

S3 - 美國地址及/或美國電話號碼的說明

S3 - Explanation of a U.S. Address and/or U.S. Phone Number

致：恒生銀行有限公司

To : Hang Seng Bank Limited

請用正楷填寫，並在適當之方格內加上“√”號。

Please complete in BLOCK LETTERS and “√” where appropriate.

日期(日/月/年)
Date(DD/MM/YY)

戶口資料 Account Information
賬戶名稱 Account Name
身份證明文件號碼 ID Document No.
賬戶號碼 Account Number

閣下填妥IRS表格W-8，即確認閣下本身並非美國公民或居民或其他就美國稅法目的而言的美國人士。然而，閣下的賬戶記錄顯示閣下擁有美國的郵寄地址/永久住址及/或美國電話號碼。由於擁有美國地址及/或美國電話號碼顯示閣下可能為一就美國稅法目的而言的美國居民，謹請閣下：

By completing your IRS Form W-8 you are affirming that you are not a citizen or resident of the United States or other U.S. person for the purposes of U.S. tax law. Your account records, however, indicate that you have a mailing address/permanent residence address in the U.S. and/or a U.S. phone number. Because a U.S. address and/or U.S. phone number is an indication that you may be a U.S. resident for U.S. tax law purposes, we would be grateful if you would please:

1. 在下文**甲部**就地址及/或電話號碼提供說明；及
Provide an explanation for the address and / or phone number in **Part A** below; and
2. 填妥下文**乙部**內的實質居住測試表(如適用)；及
Complete the Substantial Presence Test table in **Part B** below (if applicable); and
3. 如適用，請填妥下文**丙部**或**丁部**的聲明。
As appropriate, complete the declaration in **Part C OR Part D** below.
4. 郵寄已填妥的聲明及/或其他所需文件至下列的地址：地址為香港郵政總局郵政信箱11280號
Mail the completed declaration and/or other required documents to the address below: P.O. Box No. 11280 General Post Office Hong Kong

甲部 Part A — 美國地址/美國電話號碼的說明 U.S. Address/U.S Phone Number Explanation (請選擇其中一項 Select one)
<ol style="list-style-type: none"> 1. <input type="checkbox"/> 本人只擁有美國電話號碼，並沒有任何美國地址 I only have a U.S. Phone Number and do not have any U.S. addresses 2. <input type="checkbox"/> 美國地址是次要的居住地址(如度假屋) The US address is a secondary residence address (e.g. a vacation home) 3. <input type="checkbox"/> 美國地址屬於本人/吾等之財務或法律顧問 The US address is that of my/our financial or legal advisor 4. <input type="checkbox"/> 其他(請說明): Other (please explain):
<p>如閣下選擇上文第1項(本人只擁有美國電話號碼)，請跳至丙部，否則請繼續填寫乙部。 If you selected #1 (I only have a U.S. Phone Number) above, please proceed to Part C, otherwise proceed to Part B.</p>

乙部 Part B — 實質居住測試 Substantial Presence Test
<p>釐定一名人士的美國稅務身份時其中一項必須考慮的因素，為該人士逗留在美國境內的天數。故此，如閣下可能或已經在美國逗留一段長時間，閣下或會被視為美國人士。由於閣下的賬戶記錄顯示閣下擁有美國郵寄地址/永久住址，所以我們需要閣下檢查是否符合以下「實質居住測試」的條件，以顯示閣下並無長時間逗留在美國。</p> <p>One factor that must be considered when determining a person's U.S. tax status is the number of days that person has been present in the U.S. So, if it is possible that you may spend or have spent significant time in the U.S. you may be considered a U.S. person. Because your account records indicate that you have a mailing address/permanent residence address in the U.S. we need you to provide information to demonstrate that you have not spent significant time in the U.S. by asking if you meet the “Substantial Presence Test” described below.</p> <p>除若干例外情況(請參閱本表格附錄2)，一名人士如符合以下條件將被視為實質居住於美國： Subject to certain exceptions (see Appendix 2 of the form), a person is considered to be substantially present in the U.S. if he or she is:</p> <ol style="list-style-type: none"> 1. 於本日曆年內最少31天身在美國；及 Physically present in the U.S. for at least 31 days during the current calendar year, and 2. 三年期間(包括本日曆年及之前兩年)最少183天身在美國，計算的天數包括： Physically present in the U.S. for at least 183 days during the 3 year period that includes the current calendar year and the 2 years immediately before that, counting: <ol style="list-style-type: none"> a. 本日曆年身在美國的全部天數；及 all the days the individual was present in the U.S. in the current year, and b. 本日曆年之前第一年在美國天數的三分之一；及 1/3 of the days the individual was present in the U.S. in the 1st year before the current year, and c. 本日曆年之前第二年在美國天數的六分之一 1/6 of the days the individual was present in the U.S. in the 2nd year before the current year

乙部 Part B — 實質居住測試(續) Substantial Presence Test (Cont.)

