

CRS and FATCA Entity Self-Certification Form

Why are we asking you to complete this form?

To maintain the integrity of their tax systems, governments around the world have introduced an information gathering and reporting requirements for financial institutions. Two such requirements are the Common Reporting Standard (CRS) and the Foreign Account Tax Compliance Act (FATCA).

Under CRS, we are required to obtain a self-certification form detailing the jurisdiction in which an entity is considered a 'tax resident' (this will generally be the jurisdiction in which the entity is liable to pay income taxes by reason of its domicile, place of management or incorporation or similar criteria under the laws of that jurisdiction). If you are considered a tax resident outside the country where your account is held, information related to your accounts may potentially be reportable to the national tax authority. This information may then be shared with the tax authority of your tax residency jurisdiction.

Under FATCA, we are required to identify accounts held directly or indirectly by Specified U.S. Persons and to report the relevant account information to the U.S. Internal Revenue Service or to the national tax authority. Where information is provided to the national tax authority, it may also be shared with the U.S. Internal Revenue Service.

Completing this self-certification form will ensure that we hold accurate and up to date information about the entity's tax residency.

If the entity's circumstances change and any of the information provided in this form becomes incorrect, please provide an updated Self-Certification.

Who should complete the CRS and FATCA Entity Self-Certification Form?

All Institutional Clients should complete this form.

Please tell us in what capacity you are signing in Section 5 (i.e., authorized officer of the business).

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. Relevant information can be found on the OECD's 'Automatic Exchange of Information' (AEOI) website: www.oecd.org/tax/automatic-exchange/

For answers to questions on how to define your tax residency status, please visit the OECD website or speak to a professional tax adviser as we are not permitted to offer tax advice.

For further information, please visit the website applicable to your jurisdiction:

Canada Revenue Agency (CRA): <https://www.canada.ca/en/revenue-agency/services/tax/international-non-residents/enhanced-financial-account-information-reporting.html>

Internal Revenue Service (IRS): <https://www.irs.gov/businesses/corporations/foreign-account-tax-compliance-act-fatca>

Her Majesty's Revenue and Customs (HMRC): <https://www.gov.uk/government/collections/automatic-exchange-of-information-agreements>

Hong Kong Inland Revenue Department: http://www.ird.gov.hk/eng/tax/dta_aeoi.htm

A list of definitions can be found in the Appendix.

Legal name of the entity _____

Jurisdiction of incorporation / organization

Date of incorporation _____
 Year Month Day

Account Number / Reference Number _____

Registered Address:

[Suite number – street number and name] _____

City _____ Province, territory, or state _____

Country or jurisdiction Postal or ZIP code

Mailing Address:

City

Province, territory, or state: _____

Country of jurisdiction

Postal or ZIP code _____

Tick (✓) all of the options that apply to the entity

The entity is a tax resident of Canada. If the entity is a trust, give the 8 digit account number issued by the Canada Revenue Agency (CRA). Otherwise, give the 9 digit business number with any one of the program accounts issued by the CRA.

Business number

Trust account number

This entity is a tax resident of a jurisdiction other than Canada or the United States (U.S.). If you ticked this box, give the entity's jurisdictions of tax residence and the related taxpayer identification numbers (TINs) or functional equivalents.

If the entity does not have a TIN for a specific jurisdiction, give the reason using one of these choices

Reason 1: The entity will apply or has applied for a TIN but has not yet received it.

Reason 2: The entity's jurisdiction of Tax residence does not issue TINs to its residents

Reason 3: Other reason. Please provide explanation below.

Jurisdiction of tax residence	Tax Identification Number (TIN)	Reason

Section 3 – Entity Classification

3.1 - Is the entity a Financial Institution?

No. Go to Section 3.3

Yes with Global Intermediary Identification Number (GIIN). Provide the entity's GIIN and go to Section

3.2: _____

Yes without GIIN. Tick (✓) the option and go to Section 3.2:

Non-Participating Financial Institution (NPFI)

Certified deemed compliant financial institution

Non-reporting financial institution

Other. Please specify _____

3.2 – Does the financial institution meet ALL of the following criteria?

