

ENTITY TAX RESIDENCY SELF-CERTIFICATION Form Instructions**Please read these instructions before completing the form.**

The Income Tax (Automatic Exchange of Financial Account Information) Rules 2016, Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS) require MUFG Bank (Malaysia) Berhad to collect and report certain information about an account holder's tax residency. If your tax residence (or the account holder, if you are completing the form on their behalf) is located outside Malaysia, we may be legally obliged to pass on the information in this form and other financial information with respect to your financial accounts to the Inland Revenue Board of Malaysia and they may exchange this information with tax authorities of another jurisdiction or jurisdictions pursuant to intergovernmental agreements to exchange financial account information.

You can find definitions of who is classified as an account holder, and other terms, in the Appendix (page 8).

All parts of the form must be completed (unless not applicable or otherwise specified). If space provided is insufficient, continue on additional sheet(s). Information in fields/parts marked with an asterisk (*) are required to be reported by MUFG Bank (Malaysia) Berhad to the Inland Revenue Board of Malaysia.

This form will remain valid unless there is a change in circumstances relating to the account holder's tax status or other mandatory fields included on this form. You must notify us of a change in circumstances that makes the information in this self-certification incorrect or incomplete and provide an updated self-certification.

Please complete this form where you need to self-certify on behalf of an entity account holder.

If you are an individual account holder or sole trader or sole proprietor do not complete this form. Instead please complete an "*Individual tax residency self-certification form*."

For joint or multiple account holders, each account holder needs to fill a separate form.

Where the Account Holder is a Passive Non-Financial Entity (i.e. a Non-Financial Entity that is not an Active Non-Financial Entity, or an Investment Entity that is managed by another Financial Institution and located in a Non-Participating Jurisdiction), please provide information on the natural person(s) who exercise control over the Account Holder (individuals referred to as "Controlling Person(s)") by completing a "*Controlling Person tax residency self-certification form*" for each Controlling Person. This information should be provided by all Passive Non-Financial Entity.

If you are completing this form on the Account Holder's behalf, please indicate the capacity in which you have signed in Part 5. For example, you may be the custodian or nominee of an account on behalf of the account holder, or you may be completing the form under a signatory authority or power of attorney.

As a financial institution, we are not allowed to give tax advice, if you have any questions about this form, these instructions, or defining your tax residency status, please speak to your tax adviser or local tax authority. You can also find out more, including a list of jurisdictions that have signed agreements to automatically exchange information, along with details about the information being requested, on the OECD automatic exchange of information portal at the following link:

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

Separately, you can also find more information on the Inland Revenue Board of Malaysia's portal at the following link:

http://www.hasil.gov.my/bt_goindex.php?bt_kump=6&bt_skum=2&bt_posi=1&bt_unit=2&bt_sequ=1&bt_lgv=2.



MUFG Bank (Malaysia) Berhad
199401016638 (302316-U)

Self-Certification – Entity

Please complete Part A - G in BLOCK CAPITALS.

Part A Identification of Entity Account Holder

(For joint or multiple account holders, complete a separate form for each entity account holder.)

1) Legal Name of Entity or Branch*

2) Jurisdiction of Incorporation or Organization*

3) Current Business Address

Line 1 (e.g. Suite, Floor, Building, Street, District)*	
Line 2 (City) *	
Line 3 (e.g. Province, State)	
Country *	
Post Code/ZIP Code*	

4) Mailing Address (Complete if different to the current business address)

Line 1 (e.g. Suite, Floor, Building, Street, District)	
Line 2 (City) *	
Line 3 (e.g. Province, State)	
Country *	
Post Code/ZIP Code	

Part B1 Entity Type under CRS

Tick one of the appropriate boxes and provide the relevant information. Kindly refer to the Appendix for the definition.

Financial Institution	<input type="checkbox"/> Custodial Institution, Depository Institution or Specified Insurance Company <input type="checkbox"/> Investment Entity, except an investment entity that is managed by another financial institution (e.g. with discretion to manage the entity's assets) and located in a non-CRS participating jurisdiction Please provide, if held, the Account Holder's Global Intermediary Identification Number ("GIIN") obtained for FATCA purposes. <div style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></div> . <div style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></div> . <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> . <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div>
Active NFE	<input type="checkbox"/> Public Listed Company – NFE the stock of which is regularly traded on _____ (name of the established securities market and the jurisdiction) <input type="checkbox"/> Related Entity of Public Listed Company – NFE is a Related entity of _____ (name of the Public Listed Company), the stock of which is regularly traded on _____ (name of the established securities market and the jurisdiction), <input type="checkbox"/> NFE is a governmental entity, an international organization, a central bank, or an entity wholly owned by one or more of the foregoing entities <input type="checkbox"/> Active NFE other than the above (Please refer to the Appendix definition (page 8) and specify any one of the criteria under the bullet point Item (a) to (h) applicable to your organization _____)
Passive NFE	<input type="checkbox"/> Investment entity that is managed by another financial institution and located in a non-CRS participating jurisdiction <input type="checkbox"/> NFE that is not an active NFE <i>Note: Please complete Part C below if you qualify as a Passive NFE</i>

