note: If the settlor, trustee, protector or beneficiary is an entity, the natural person who exercises control over the entity must be identified as the Controlling Person of the entity.

Under AEOI rules, information about Controlling Persons is only required if the Account Holder Entity is:

- i. A Passive NFE
- ii. A Professionally Managed Investment Entity in a Non-Participating Jurisdiction.

### **“Country/jurisdiction of tax residence”**

Tax residence is defined by each country/jurisdiction's local tax laws and may vary from that of another country/jurisdiction.

The requirement to pay tax in a particular country/jurisdiction does not necessarily signify tax residence in that country. A person is tax resident in country/jurisdiction where the person meets the tax residency rules of the particular country/jurisdiction.

For more information about tax residence rules applicable within the OECD countries, please see the following link: <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-residency/>

In the event of any doubt, please consult your tax advisor.

### **“Custodial Institution”**

The term “Custodial Institution” means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. An Entity holds Financial Assets for the account of others as a substantial portion of its business if the Entity's gross income attributable to the holding of Financial Assets and related financial services equals or exceeds 20% of the Entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence (if shorter than three years).

### **“Depository Institution”**

The term “Depository Institution” means any Entity that accepts deposits in the ordinary course of a banking or similar business.



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### “Entity”

The term “Entity” means a legal person or a legal arrangement, such as a corporation, organization, partnership, trust or foundation.

### “Financial Account”

A Financial Account is an account maintained by a financial institution and includes depository accounts, custodial accounts, equity and debt interest in certain investment entities, cash value insurance contracts, and annuity contracts.

### “Financial Asset”

The term “Financial Asset” includes a security (for example, a share of stock in a corporation; partnership or beneficial ownership interest in a widely held or publicly traded partnership or trust; note, bond, debenture, or other evidence of indebtedness), partnership interest, commodity, swap (for example, interest rate swaps, currency swaps, basis swaps, interest rate caps, interest rate floors, commodity swaps, equity swaps, equity index swaps, and similar agreements), insurance contract or annuity contract, or any interest (including a futures or forward contract or option) in a security, partnership interest, commodity, swap, insurance contract, or annuity contract. The term “Financial Asset” does not include a non-debt, direct interest in real property.

### “Financial Institution”

The term “Financial Institution” means a “Custodial Institution”, a “Depository Institution”, an “Investment Entity”, or a “Specified Insurance Company”. Please see the relevant Tax Regulations for the countries in question and the CRS for further classification definitions that apply to Financial Institutions.

### “Managing Investment Entity”

The term “Managing Investment Entity” means any Entity which primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:

- i. Trading in money market instruments (cheques, bills, certificates of deposit, derivatives etc.), foreign exchange, exchange rate instruments, interest rate and index instruments, transferable securities or commodities futures trading,
- ii. Individual or collective portfolio management, or
- iii. Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.

An Entity is treated as primarily conducting as a business one or more of the activities described above if the Entity's gross income attributable to the relevant activities equals or exceeds 50% of the Entity's gross income during the shorter of: (i) the three-year period ending on 31 December of the year preceding the year in which the determination is made; or (ii) the period during which the Entity has been in existence.

### “Non-Financial Entity (NFE)”

This term means any Entity that is not a Financial Institution.

### “Participating Jurisdiction”

A Participating Jurisdiction means a jurisdiction with which an intergovernmental agreement is in place pursuant to which it will provide the information required on the automatic exchange of financial account information set out in the CRS. List of Participating Jurisdictions can be found in the following link: <https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction/>

### “Participating Jurisdiction Financial Institution”

The term “Participating Jurisdiction Financial Institution” means (i) any Financial Institution that is tax resident in a Participating Jurisdiction, excluding any branch of that Financial Institution that is located outside that jurisdiction, and (ii) any branch of a Financial Institution that is not tax-resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.



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## Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

### “Professionally Managed Investment Entity”

The term “Professionally Managed Investment Entity” means any Entity whose gross income is primarily attributable to investing, reinvesting or trading in Financial Assets, if the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or a Managing Investment Entity.

An Entity’s gross income will be primarily attributable to investing, reinvesting or trading in Financial Assets if the Entity’s gross income attributable to the relevant activities equals or exceeds 50% of its gross income during the shorter of: (i) the three-year period ending on 31 December of the year preceding the year in which the determination is made; or (ii) the period during which the Entity has been in existence.

An Entity is considered to be “professionally managed” if the managing Entity performs, either directly or indirectly through a service provider, any of the following activities or operations on behalf of the managed Entity:

- i. Trading in money market instruments (cheques, bills, certificates of deposit, derivatives etc.), foreign exchange, exchange rate instruments, interest rate and index instruments, transferable securities or commodities futures trading,
- ii. Individual or collective portfolio management, or
- iii. Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.

However, an Entity is not professionally managed if the managing Entity does not have discretionary authority to manage the Entity’s assets (in whole or in part). An Entity will therefore be considered to be professionally managed by an Entity where the latter has discretionary authority to manage the former’s assets (in whole or in part) even if it does not manage the Entity as such.

Accordingly, an Entity will not be deemed a managing Entity if it only provides administrative services, for example secretarial services, registered office or registered agent services, financial report or tax return preparation services, accounting services, or nominee shareholder services, or only carries out instructions in a non-autonomous and non-discretionary manner.