- It is a resident of a non-participating jurisdiction (for a list of participating jurisdictions, visit <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction/>)
- At least 50% of its gross income is from investing or trading in financial assets
- It is managed by another financial institution

No. Go to Section 5.

Yes. Go to Section 4.

3.3 - Is the entity a Specified U.S. Person?

No. Go to Section 3.4.

Yes. Provide U.S. Taxpayer Identification Number ____ - _____ and go to Section 3.4.

Section 3.4 – Is the entity a strata/condominium corporation that meets certain conditions?

(See the definition of strata/condominium corporation for further details.)

No. Go to Section 3.5

Yes. Go to Section 3.5

Section 3.5 – Tick one of the options that best describes the entity:

The entity is a corporation with shares that regularly trade on an established securities market. It can also be a corporation related to that corporation. If this is the case, go to Section 5.

The entity is engaged in an active trade or business—less than 50% of its gross income is passive income and less than 50% of its assets produce passive income. If this is the case, go to Section 5.

The entity is a government, a central bank or an international organization (or an agency of one). If this is the case, go to Section 5.

The entity is an active non-financial entity (“Active NFE”) other than one described in the three previous options (see paragraphs d) to i) of the definition of Active NFE). If this is the case, go to Section 5.

The entity is a passive non-financial entity (“Passive NFE”). If this is the case, list the controlling persons of the entity in Section 4 and then go to Section 5.

Section 4: Controlling Persons

If the entity is a Passive NFE or a Financial Institution which has answered “yes” in section 3.2, then provide the following for each controlling person. The Canadian SIN field only needs to be provided if the person has a SIN *and* is either a U.S. person or a non-resident of Canada. If the controlling person does not have a Taxpayer identification number (TIN), then provide one of the following reasons:

- Reason A – I will apply or have applied for a TIN but have not yet received it.
- Reason B – My jurisdiction of tax residence does not issue TINs to its residents
- Reason C – Other reason, please specify below

Name	Date of Birth (Year, Month, Day)	Canadian SIN (if required, see above))	Type of Controlling Person (see note 1)	Permanent Residence Address	Is this controlling person a tax resident or a citizen of the United States? (If yes, provide U.S. TIN)	U.S. Taxpayer Identification Number (TIN)	Countr(ies) of Tax Residence other than US (list all)	Taxpayer Identification Number (list for each country of residency)	If no TIN available, Provide Reason

Tick (✓) this box if the entity does not have any controlling persons whose information is required to be reported. **Go to Section 5.**

Note 1: Please choose from the following list of type of controlling person:

1. Direct owner of a corporation
2. Indirect owner of a corporation (through an intermediary)
3. Director or senior official of a corporation
4. Settlor of a trust
5. Trustee of a trust
6. Protector of a trust
7. Beneficiary of a trust
8. Other controlling person of a trust
9. Equivalent to a settlor of a legal arrangement other than a trust (e.g., partnership)
10. Equivalent to a trustee of a legal arrangement other than a trust (e.g., partnership)
11. Equivalent to a protector of a legal arrangement other than a trust (e.g., partnership)
12. Equivalent to a beneficiary of a legal arrangement other than a trust (e.g., partnership)
13. Other controlling person of a legal arrangement other than a trust (e.g., partnership)

Section 5: Certification

I am the authorized signing officer of this entity and I certify that the information given on this form is correct and complete. I will provide a new form within 30 days of any change in circumstances that causes the information on this form to become inaccurate or incomplete.

_____	_____	_____	Date _____
Authorized person's name (print)	Authorized person's signature	Office or position	Year Month Day

Appendix: Definitions

Please note that the following definitions are not exhaustive and are provided only for convenience. You should consult with your tax advisor for explanation of all applicable definitions and how best to classify your Entity for purposes of CRS and FATCA.

“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.

“Active NFE”

An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- ☐ 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.
- ☐ US territory entities with only US territory owners*.

An entity will be classified as Active NFE if it meets any of the following criteria:

- a) 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) 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 Governmental 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 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) the NFE is not yet operating a business and has no prior operating history, (a “start-up NFE”) 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 organisation of the NFE;
- f) the NFE was not a Financial Institution in the past five 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”) :
 - 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, civic 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 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
 - 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 Governmental Entity or other non-profit organisation, or escheat to the government of the NFE’s jurisdiction of residence or any political subdivision.