Part B2 Entity Type under FATCA

Tick one of the appropriate boxes and provide the relevant information. Kindly refer to the Appendix for the definition. Please note that this may be different from the CRS entity type declared in Part B1 above.

<p>Financial Institution</p>	<p><input type="checkbox"/> Malaysia based Foreign Financial Institution</p> <ul style="list-style-type: none"> - Non-US Foreign Financial Institution (i) resident in or organized under the laws of Malaysia, but excluding any branch of such FI that is located outside of Malaysia, and (ii) any branch of FI not resident or organized under the laws of Malaysia, if such branch is located in Malaysia. <p><input type="checkbox"/> FATCA Partner Jurisdiction Financial Institution (Reporting Model 1 FFI/Reporting Model 2 FFI)</p> <ul style="list-style-type: none"> - Non-US Foreign Financial Institution established in a Partner Jurisdiction (other than above) that has in effect an agreement with the US to facilitate the implementation of FATCA but excluding any branch of such FI that is located outside of such jurisdiction, and any branch of a Financial Institution not established in the Partner Jurisdiction, if such branch is located in the Partner Jurisdiction. <p><input type="checkbox"/> Participating Foreign Financial Institution (Non-IGA)</p> <ul style="list-style-type: none"> - Non-US Foreign Financial Institution located in Non-IGA jurisdiction (other than options above) and has agreed to comply with the terms of an FFI Agreement, including US Territory FI. <p><input type="checkbox"/> Deemed-Compliant Foreign Financial Institution</p> <ul style="list-style-type: none"> - Registered Deemed-Compliant FFI; Certified Deemed-Compliant FFI; Owner Documented FFI. <p>If you have ticked any one of the above boxes, please provide, if held, the Account Holder's Global Intermediary Identification Number ('GIIN") obtained for FATCA purposes. (If you are a branch of Financial Institution and located in different jurisdiction from the Head Office, please provide the branch's GIIN)</p> <p> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> • <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> • <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> • <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> </p> <p><input type="checkbox"/> Non-Participating Foreign Financial Institution</p> <ul style="list-style-type: none"> - Non-US Foreign Financial Institution that does not enter into an agreement with the US IRS and is not deemed-compliant. <p><input type="checkbox"/> Non-reporting IGA Foreign Financial Institution</p> <ul style="list-style-type: none"> - For Exempt Beneficial Owner, e.g Governmental Entity; Central Bank (Other than US); International Organization; Retirement Fund or Pension Fund.
<p>Active NFFE</p>	<p><input type="checkbox"/> Active NFFE by reason of income and assets</p> <p><input type="checkbox"/> Publicly Listed Company or a Related Entity of a Public Listed Company</p> <p><input type="checkbox"/> NFFE incorporated in a US Territory and all the owners of the payee are bona fide residents of that US Territory</p> <p><input type="checkbox"/> Non-US Government / Government of a US Territory / International Organization / Non-US Central Bank</p> <p><input type="checkbox"/> Holding NFFE that is a Member of a Non-Financial Group</p> <p><input type="checkbox"/> Start-up Company</p> <p><input type="checkbox"/> NFFE in liquidation or emerging from bankruptcy</p> <p><input type="checkbox"/> Treasury Center that is a Member of a Non-Financial Group</p> <p><input type="checkbox"/> Excepted NFFE</p> <p><input type="checkbox"/> Charity/Non-Profit Organization</p>
<p>Passive NFFE</p>	<p><input type="checkbox"/> Non-financial Foreign Entity (NFFE) other than Active NFFE</p> <p><i>Note: Please complete Part C below if you qualify as a Passive NFFE</i></p>



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Part C Controlling Persons (Complete this part if the entity Account Holder is a Passive NFE)

Indicate the name of all Controlling Person(s) of the Account Holder in the table below. Please consult your tax advisor or refer to the Appendix for the definition of Controlling Person.

