

FATCA/CRS Entity Self-Certification Form

Please read these instructions before completing the form.

Under Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS), Hamilton Reserve BANK LTD (“HRB”). is required to collect and report certain information to the local tax authority on the status of our customers.

Should there be a change in circumstances relating to information, such as the account holder’s tax status or other mandatory field information that makes this form incorrect or incomplete, please let us know by notifying us or providing us with an updated Self-Certification Form.

For sole-proprietorship owned by an individual, please complete the Individual Self-Certification Form.

As a financial institution, we are not allowed to give tax advice. Kindly consult your tax or legal adviser should you have questions on or in relation to FATCA and CRS.

Part 1 - Identification of Account Holder	
Legal Name of Entity:	
Country of incorporation:	
Business Registration Number:	
Registered Address:	Mailing Address: (Complete if different to the current residence address)
Address Line 1:	Address Line 1:
Address Line 2:	Address Line 2:
Address Line 3: (Postal Code/ZIP Code)	Address Line 3: (Postal Code/ZIP Code)
Address Line 4: (Country)	Address Line 4: (Country)

Part 2 - Jurisdiction of Residence and Taxpayer Identification Number (TIN)			
Complete the following table indication : (i) the jurisdiction of residence where the account holder is a resident for tax purposes (except for St. Kitts & Nevis) and (ii) the account holder’s TIN for each jurisdiction indicated. Indicate All jurisdictions of residence.			
If a TIN is unavailable, indicate which of the following reasons is applicable:			
Reason A - The jurisdiction where the account holder is a resident for tax purpose does not issue TINs to its residents.			
Reason B - The account holder is unable to obtain a TIN.			
Reason C - TIN is not required. (Note: Select this reason only if the authorities of the jurisdiction of residence do not require the TIN to be disclosed.)			
	Country of Tax Residence	TIN	If no TIN available, indicate Reason A, B or C
1			
2			
3			
Please explain in the following boxes why you are unable to obtain a TIN if you selected Reason B above.			
1			
2			
3			
<i>Note: (1) if the Entity is not a tax resident of any country, please indicate above (line1) its place of effective management or country in which its principal office is located. (2) If the account holder is a resident for tax purpose in more than three countries, please use separate sheet.</i>			

FATCA Status	
The Entity is incorporated, established, constituted or organized in the United States of America.	
<input type="checkbox"/>	Yes. Please complete and submit U.S. IRS Form W9 (https://www.irs.gov/pub/irs-pdf/fw9.pdf).
<input type="checkbox"/>	No. Please proceed to Part 3 and/or Part 4.
Part 3 - Financial Institution (FI)	
a.	The Entity is a Participating Foreign Financial Institution. - Global Intermediary Identification Number (GIIN) <input type="text"/> - <input type="text"/> - <input type="text"/> - <input type="text"/>
	<input type="checkbox"/> Participating FFI <input type="checkbox"/> Reporting Model 1 FFI <input type="checkbox"/> Reporting Model 2 FFI <input type="checkbox"/> Registered deemed-compliant FI
b.	<input type="checkbox"/> The entity is a Non-Participating Foreign Financial Institution Non-Participating FFI
c.	<input type="checkbox"/> Other types of Foreign Financial Institutions. <i>Please complete and submit U.S IRS Form W8BENE (https://www.irs.gov/pub/irs-pdf/fw8bene.pdf)</i>

CRS Status		
d.	<input type="checkbox"/> It is an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution. (Please complete Part 5 - Controlling Person if ticking this box)	Non-Participating FI
e.	<input type="checkbox"/> It is a Depository Institution, Custodial Institution or Specified Insurance Company	Financial Institution