- i) *The entity is organized in a United States territory and all of

the owners of the payee are tax residents of that United States territory.

“Certified deemed compliant financial institution”

Certified deemed compliant financial institutions include:

- Non registering local banks
- Financial institutions with only low value (that is, less than US\$50,000) accounts, and
- Sponsored, closely held investment vehicles

“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. This definition corresponds to the term “beneficial owner” 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, 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.

“FACTA”

FATCA stands for the U.S. provisions commonly known as the Foreign

Account Tax Compliance Act, 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 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.

“NFE”

An “NFE” is any Entity that is not a Financial Institution.

“Nonparticipating Financial Institution (NPFi)”

A “Nonparticipating Financial Institution” means a nonparticipating FFI as that term is defined in relevant U.S. Treasury Regulations, but does not include a Canadian Financial Institution or other FATCA Partner Jurisdiction Financial Institution other than a Financial Institution treated as a Nonparticipating Financial Institution due to significant non-compliance.

“Non-Reporting Financial Institution”

A Non-Reporting Financial Institution” means any Financial Institution that is:

- ☐ 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 Company, Custodial Institution, or Depository Institution;
- ☐ a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental 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 countries 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 required on the automatic exchange of financial account information set out in the Common Reporting Standard and that is identified in a published list.

“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 NFE that is not an Active NFE. An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution is also treated as a Passive NFE for purposes of the CRS

“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 a Reportable Person.

“Reportable

Jurisdiction is a jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list.

**Jurisdiction
“Reportable
Jurisdiction Person”**

Reportable Jurisdiction Person is an Entity 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. 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 Entities 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 clause (i);
- ☐ a Governmental Entity;
- ☐ an International Organisation;
- ☐ a Central Bank; or a Financial Institution (except for an Investment Entity described in Sub Paragraph A(6) b) of the CRS that are not Participating Jurisdiction Financial Institutions. Instead, such Investment Entities are treated as Passive NFE's.)

“Residence for tax purposes”

Each jurisdiction has its own rules for defining tax residence, and jurisdictions have provided information on how to determine whether an entity is tax resident in the jurisdiction on the OECD automatic exchange of information portal. 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 its 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. For additional information on tax residence, please talk to your tax adviser or see the 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.

“Specified U.S. Person”

- ☐ any corporation which is a member of the same expanded affiliated group as a corporation the stock of which is regularly traded on one or

more established securities markets for the calendar year;

☐ any organization exempt from taxation under U.S. federal tax law or an individual retirement plan;

☐ the United States or any wholly owned agency or instrumentality thereof;

☐ any state, the District of Columbia, any U.S. territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;

☐ any bank incorporated and doing business under the laws of the United States (including laws relating to the District of Columbia) or of any state thereof;

☐ any real estate investment trust;

☐ any regulated investment company, or any entity registered with the Securities Exchange Commission under the Investment Company Act of 1940;

☐ any common trust fund;

☐ any trust that is exempt from tax or is deemed a charitable trust;

☐ a dealer in securities, commodities, or derivative financial instruments that

is registered as such under the laws of the United States or any state;

☐ a broker;

☐ any tax exempt trust under a tax exempt or public school annuity plan or governmental plan.

Any U.S. person other than:

☐ a corporation the stock of which is regularly traded on one or more established securities markets for a calendar year;

“Strata/ Condominium Corporations”

Financial accounts held by a strata/condominium corporation do not have to be reported under Part XIX, as long as:

- a) the entity is exempt from tax under section 149 of the Income Tax Act
- b) the account is only to cover the costs of a condominium or housing co-operative
- c) the amounts in the account may only be used to pay for the expenses of the condominium or housing co-operative
- d) each year, no single owner can contribute more than US\$50,000 or no more than 20% of the annual contributions due in the year is attributable to one person

“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 OECD automatic exchange of information portal:

<http://www.oecd.org/tax/transparency/automaticexchangeofinformation.htm>

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.