

OECD CRS AND U.S. FATCA SELF-CERTIFICATION FORM FOR ENTITIES



If you are not an entity, then you should not use this form and instead use the self-certification form for individuals.

Why am I completing this form?

We are required by the OECD Common Reporting Standard (“CRS”) regulations to collect and report certain information about an Account Holder’s tax residence. Each jurisdiction has its own rules for defining tax residence.

For the purposes of the U.S. Foreign Account Tax Compliance Act (“FATCA”), we are required to determine whether our Account Holders are U.S. Persons.

For more information on tax residence, please consult your tax advisor. Our staff are unable to assist in the completion of this form. Please refer to the definitions in Appendix B.

If the Account Holder’s tax residence is located outside the country where the financial account is held, 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 national tax authorities or regulators or the Internal Revenue Service (“IRS”) and they may further exchange this information with competent authorities and/or regulators of other jurisdiction(s) or jurisdictions pursuant to intergovernmental agreements to exchange financial account information.

Does this form expire?

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, within a maximum period of 30 days from the date of such change, that makes the information in this self-certification incorrect or incomplete and provide an updated self-certification form.

We may request that you submit additional documentation that supports the OECD CRS and U.S. FATCA declarations made in this self-certification form.

We therefore request you to complete the relevant parts, where applicable, and sign this form below in PART 6.

OECD CRS AND U.S. FATCA SELF-CERTIFICATION FORM FOR ENTITIES



PART 1: IDENTIFICATION OF ACCOUNT HOLDER (IN BLOCK CAPITALS)

Full legal name of entity/branch:

Place of Incorporation/ organization, including Country:

Current Residential Address

House/Apartment, Number, Street:

Town/City:

Country:

Postal/ Zip Code:

Mailing Address (Please complete only if different from Residential Address)

House/Apartment, Number, Street:

Town/City:

Country:

Postal/ Zip Code:

PART 2: CRS CLASSIFICATION (IN BLOCK CAPITALS)

a) Financial Institution - Investment Entity

An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution (Note: if you have ticked this box, please also complete PART 5 and Appendix A) Other Investment Entity

b) Financial Institution - Depository Institution, Custodial Institution or Specified Insurance Company

c) Active NFE - a corporation the stock of which is regularly traded on an established securities market or a corporation which is a related entity of such a corporation

If you have ticked (c), please provide the name of the established securities market on which the corporation is regularly traded: _____

If you are a Related Entity of a regularly traded corporation, please provide the name of the regularly traded corporation that the Entity in (c) is a Related Entity of: _____

d) Active NFE - a Government Entity or Central Bank

e) Active NFE - an International Organization

f) Active NFE - any other type of Active NFE, other than those listed in (c)-(e) (for example, a start-up NFE or a non-profit NFE)

g) Passive NFE (Note: if you have ticked this box, please also complete PART 5 and Appendix A).

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PART 3: JURISDICTION OF RESIDENCY FOR TAX PURPOSES (CRS) (IN BLOCK CAPITALS)

Please complete the following table indicating (i) where the Account Holder is tax resident and (ii) the Account Holder's TIN for each country/Reportable Jurisdiction indicated.

If the Account Holder is tax resident in more than three countries/jurisdictions, please use a separate sheet.

If a TIN is unavailable please provide the appropriate reason A, B or C:

Reason A - The country where the Account Holder is liable to pay tax does not issue TINs to its residents.

Reason B - The Account Holder is otherwise unable to obtain a TIN or equivalent number (Please explain why you are unable to obtain a TIN in the below table if you have selected this reason).

Reason C - No TIN is required. (Note. Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction).

No.	Country/Jurisdiction of tax residence (no abbreviations)	TIN (Taxpayer Identification Number e.g. Social Security Number)	If no TIN is available, please enter Reason A, B or C
1.			
2.			
3.			
4.			

Please explain in the following boxes why the Account Holder is unable to obtain a TIN if you selected Reason B above.

No.	
1.	
2.	
3.	

PART 4: U.S. FATCA CLASSIFICATION (IN BLOCK CAPITALS)

For this Part, please refer to the table and relevant section below:

U.S. Entities	Please complete Part 4.1
Financial Institutions that are not U.S. Entities	Please complete Part 4.2
Non-Financial Foreign Entities (e.g. entities that are not U.S. Entities or Foreign Financial Institutions)	Please complete Part 4.3

PART 4.1: U.S. ENTITIES - Complete only if you are a U.S. Person

Section A - Is the entity a Specified U.S. Person?

Yes - please provide your Employer Identification Number (EIN):

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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No - please complete Section B below (as appropriate).