Part 4 - Non Financial Entity (NFE)		FATCA/CRS Status
1	<input type="checkbox"/> Active Business <ul style="list-style-type: none"> - At least 50% of its gross income (for the previous calendar year) from these business activities and <u>not</u> from passive income such as investments, dividends, interest, rents or royalties. - At least 50% of assets held by produce or are held to produce active income. 	Active NFFE
2	<input type="checkbox"/> Start Up Company <ul style="list-style-type: none"> - Date of incorporation not more than 24 months. - Not yet operating a business and has no prior operating history. - Investing capital in assets with the intent to operate a new line of business other than that of a financial institution. 	Excepted non-financial start-up company
3	<input type="checkbox"/> Charity/Non-Profit Organisation <ul style="list-style-type: none"> - Entity that is a religious, charitable, scientific, artistic, cultural or educational that is exempt from income tax in its country of residence. - Professional organization, business league, chamber of commerce, labour organisation, agricultural or horticultural organization, civil league or an organization operated exclusively for promotion of social welfare. - Has no shareholders or members who have a proprietary or beneficial interest in its income or assets. - Its formation documents or the local law do not permit the distribution of any income or assets to or for the benefit of a private person or non-charity entity except for payment as reasonable compensation for services or distribution in accordance with the charity's charitable activities. - Its formation documents or the local law require all of the charity's assets to be distributed to a government entity or other non-profit organization upon the charity's dissolution or liquidation. 	Non Profit Organisation
4	<input type="checkbox"/> Excepted non-financial entity in liquidation or bankruptcy <ul style="list-style-type: none"> - An entity that is not Financial Institution or investment entity in the past five years. - An entity in the process of liquidation or bankruptcy or re-organising with the intent to continue or recommence operations in business other than that of a Financial Institution. 	Excepted non financial entity in liquidation or bankruptcy
5	Publicly Listed Company or its Related Entity <input type="checkbox"/> - The entity is a corporation that is not a financial institution. - The stock of such corporation is regularly traded on one or more established securities markets, including _____ (name one securities exchange upon which the stock is regularly traded) <input type="checkbox"/> - The entity is a corporation that is not a financial institution. - The entity is a member of the same expanded affiliated group as an entity the stock of which is regularly traded on an established securities market. - The name of the entity, the stock of which is regularly traded on an established securities market, is _____ and - The name of the securities market on which the stock is regularly traded is _____	NFFE that is publicly traded or affiliate of a publicly trade NFE
6	<input type="checkbox"/> Passive Investment Entity It derives more than 50% of its gross income from passive income such as investments, dividends, interests, rents or royalties. (Please complete Part 5 - Controlling Person if ticking this box)	Passive NFFE
7	<input type="checkbox"/> Exempt Beneficial Owners Central Banks, Government agencies, Statutory Boards, Entities owned by Statutory Boards, Foreign Embassies or Trade Representative Offices, International Organisations.	Entities wholly owned by exempt beneficial owners

Note:

If you do not belong to any of the above, please complete and submit U.S IRS Form W8BENE (<https://www.irs.gov/pub/irs-pdf/fw8bene.pdf>).

Part 5 - Controlling Person
<p>Indicate the name of all Controlling Person(s) of the Account Holder:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>Note: (1) Complete the FATCA/CRS Controlling Person Self-Certification Form for each of the Controlling Person. (2) If there is no natural person(s) who exercise control of the account holder then the Controlling Person will be the natural person(s) who hold the position of senior managing official.</p>