Where an Entity is managed by a mix of financial institutions, NFEs or persons (individuals), it is considered to be managed by an Entity that is a Financial Institution.

### “Passive Non-Financial Entity (NFE)” (“Passive NFE”)

A “Passive NFE” means any NFE that is not an Active NFE. Moreover, an Account Holder that is a Professionally Managed Investment Entity in a Non-Participating Jurisdiction as far the Relevant Jurisdiction is concerned, will be deemed a Passive NFE Account Holder under the CRS.

### “Reportable Account”

Pursuant to the CRS (see note at the end of the Appendix), this is an account held by one or more “Reportable Person(s)” or by a Passive NFE for which one or more “Controlling Person(s)” is(are) (a) Reportable Person(s).

### “Reportable Jurisdiction”

The term “Reportable Jurisdiction” means a country/jurisdiction with which the Relevant Jurisdiction has concluded an agreement obliging that Relevant Jurisdiction to provide information about the residents of that country/jurisdiction and their accounts (reportable accounts). Where the Relevant Jurisdiction is Hong Kong and/or Singapore, the Reportable Jurisdictions can be found in the following list:

For Hong Kong: [http://www.ird.gov.hk/eng/tax/aeoi/rpt\\_jur.htm](http://www.ird.gov.hk/eng/tax/aeoi/rpt_jur.htm)

For Singapore: <https://www.iras.gov.sg/irashome/Quick-Links/International-Tax/Common-Reporting-Standard/>

### “Reportable Jurisdiction Person”

A person that is tax resident in (a) Reportable Jurisdiction(s) under the tax laws of such jurisdiction(s) – by reference to local laws in the country where the Entity is established, incorporated or managed. In general, an Entity that has no residence for tax purposes (e.g. a tax-transparent partnership) is considered to be resident in the jurisdiction in which its place of effective management is situated.



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## Individual Self-Certification Form for Beneficial Owners or Controlling Persons (continued)

### “Reportable Person”

Under the CRS a “Reportable Person” is defined as a “Reportable Jurisdiction Person”, other than

- i. a corporation with stock that is regularly traded on one or more established securities markets;
- ii. a corporation that is a Related Entity of a corporation described in clause (i);
- iii. a Government Entity;
- iv. an International Organization;
- v. a Central Bank; or
- vi. a Financial Institution (except for an Investment Entity as described in Sub Paragraph A(6) b) of Section VIII of the CRS that are not participating Jurisdiction Financial Institutions, which are treated as Passive NFEs).

### “Specified Insurance Company”

The term “Specified Insurance Company” means any Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a cash value insurance contract or an annuity contract.

### “TIN”

“TIN” stands for Taxpayer Identification Number or may refer to a “functional equivalent” in the absence of a TIN. A TIN is a unique combination of letters and/or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the individual or Entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable TINs can be found on the OECD Automatic Exchange Portal (<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/>).

Some jurisdictions do not issue a TIN. However, these jurisdictions often use some other high-integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for individuals, a social security/insurance number, citizen/personal identification/service code/number, and resident registration number.

**Note: Further information can be found in the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (CRS), the associated Commentary to the CRS and domestic guidance. These documents can be viewed (in English and French) respectively on the OECD site in the Exchange of Information section (<http://www.oecd.org/tax/exchange-of-tax-information/>). If you have any questions, please contact a tax advisor or your domestic tax authorities.**



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## Annex – Examples of a reasonable explanation

### U.S. mailing address

- ◆ This U.S. address is a secondary residence (e.g., a vacation home).
- ◆ This U.S. address is that of a business that I own.
- ◆ This U.S. address is that of my financial or legal advisor.
- ◆ This address is that of a U.S. addressee that forwards mail to my non-U.S. address to ensure more reliable/secure delivery.

### U.S. residence address

- ◆ A student at a U.S. educational institution temporarily present in the U.S. under an “F”, “J”, “M” or “Q” visa.
- ◆ A teacher, trainee or intern at a U.S. educational institution or a participant in an educational or cultural exchange visitor program temporarily present in the U.S. under a “J” or “Q” visa.
- ◆ A foreign individual assigned to a diplomatic post or position at a consulate or embassy; or a full-time employee of an international organization temporarily present in the U.S.
- ◆ A spouse, or an unmarried child under the age of 21 years, of a student, teacher, trainee, intern, diplomat or international organization employee as described above.

### U.S. telephone number(s) (and no non-U.S. telephone number)

- ◆ The U.S. telephone number(s) is (are) for a secondary residence (e.g., a vacation home).
- ◆ The U.S. telephone number(s) is (are) for a business that I own.
- ◆ The U.S. telephone number(s) is (are) that of my financial or legal advisor.
- ◆ The U.S. telephone number(s) is (are) VOIP (Voice Over Internet Protocol), Skype or similar number and the country and area code does not necessarily indicate the location where the calls are placed or received.

### U.S. place of birth

- ◆ A child born to parents with diplomatic immunity.

### U.S. tax identification number

- ◆ Previous employment in the United States. Please indicate year(s) of employment, employer and type of visa/residence permit: An investment that required to obtain a U.S. TIN.