Complete separate self-certification forms for each controlling person.

If there is no natural person(s) who exercise control of the Entity, then the Controlling Person will be the natural person(s) who hold the position of senior managing official.

(1)	(5)
(2)	(6)
(3)	(7)
(4)	(8)

Part D FATCA Self-Certification*

<i>Please check (√) Yes or No for each of the following questions:</i>			
		Yes	No
1	<i>Are you incorporated in US?</i>		
2	<i>Do you have a place of business in US?</i>		
3	<i>Are you a US resident?</i>		
<input type="checkbox"/> Non-US person - If you have ticked "No" to all the three questions above.			
<input type="checkbox"/> US person - If you have ticked "Yes" to any of the three questions above and please confirm the following: <ul style="list-style-type: none"> <input type="checkbox"/> a) Specified US Person (<i>Please ensure that the US TIN is provided in the table in Part F</i>) <input type="checkbox"/> b) US Exempt Recipient. Please see the definition in Appendix and specify item (i) to (xiii) (page 17): _____ 			



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Part E Is the Entity Account Holder ONLY a Malaysian Tax Resident?

YES (please proceed to Part G)

NO (please complete the rest of the form)

Part F Jurisdiction of Residence and Taxpayer Identification Number or its Functional Equivalent (“TIN”)

Complete the following table indicating (a) the jurisdiction of residence (also include local tax residencies such as Malaysia in case you are a tax resident of Malaysia) where the account holder is a **resident for tax purposes** and (b) the account holder’s TIN for each jurisdiction indicated. Indicate **all** (not restricted to five) jurisdictions of residence. *(If the account holder is tax resident in more than five countries/ jurisdictions, please use a separate sheet.)*

For example, if the account holder is a tax resident of Malaysia, the TIN is the Income Tax Number. For the TINs of other jurisdictions, please refer to the following portal at:

<https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers>

If the account holder is not a tax resident in any jurisdiction (e.g. fiscally transparent), indicate the jurisdiction in which its place of effective management or country in which its principal office is situated in Line 1.

If a TIN is unavailable, provide the appropriate reason A, B or C as indicated below:

Reason A – The jurisdiction where the account holder is a resident for tax purposes does not issue TINs to its residents.

Reason B – The account holder is unable to obtain a TIN or equivalent number. Explain why the account holder is unable to obtain a TIN if you have selected this reason. (d)

Reason C – TIN is not required. Select this reason only if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction.

(a) Jurisdiction of Tax Residence	(b) TIN	(c) Enter Reason A, B or C if no TIN is available	(d) Explain why the account holder is unable to obtain a TIN if you have selected Reason B
(1)			
(2)			
(3)			
(4)			
(5)			

Part G Declarations and Signature

I acknowledge and agree that (a) the information contained in this form is collected and may be kept by MUFG Bank (Malaysia) Berhad 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 MUFG Bank (Malaysia) Berhad to the Inland Revenue Board of Malaysia 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 Income Tax (Automatic Exchange of Financial Account Information) Rules 2016, Common Reporting Standard (CRS) and intergovernmental agreements to exchange financial account information.



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I certify that I am authorized to sign for the account holder of all the account(s) to which this form relates.

I undertake to advise MUFG Bank (Malaysia) Berhad of any changes in circumstances which affects the tax residency status of the entity identified in Part A of this form or causes the information contained herein to become incorrect or incomplete (including any changes to the information on controlling person identified in Part C), and to provide MUFG Bank (Malaysia) Berhad with a suitably updated self-certification form and declaration within 30 days of such change in circumstances.

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.

Signature*

(With company rubber stamp)

Print Name*

Date (dd/mm/yyyy)*

Indicate the capacity if you are not the Account Holder identified in Part 1 (e.g. director or officer of a company, partner of a partnership, trustee of a trust etc.). If signing under a power of attorney, please also attach a certified true copy of the power of attorney holder.

Capacity*

*** Compulsory**

Bank's Internal Use

CMF No	
Account No	

Business (CBD/IB/ICBU/IBW) to confirm all information in this form are in order.

Maker	HOD

Appendix – Entity Self-Certification

The Income Tax (Automatic Exchange of Financial Account Information) Rules 2016 has come into effect and provide the legal framework for implementing the Standard for Automatic Exchange of Financial Account Information (“AEOI”) in Malaysia.

Inland Revenue Board of Malaysia also issued “Guidance Notes on Compliance Requirements for Malaysia-US IGA” on 15 March 2015 on compliance requirements under United States’ Foreign Account Tax Compliance Act (FATCA).