Declaration and Signature		
<p>I/We represent and declare that the information provided above is true, accurate and complete. I/We understand that the term "U.S. person" means any citizen or resident of the United States.</p> <p>I/We certify that I/We are authorised to sign for the Account Holder in respect of all the account(s) to which this form relates.</p> <p>I/We hereby consent to HRB or any of its affiliates, including branches (collectively "the Company") disclosing the financial accounts information to regulatory authorities in accordance with the requirements of the Foreign Account Tax Compliance Act and Common Reporting Standard as may be stipulated by applicable laws, regulations, agreement or regulatory guidelines or directives.</p> <p>I/We hereby agree that the Company may withhold from my/our account(s) such amounts in accordance with the provisions of the Foreign Account Tax Compliance Act or as may be stipulated by applicable laws, regulations, agreement or regulatory guidelines or directives.</p> <p>I/We hereby agree that the Company may classify me/us as a reportable account(s) or non-participating foreign financial institution ("NPFPI") and/or suspend, recall or terminate my/our account(s) and/or facilities granted to me/us, in the event I/We fail to provide accurate and complete information and/or documentation as the Company may require.</p> <p>I/We undertake to notify the Company in writing within 30 calendar days if there is a change in any information which I/We have provided to the Company.</p>		
Signature:	Signature:	Signature:
Name:	Name:	Name:
Date (dd/mm/yyyy):	Date (dd/mm/yyyy):	Date (dd/mm/yyyy):
Capacity:	Capacity:	Capacity:
<p><i>(Please indicate the capacity in which you are signing the form. If signing under a Power of Attorney please also attached a certified copy of the Power of Attorney)</i></p>		

Appendix - Summary Descriptions of Select Defined Terms

“FATCA”

FATCA stands for the Foreign Account Tax Compliance provisions, which were enacted into U.S. law as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010. FATCA creates a new information reporting and withholding regime for payments made to certain non-U.S. financial institutions and other non-U.S. entities.

“CRS”

CRS stands for Common Reporting Standards, which is developed by The Organisation for Economic Co-operation and Development (OECD) to obtain information from financial institutions and for automatic exchange of financial account information with other jurisdictions on an annual basis for tax purposes.

“Account Holder”

The “Account Holder” is the person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, if a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust’s owners or beneficiaries. Similarly, if a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

“Control”

“Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, then under the CRS the Reportable Person is deemed to be the natural person who hold the position of senior managing official.

“Controlling Person(s)”

“Controlling Persons” are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non-Financial Entity (“Passive NFE”) then a Financial Institution is required to determine whether or not these Controlling Persons are Reportable Persons.

In the case of a trust, the Controlling Person(s) are the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, or any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). Under the CRS the settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, are always treated as Controlling Persons of a trust, regardless of whether or not any of them exercises control over the activities of the trust.

Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the Controlling Persons of the settlor(s) and when required report them as Controlling Persons of the trust.

In the case of a legal arrangement other than a trust, “Controlling Person(s) means persons in equivalent or similar positions.

“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. This is where 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.

“Depository Institution”

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

“Entity”

The term “Entity” means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).

“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 domestic guidance and the CRS for further classification definitions that apply to Financial Institutions.

“Investment Entity”

The term “Investment Entity” includes two types of Entities:

(i) an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:

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

Such activities or operations do not include rendering non-binding investment advice to a customer.

(ii) The second type of “Investment Entity” (“Investment Entity managed by another Financial Institution”) is any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity.

“Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution”

The term “Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution” means any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets if the Entity is (i) managed by a Financial Institution and (ii) not a Participating Jurisdiction Financial Institution.

“Investment Entity managed by another Financial Institution”

An Entity is “managed by” another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in clause (i) above in the definition of ‘Investment Entity’.

An Entity only manages another Entity if it has discretionary authority to manage the other Entity’s assets (either in whole or part). Where an Entity is managed by a mix of Financial Institutions, NFEs or individuals, the Entity is considered to be managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.

“Participating Jurisdiction Financial Institution”

The term “Participating Jurisdiction Financial Institution means (i) any Financial Institution that is tax resident in a Participating Jurisdiction, but excludes any branch of that Financial Institution that is located outside of 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.

“Related Entity”

An Entity is a “Related Entity” of another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

“Resident for tax purposes”

Generally, an Entity will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction (including tax conventions), it pays or should be paying tax therein by reason of his domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction. Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for determining their residence for tax purposes. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. A trust is treated as resident where one or more of its trustees is resident. For additional information on tax residence, please talk to your tax adviser or see the following link: [OECD automatic exchange of information portal](#).

“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” (including “functional equivalent”)

The term “TIN” means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is a unique combination of letters 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 at the following link [OECD automatic exchange of information portal](#).

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for Entities, a Business/company registration code/number.