

CRS Entity Self Certification Form

CRS-02

Please read these instructions before completing this form

Why are we asking you to complete this form?

To help protect the integrity of tax systems, governments around the world are introducing a new information-gathering and reporting requirement for financial institutions. This is known as the Common Reporting Standard ("the CRS").

Under the CRS, we are required to determine where you are "tax resident" (this will usually be where you are liable to pay income taxes). If you are tax resident outside the country/jurisdiction where your account is held we may need to give the national tax authority this information, along with information relating to your accounts. That may then be shared between different countries' tax authorities.

Completing this form will ensure that we hold accurate and up to date information about your tax residency.

If your circumstances change and any of the information provided in this form becomes incorrect, please immediately and provide an updated self-certification.

Who should complete the CRS Individual Self Certification Form?

Investor or applicant of MCIL International Limited should complete this form. Our company is not responsible or liable for any subsequent non-disclosure of your latest information. Contact us by email of ccs@mcilintl.com.

If you are a personal banking customer or a sole trader complete an 'Individual Tax Residency' Self-Certification Form (CRS-I). Similarly, if you are a controlling person of an entity, complete a 'Controlling Person Tax Residency Self-Certification Form (CRS-CP).

Even if you have already provided information in relation to the United States Government's Foreign Account Tax Compliance Act ("FATCA"), you may still need to provide additional information for the CRS as this is a separate regulation.

Where to go for further information

The 'Organisation for Economic Co-operation and Development' (OECD) has developed the rules to be used by all governments participating in the CRS and these can be found on the OECD's "Automatic Exchange of Information" (AEOI) website, <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/>

If you have any questions on how to define your tax residency status, please visit the OECD website, www.oecd.org/tax/automatic-exchange/ or speak to your tax advisor as we are not allowed to give tax advice.

You can find a list of definitions in the Appendix.

Appendix – Definitions

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 as a legal guardian, is not treated as the Account Holder. In these circumstances that other person is the Account Holder. For example, in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder.
Active NFE	<p>An NFE is an active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:</p> <ul style="list-style-type: none"> • Active NFEs by reason of income and assets • Publicly traded NFEs • Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities • Holding NFEs that are members of a nonfinancial group • Start-up NFEs • NFEs that are liquidating or emerging from bankruptcy • Treasury centres that are members of a nonfinancial group or • Non-profit NFEs <p>An entity will be classified as Active NFE if it meets any of the following criteria:</p> <ol style="list-style-type: none"> a. Less than 50% of the NFE's gross income for the preceding calendar year or both 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. The stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market c. The NFE is a Government Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing d. 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 hold itself out) as an investment fund, such as private equity fund, venture capital fund, leverage buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interest at these companies as capital assets for investment purpose e. The NFE is not yet operating a business and has no prior operating history, (a "start-up NFE") but 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 due date that is 24 months after the date of the initial organisation of the NFE f. The NFE was not a Financial Institution in the past few years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution g. 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. The NFE meets all of the following requirements (a "non-profit NFE") <ol style="list-style-type: none"> 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 it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civil league or an organisation 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 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 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 Government Entity or other non-profit organisation, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision. <p>Note: Certain entities (such as U.S. Territory NFEs) may qualify for Active NFE status under FATCA but not Active NFE status under the CRS.</p>
Control	"Control" over 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)	<p>"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. This definition corresponds to the term "beneficial owner" described in Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).</p> <p>In this 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.</p> <p>Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the C</p>

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 or equivalent or similar positions.

Custodial Institution	The term "Custodial Institution" means an Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This is where an 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 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.
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.
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 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/ Takaful Contracts; and Annuity Contracts.
Investment Entity	<p>The term "Investment Entity" includes two types of Entities;</p> <p>(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:</p> <ul style="list-style-type: none">• Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate/profit 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. <p>Such activities or operations do not include rendering non-binding investment advice to a customer.</p> <p>(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/Takaful Company, or the first type of Investment Entity.</p>
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	<p>"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".</p> <p>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/Takaful Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.</p>
NFE	An "NFE" is any Entity that is not a Financial Institution.
Non-Reporting Financial	<p>A "non-Reporting Financial Institution" means any Financial Institution that is:</p> <ul style="list-style-type: none">• A Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance/Takaful Company, Custodial Institution, or Depository Institution• A Board Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Government Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer• An Exempt Collective Investment Vehicle or• A Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust• Any other defined in a jurisdiction's domestic law as a Non-Reporting Financial Institution.
Participating Jurisdiction	A "Participating Jurisdiction" means a jurisdiction with which an agreement is in place pursuant to which it will provide the information set out in the CRS.
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.
Passive NFE	Under the CRS a "Passive NFE" means any: (i) NFE that is not an Active NFE; and (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.
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.
Reportable Account	The term "Reportable Account" means an account held by one or more Reportable Persons or by a Passive NFE with one or

more Controlling Persons that is Reportable Person.

**Reportable
Jurisdiction**

A Reportable Jurisdiction is a jurisdiction with which an obligation to provide financial account information is in place.

**Reportable
Jurisdiction Person**

A Reportable Jurisdiction Person is an Entity that is tax resident in a Reportable Jurisdiction(s) under the tax laws of such jurisdictions(s) – by reference to local laws in the jurisdiction where the Entity is established, incorporated or managed. 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. As such if an Entity certifies that it has no residence for tax purposes it should complete the form stating the address of its principal office.

Dual resident Entity may rely on the tiebreaker rules contained in tax conventions (if applicable) to determine their residence for tax purposes.

Reportable Person

A "Reportable Person" is defined as a "Reportable Jurisdiction Person", other than:

- A corporation the stock of which is regularly traded on one or more established securities markets
- Any corporation that is a Related Entity of a corporation described in clauses (i)
- A government Entity
- An International Organisation
- A Central Bank
- A Financial Institution

**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 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.

**Specified
Insurance/Takaful
Company**

The term "Specified Insurance/Takaful Company" means any Entity that is an insurance/Takaful company (or the holding company of an insurance/takaful company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance/Takaful Contract or an Annuity Contract.

TIN

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 individuals, a social security/insurance/takaful number, citizen/personal identification/service code/number, and resident registration number.