The following are selected definitions from the Standard for Automatic Exchange of Financial Account Information in Tax Matters (“the Standard”) issued by the Organization for Economic Co-operation and Development and Malaysia-US IGA Guidance Notes issued by Inland Revenue Board of Malaysia to assist you with the completion of this form. All references to a particular section or schedule, unless otherwise specified herein, is referring to the Standard.

Further details on the Income Tax (Automatic Exchange of Financial Account Information) Rules 2016 and the AEOI can be found at the following link:

http://www.hasil.gov.my/bt_goindex.php?bt_kump=6&bt_skum=2&bt_posi=1&bt_unit=2&bt_sequ=1&bt_lgv=2

<http://www.oecd.org/tax/transparency/automatic-exchange-of-information/>

WARNING: It is an offence under section 113A of the Income Tax Act 1967 if any person, in making a self-certification, makes or gives any incorrect information in a material particular on behalf of himself or another person. A person who commits the offence is liable on conviction to a fine not less than RM20,000 and not more than RM100,000 or imprisonment for a term not exceeding 6 months or to both.

Definitions

“**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, intermediary, or legal guardian, is not treated as the Account Holder. In these circumstances that other person is the Account Holder.

“**Active Non-Financial Entity (Active NFE) (CRS)**” is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- a) active NFEs by reason of income and assets;
- b) publicly traded NFEs;
- c) Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- d) holding NFEs that are members of a nonfinancial group;
- e) start-up NFEs;
- f) NFEs that are liquidating or emerging from bankruptcy;
- g) treasury centres that are members of a nonfinancial group; or
- h) non-profit NFEs.

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 Organization, 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 organization 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 organization, or escheat to the government of the NFE’s jurisdiction of residence or any political subdivision thereof.

“Active Non-Financial Foreign Entity (Active NFFE)” (FATCA) means any NFFE that meets any one of the following criteria:

- a) Active NFFE by reason of income and assets:

Less than 50% of the NFFE’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 NFFE during the preceding calendar year or other appropriate reporting period were assets that produce or are held for the production of passive income;

- b) Publicly Listed Company or a Related Entity of a Public Listed Company:

The share of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an entity, the share of which is regularly traded on an established securities market;

- c) The NFFE is incorporated in a US Territory and all the owners of the payee are bona fide residents of that US Territory;

- d) Non-US government / Government of a US Territory / International Organisation / Non-US Central Bank:

The NFFE is a non-US government, a political subdivision of such non-US government (which, for the avoidance of doubt, includes a state, province, county, or municipality), or a public body performing a function of such government or a political subdivision thereof, a government of a US Territory, an international organisation, a non-US Central Bank of issue, or an entity wholly-owned by one or more of the foregoing;

- e) Holding NFFE that is a Member of a Non-Financial Group:

Substantially all of the activities of the NFFE consist of holding (in whole or in part) the outstanding share of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a FI, except that an entity shall not qualify for NFFE 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;

- f) Start-up Company:

The NFFE 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 FI, provided that such a NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial incorporation of the NFFE;

- g) NFFE in liquidation or emerging from bankruptcy:

The NFFE was not a FI 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 FI;

- h) Treasury Center that is a Member of a Non-Financial Group:

The NFFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not FIs, 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 FI;

- i) The NFFE is an “Excepted NFFE” as described in the US Treasury Regulations; or

j) Charity/Non-Profit Organisation:

The NFFE 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 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 charity's jurisdiction of residence or the charity's formation documents do not permit any income or assets of the charity 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 charity's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the charity has purchased; and
- v. The applicable laws of the charity's jurisdiction of residence or the charity's formation documents require that upon the charity's liquidation or dissolution, all of its assets be distributed to a government entity or other non-profit organisation, or escheat to the government of the charity's jurisdiction of residence or any political subdivision thereof.

“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.

“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 or persons are identified as exercising control of the Entity through ownership interest, the Controlling Person of the Entity is deemed to be the natural person who holds the position of senior managing official.

“Controlling Persons” are the natural person(s) who exercise control over an Entity. “Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest in the Entity. A “control ownership interest” depends on the ownership structure of the legal person and is usually identified on the basis of a threshold applying a risk-based approach (e.g. any person(s) owning more than a certain percentage of the legal person, such as 25%). 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 identified as exercising control of the Entity, the Controlling Person(s) of the Entity will be the natural person(s) who holds the position of senior managing official.