請根據閣下身在美國的天數填寫下表(填寫前請先參閱本表格附錄1的指引及例子)

Please complete the following table based on your days of presence in the U.S. (See Instructions and Example in Appendix 1 of this form before completing)

年度 Year	總天數 (A) Total days (A)	計算 (B) Calculation (B)	將被計算的天數 (C) Days to be counted (C)
本年 Current year		(如閣下已經或打算於本日曆年在美國逗留合共少於31天, 請在下方空格D內填「0」, 並在C部分簽署。) (If you have spent or intend to spend less than 31 total days in the U.S. in the current calendar year, enter 0 in Box D below and sign in Part C)	
本年之前第一年 Year before the current year		(將總天數除以3) (Divide total days by 3)	
本年之前第二年 Second year before the current year		(將總天數除以6) (Divide total days by 6)	
逗留在美國的總天數(空格D) Total days of present (Box D)			

免責聲明: 本乙部所要求提供的資料僅作參考資料用途。閣下不應將之視為適用法律下作出的聲明而加以依賴。恒生銀行有限公司並不提供法律或稅務意見, 本表格的任何部分(包括附錄)不應被詮釋為或視為任何建議或意見。閣下應就閣下本身的個人稅務狀況, 向獨立法律及/或稅務顧問尋求指引。

Disclaimer: The details requested in this Part B are required for informational purposes only. You should not rely upon it as a statement of applicable law. Hang Seng Bank Limited does not provide legal or tax advice and no parts of this form (including the Appendices) should be construed or considered as advice. You should seek guidance from an independent legal and/or tax adviser regarding your personal tax situation.

丙部 Part C — 非美國身份的聲明 Declaration of Non-US Status (如空格D的天數少於183 if Box D is less than 183)

本人證明, 鑒於本表格內所列的原因, 雖然上文顯示本人與美國有關連, 但是本人並非就美國稅務目的而言的美國人士。如本人是代表本表格第1頁所示的賬戶持有人/收款人簽署本表, 本人更進一步證明本人已獲授權代表該人士簽署。

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. If I am signing on behalf of the account holder/payee identified on page 1 of this form, I further certify that I am authorized to sign for that person.

本人確認, 如狀況變更以致影響本人非美國身份, 本人必須於30天內通知恒生銀行有限公司, 並同意向恒生銀行有限公司提供其所要求的任何文件, 以作為證明本人為就美國稅務目的而言的非美國身份的證據。如本人的身份改變為美國人士, 本人將於發生該改變起計30天內通知恒生銀行有限公司, 並同意向恒生銀行有限公司提供IRS表格W-9及任何其他恒生銀行要求與該身份有關的文件。

I acknowledge that I must inform you within 30 days in the event of a change in circumstance impacting my status as a non-U.S. Person and I agree to provide you with any document requested by you to support my status as non-U.S. Person for U.S. tax purposes. If my status changes to that of a U.S. person, I will notify you within 30 days of that change, and I agree to provide you with an IRS Form W-9 and any other document requested by you relating to that status.

本表格一經簽署, 即本人亦確認及同意恒生銀行有限公司對於任何本人的稅務責任及/或任何第三方向本人提供的法律及/或稅務意見均無任何責任。

By signing this form, I also acknowledge and agree that Hang Seng Bank Limited has no liability in respect of any of my tax obligations and/or any legal and/or tax advice provided to me by third parties.

請在下表以正楷填上姓名/名稱、簽署及填上日期。

Please print name, sign and date below.

S.V.