Controlling Persons of a trust, means 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). The settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, must always be 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 to those of a trust.

“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.

“Deemed-Compliant Foreign Financial Institution” (FATCA) includes a Registered Deemed-Compliant FFI; a Certified Deemed-Compliant FFI and Owner Documented FFI under US Treasury Regulation§1.1471-5(f).

- a) Registered Deemed-Compliant FFI
 - Local FFI
 - Non-reporting members of participating FFI
 - Qualified collective investment vehicles
 - Restricted Fund
 - Qualified credit card issuers and services
 - Sponsored investment entities and controlled foreign organizations
- b) Certified Deemed-Compliant FFI
 - Non-registering local bank
 - FFIs with only low-value accounts
 - Sponsored, closely held investment vehicles
 - Limited life debt investment entities
 - Investment advisors and investment managers

- c) Owner Documented FFI

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

“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).

“Exempt Beneficial Owner” (FATCA) are entities that fall within the following categories:

- a) Government and Government-Linked Entities;
- b) Central Bank;
- c) International Organisations;
- d) Qualifying Funds - Broad Participation Retirement Fund and Pension Funds of an Exempt Beneficial Owner;
or
- e) Investment Entity wholly owned by Exempt Beneficial Owners.

“Expanded Affiliated Group” (FATCA) means one or more chains of members connected through ownership by a common parent entity if the common parent entity directly owns 50% or more stock or other equity interest value in at least one of the other members.

“FATCA” stands for the US provisions commonly known as the Foreign Account Tax Compliance Act, which were enacted into US 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-US financial institutions and other non-US entities.

“Financial Account” means any of the following accounts maintained by a Financial Institution:

- a) a Custodial Account;
- b) a Depository Account;
- c) in the case of an Investment Entity, any equity or debt interest in the Financial Institution. Notwithstanding the foregoing, the term “Financial Account” does not include any equity or debt interest in an Entity that is an Investment Entity solely because it (i) renders investment advice to, and acts on behalf of, or (ii) manages portfolios for, and acts on behalf of, a customer for the purpose of investing, managing, or administering Financial Assets deposited in the name of the customer with a Financial Institution other than such Entity;
- d) in the case of a Financial Institution not described in paragraph (c), any equity or debt interest in the Financial Institution, if the class of interests was established with a purpose of avoiding reporting in accordance with section I of the Standard;
- e) any Cash Value Insurance Contract and any Annuity Contract issued or maintained by the Financial Institution, other than a non-investment-linked, non-transferable immediate life annuity that is issued to an individual and monetizes a pension or disability benefit provided under an account that is an Excluded Account

The term “Financial Account” does not include any account that is an Excluded Account.
(Reference to the Standard should be made for those capitalized terms which are not defined in this appendix.)

“Financial Institution” means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company.

“Foreign Financial Institution (FFI)” (FATCA) refers to any Non-US Entity which is a Financial Institution.

“Governmental Entity” means the government of a jurisdiction, any political subdivision of a jurisdiction (which, for the avoidance of doubt, includes a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing (each, a “Governmental Entity”). This category is comprised of the integral parts, controlled entities, and political subdivisions of a jurisdiction.

“International Organization” means any international organization or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organization (including a supranational organization) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not inure to the benefit of private persons.

“Investment Entity” means any Entity:

- a) that 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, interest rate and index instruments; transferable securities; or commodity futures trading;
 - ii. Individual and collective portfolio management; or
 - iii. Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons; or
- b) the gross income of which 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 an Investment Entity described in (a).

An Entity is treated as primarily conducting as a business one or more of the activities described in subparagraph (a) above, or an Entity's gross income is primarily attributable to investing, reinvesting, or trading in Financial Assets for purposes of subparagraph (b), 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. The term "Investment Entity" does not include an Entity that is an Active NFE because it meets any of the criteria in (d) to (g) of active NFE definition.

This paragraph shall be interpreted in a manner consistent with similar language set forth in the definition of "financial institution" in the Financial Action Task Force Recommendations.

"Investment Entity that is managed by another Financial Institution and located in a Non-Participating Jurisdiction" 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 paragraph (a) of 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 an Investment Entity described in paragraph (a) of the definition of "Investment Entity", if any of the managing Entities is such another Entity.

"MYFI" is Malaysia-based Financial Institution.

"Non-Financial Entity (NFE)" (CRS) is any Entity that is not a Financial Institution.

"Non-Financial Foreign Entity (NFFE)" (FATCA) is a Non-US Entity that does not meet the definition of a Foreign Financial Institution.

"Non-Participating Foreign Financial Institution (NPFPI)" (FATCA) means a FFI that does not enter into an agreement with the US IRS and is not deemed compliant, but does not include an MYFI or other Partner Jurisdiction FI other than an MYFI treated as an NPFPI pursuant to subparagraph 3(b) of Article 5 of the Agreement or the corresponding provision in an agreement between the US and a Partner Jurisdiction.

"Non-Participating Jurisdiction" (CRS) means a jurisdiction that is not a Participating Jurisdiction.

"Non-Reporting Financial Institution" means:

- a) 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;
- b) 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;
- c) any other Entity that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the Entities described in subparagraphs B(1)(a) and (b), and is defined in domestic law as a Non-Reporting Financial Institution, provided that the status of such Entity as a Non-Reporting Financial Institution does not frustrate the purposes of the Common Reporting Standard;

- d) an Exempt Collective Investment Vehicle; or
- e) a trust to the extent that the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported pursuant to Section I with respect to all Reportable Accounts of the trust.

“Participating Foreign Financial Institution (FFI)” (FATCA) means a Financial Institution that has agreed to comply with the requirements of an FFI Agreement, including a Financial Institution described in a Model 2 IGA that has agreed to comply with the requirements of an FFI Agreement.

“Participating Jurisdiction” (CRS) 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” (CRS) 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.

“Partner Jurisdiction” (FATCA) means a jurisdiction that has in effect an agreement with the United States to facilitate the implementation of FATCA (e.g. Intergovernmental Agreement (“IGA”)). The IRS shall publish a list identifying all Partner Jurisdictions.

“Passive Income” would generally be considered to include the portion of gross income that consists of:

- a) dividends;
- b) interest;
- c) income equivalent to interest;
- d) rents and royalties, other than rents and royalties derived in the active conduct of a business conducted, at least in part, by employees of the NFE;
- e) annuities;
- f) the excess of gains over losses from the sale or exchange of Financial Assets that gives rise to the passive income described previously;
- g) the excess of gains over losses from transactions (including futures, forwards, options, and similar transactions) in any Financial Assets;
- h) the excess of foreign currency gains over foreign currency losses;
- i) net income from swaps; or
- j) amounts received under Cash Value Insurance Contracts. Notwithstanding the foregoing, passive income will not include, in the case of a NFE that regularly acts as a dealer in Financial Assets, any income from any transaction entered into in the ordinary course of such dealer’s business as such a dealer.

“Passive Non-Financial Entity (Passive NFE)” (CRS) 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.

“Passive Non-Foreign Financial Entity (Passive NFFE)” (FATCA) means any NFFE that is not an Active NFFE or withholding foreign partnership or withholding foreign trust.

“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” 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” (CRS) is a jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list.

“Reportable Jurisdiction Person” (CRS) 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” (CRS) 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.)

“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 its domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction. 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 refer to the OECD *Automatic Exchange Portal at the following link:*

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>.

“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 US Person” (FATCA) means a US Person, other than a US Exempt Recipient.

“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 Portal at the following link: <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>

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 –

- a) For individuals - a social security/insurance number, citizen/personal identification/service code/number, and resident registration number;
- b) For Entities - a business/company registration code/number.

“US Exempt Recipient” (FATCA) means any US Person who qualifies any of the following under the US Internal Revenue Code:

- a) An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37);
- b) The United States or any of its agencies or instrumentalities;
- c) A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities;
- d) A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i);
- e) A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i);
- f) A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state;
- g) A real estate investment trust;
- h) A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940;
- i) A common trust fund as defined in section 584(a);
- j) A bank as defined in section 581;
- k) A broker;
- l) A trust exempt from tax under section 664 or described in section 4947(a)(1); or
- m) A tax-exempt trust under a section 403(b) plan or section 457(g) plan.

“US Reportable Account” (FATCA) means a Financial Account maintained by FFI and held by one or more Specified US Person or by a Non-US Entity with one or more Controlling Persons that is a Specified US Person.

“US Person” (FATCA) means a US citizen or resident individual, a partnership or corporation organized in the US or under the laws of the US or any state thereof, a trust if (i) a court within the US would have authority under applicable law to render orders or judgments concerning substantially all issues regarding administration of the trust, and (ii) one or more US Persons have the authority to control all substantial decisions of the trust, or an estate of a decedent that is a citizen or resident of the US.

“US Territory” (FATCA) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico or the US Virgin Islands.