X

請用留存本行之印鑑簽署 Please use signature / chop filed with the Bank

姓名/名稱(正楷):

Print Name:

日期(日/月/年):

Date(DD/MM/YY):

代行身份(如表格並非由賬戶持有人/收款人簽署)

Capacity in which acting (if form is not signed by account holder/payee)

X

丁部 Part D — 美國實質居住 U.S. Substantial Presence (空格D的天數多於或等於183 If Box D is greater than or equal to 183)

倘乙部的空格D內的數值等於或大於183天, 請由要求索取關於外國賬戶稅務合規法案的文件的信函日期起計30天內向恒生銀行有限公司提供以下文件:

In the event that the value from Box D in Part B is equal to or greater than 183 days, please submit the following documentation to Hang Seng Bank Limited within 30 days from the date on the letter requesting for the documentation related to the FATCA:

- IRS表格W-9 及 • Customer Consent
- IRS Form W-9 and Customer Consent

附錄1 APPENDIX 1

B部分的指引 Instructions to Part B

1. 請在乙部的列表內填寫閣下於各個年度逗留在美國的天數，並在欄A內填寫閣下逗留在美國的總天數
Please complete the table in Part B by adding the number of days you were present in the U.S. in each of the years and inserting the total days in column A
2. 運用在欄B內所示的計算方法
Apply the calculation shown in column B
3. 在欄C內記錄每個年度將被計算的天數
Record the number of days to be counted for each year in column C
4. 計算在欄C內的數值總數，並將總天數填寫於空格D
Calculate the sum of values in column C and record in the total days present in Box D

在填寫列表前，請參閱附錄2的指引，當中載有不被視為逗留在美國的日子資料(可能被剔除的日子)。

Before completing the table, please refer to the guidance in Appendix 2 for information about the days on which you would NOT be considered present in the United States (potential excluded days).

年度 Year	總天數 (A) Total days (A)	計算 (B) Calculation (B)	將被計算的天數 (C) Days to be counted (C)
本年 Current year	A1	(如閣下已經或打算於本日曆年在美國逗留合共少於31天，請在下方空格D內填「0」，並在C部分簽署。) (If you have spent or intend to spend less than 31 total days in the U.S. in the current calendar year, enter 0 in Box D below and sign in Part C)	A1 = C1
本年之前第一年 Year before the current year	A2	(將總天數除以3) (Divide total days by 3)	A2 ÷ 3 = C2
本年之前第二年 Second year before the current year	A3	(將總天數除以6) (Divide total days by 6)	A3 ÷ 6 = C3
逗留在美國的總天數(空格D) Total days of present (Box D)			D = C1 + C2 + C3

例子(實質居住測試計算)

Example (Substantial Presence Test calculation)

如John X身處美國的天數分別為本年120天、去年90天和本年之前第二年60天，計算他本年是否符合實質居住測試的條件的方法為：

If John X were physically present in the United States for 120 days in this year and 90 days in the previous year and 60 days 2 years prior to the current year, to determine if he met the Substantial Presence Test for this year, count:

- 本年身處美國的全部120天；及
all 120 days of presence in this year, and
- 本年之前第一年身處美國的90天的三分之一，即30天；及
30 days for the year before the current year (1/3 of 90), and,
- 本年之前第二年身處美國的60天的六分之一，即10天
30 days for the year before the current year (1/3 of 90), and,

在本例子中，由於三年期間的應計總天數為160天(120天+30天+10天)，X先生根據實質居住測試於本年度不被視為美國居民。

In this example, because the countable total days for the 3-year period is 160 (120 + 30 + 10) days, Mr. X would not be considered a U.S. resident under the Substantial Presence Test for this year.

賬戶名稱 Account Name	John X
身份證明文件號碼 ID Document No.	A123456(7)
賬戶號碼 Account Number	123456789

年度 Year	總天數 (A) Total days (A)	計算 (B) Calculation (B)	將被計算的天數 (C) Days to be counted (C)
本年 Current year	120	120 / 1	120
本年之前第一年 Year before the current year	90	90 / 3	30
本年之前第二年 Second year before the current year	60	60 / 6	10
逗留在美國的總天數(空格D) Total days of present (Box D)			160

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附錄2 APPENDIX 2

逗留在美國的日子 Days of Presence in the United States

閣下於某一日的任何時點身處美國，即被視為於該日逗留在美國。然而，此一規則有例外情況。就實質居住測試目的而言，以下日子不被視為逗留在美國：

You are treated as present in the United States on any day you were physically present in the country, at any point during the day. However there are exceptions to this rule. Do not count the following as days of presence in the United States for the purposes of the Substantial Presence Test:

- 如閣下定期從加拿大或墨西哥通勤到美國工作，閣下從加拿大或墨西哥通勤到美國的日子
Days you commute to work in the U.S. from a residence in Canada or Mexico, if you regularly commute from Canada or Mexico
- 閣下在美國以外的兩個地點之間往來途中逗留於美國境內的時間少於24小時的日子
Days you are in the U.S. for less than 24 hours, when you are in transit between two places outside the U.S.
- 閣下以外國船舶的船務人員身份逗留在美國的日子
Days you are in the U.S. as a crew member of a foreign vessel
- 閣下因身處美國期間出現的健康狀況問題而無法離開美國的日子
Days you are unable to leave the U.S. because of a medical condition that develops while you are in the U.S.
- 閣下以專業運動選手的身份暫時逗留在美國參與慈善運動項目的日子
Days you are temporarily in the U.S. as a professional athlete to compete in a charitable sports event
- 閣下為獲豁免個人(見下文)的日子
Days you are an exempt individual (see below)

獲豁免個人 Exempt Individual

閣下為獲豁免個人的日子不需被計算。「獲豁免個人」一詞並非指獲豁免美國稅項的人士，而是指屬於以下類別因而獲豁免被計算逗留在美國的日子的人士：

Do not count days for which you are an exempt individual. The term "Exempt Individual" does not refer to someone exempt from U.S. tax, but to anyone in the following categories who is exempt from counting days of presence in the U.S.:

1. 逗留在美國的與外國政府有關的個人或國際組織僱員
Foreign Government Related Individual or International Organization Employee present in U.S.
 - 外國政府僱員；
Employee of Foreign Government;
 - 國際組織僱員；
Employee of International Organization;
 - 通常以A或G簽證入境美國的人士；
Usually in U.S. on A or G visa;
 - 「獲豁免個人」的身份亦適用於直系家庭成員(即配偶及21歲以下未婚的同住子女)。
Exempt Individual status applies also to immediate family members (i.e., spouse and unmarried children under age 21 years residing in the home).
2. 以J或Q簽證入境美國的教師、教授、實習生、研究員
Teacher, Professor, Trainee, Researcher in U.S. on J or Q visa
 - 不包括以J或Q簽證入境的學生；
Does NOT include students on J or Q visas;
 - 包括以J或Q簽證入境的任何非學生的外國人(醫生、互惠生、夏令營工人等)；
Does include any alien on a J or Q visa who is not a student (physicians, au pairs, summer camp workers, etc.);
 - 如閣下去年為一名教師、教授、實習生或研究員，請參閱美國國稅局519號刊物所載有關實質居住測試的運用；
If you were a teacher, professor, trainee or researcher in a year prior to the current year, see IRS Publication 519 regarding how you should apply the Substantial Presence Test;
 - 「獲豁免個人」身份亦適用於以J-2或Q-3簽證入境的直系家庭成員。
Exempt Individual status applies also to immediate family members with J-2 or Q-3 visa.
3. 以F、J、M或Q簽證入境美國的學生
Student in U.S. on F, J, M or Q visa
 - 如閣下去年為一名學生，請參閱美國國稅局519號刊物所載有關實質居住測試的運用；
If you were a student in a year prior to the current year, see IRS Publication 519 regarding how you should apply the Substantial Presence Test;
 - 「獲豁免個人」身份亦適用於以F-2、J-2、M-2或Q-3簽證入境的配偶及子女。
Exempt Individual status applies also to spouse and child on F-2, J-2, M-2, or Q-3 visa.

有關上文所述不需被計算於實質居住測試(包括「獲豁免個人」)日子的詳情，請參閱美國國稅局519號刊物「外籍人士的美國稅務指南」(U.S. Tax Guide for Aliens)，或載於美國國稅局網站內有關實質居住測試的資料

<http://www.irs.gov/Individuals/International-Taxpayers/Substantial-Presence-Test>

For details on days excluded from the Substantial Presence Test (including for Exempt Individuals) described above, please refer to IRS Publication 519, U.S. Tax Guide for Aliens, or information about the Substantial Presence Test on the IRS website at <http://www.irs.gov/Individuals/International-Taxpayers/Substantial-Presence-Test>

如以上條款及條件的英文版本和中文版本之間有任何差異或不一致的情況，請以英文版本為準。

In the event of any discrepancy or inconsistency between the English version and the Chinese version of these terms and conditions, the English version shall prevail.