Section B - If any of the boxes below are applicable to your entity, please tick the relevant box:

The entity is a corporation the stock of which is regularly traded on one or more established securities markets;

- The name of the stock exchange: _____ and
- The listing code: _____

The entity is a corporation which is a member of the same expanded affiliated group as defined in section 1471(e)(2) of the U.S. Internal Revenue Code (the Code) (broadly a greater than 50% relationship) as a corporation the stock of which is regularly traded on one or more established securities markets;

Please state the name of the listed entity: _____

The entity is an organization exempt from taxation under section 501(a) of the Code or an individual retirement plan as defined in section 7701(a) (37) of the Code;

The entity is the United States or any wholly owned agency or instrumentality thereof;

The entity is a U.S. State, 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;

The entity is a bank as defined in section 581 of the Code;

The entity is a real estate investment trust as defined in section 856 of the Code;

The entity is a regulated investment company as defined in section 851 of the Code, or any entity registered with the U.S. Securities Exchange Commission under the Investment Company Act of 1940;

The entity is a common trust fund as defined in section 584(a) of the Code;

The entity is a trust that is exempt from tax under section 664(c) of the Code or that is described in section 4947(a)(1) of the Code;

The entity is 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 U.S. State;

The entity is a broker as defined in section 6045(c) of the Code;

The entity is a tax-exempt trust under a plan that is described in section 403(b) or section 457(g) of the Code.

PART 4: DECLARATION AND SIGNATURE (IN BLOCK CAPITALS)

PART 4.2: Foreign Financial Institutions

Please complete one of the following sections (either A or B):

Section A - Foreign Financial Institutions with GIINs

If you have a Global Intermediary Identification Number (GIIN) and are not a Direct Reporting NFFE, please provide your GIIN:

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If you have provided a GIIN above, confirm the type of Foreign Financial Institution below:

- Participating FFI;
 - Reporting Model 1 FFI;
 - Reporting Model 2 FFI; or
 - Registered Deemed Compliant FFI (other than a reporting Model 1 FFI, Sponsored FFI, Non reporting IGA FFI)
- Sponsored FFI, please provide:

1. the GIIN of the FFI

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2. the name of your Sponsor: _____ and

3. the GIIN of your Sponsor:

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Section B - Foreign Financial Institutions without GIINs

If you do not have a GIIN, please tick one of the following as appropriate:

Certified Deemed Compliant Foreign Financial Institution

Please state the applicable category: _____

Non-Reporting IGA FFI

Please state the applicable category: _____

If you are a trustee documented trust or a sponsored entity, provide the name of the trustee or sponsor:

1. the name of your Trustee/Sponsor: _____ and

2. the GIIN of your Trustee/Sponsor:

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Nonparticipating Foreign Financial Institution (including a Limited FFI or an FFI related to a Reporting IGA FFI other than a Deemed-Compliant FFI, Participating FFI or Exempt Beneficial Owner)

Exempt Beneficial Owner

Please select one of the following:

- A foreign government, government of a U.S. possession, or non-U.S. central bank of issue
- An international organization
- An exempt retirement plan
- An investment entity wholly owned by Exempt Beneficial Owners

PART 4: DECLARATION AND SIGNATURE (IN BLOCK CAPITALS)

4.3: Non-financial Foreign Entities (Nffes)

Section A - ACTIVE NFFE (please complete Section B if you are a Passive NFFE)

Please choose ONE of the following:

Trading entity (entity engaged in a trade or business where less than 50% of the NFFE's gross income in the preceding calendar year is derived from passive income (e.g. interest income, dividend income, rental income and income from other financial investments) AND less than 50% of the assets held by the NFFE in the preceding calendar year are assets that produce or are held for the production of passive income).

Publicly traded corporation (a corporation the stock of which is regularly traded on one or more established securities markets) - If so, please specify the name of the stock exchange

NFFE affiliate (broadly a greater than 50% relationship) of a publicly traded corporation - If so, please specify:

1. the name of the publicly traded corporation: _____ and
2. the name of the stock exchange on which the publicly traded corporation is listed

Non-financial start-up company (any entity organized less than 24 months prior to the date of the classification - excludes financial institutions). Date of organization: _____

An entity that is liquidating or reorganizing (an entity which has not been a financial institution in the last five years and is in the process of liquidating its assets or reorganizing with the intent to continue or recommence operations in a business other than that of a financial institution).

An "excepted" NFFE as described in relevant U.S. Treasury Regulations

Please state the applicable category: _____

A non-profit organization (e.g. an entity exclusively established for religious, charitable, scientific, artistic, cultural, athletic or educational purposes or a professional organization, business league, chamber of commerce).

Territory NFFE (an entity registered, created or incorporated in a U.S. territory: American Samoa, Guam, the Northern Mariana Islands, Puerto Rico or the U.S. Virgin Islands and all the owners of the Territory NFFE are bona fide residents of that US. Territory).

Non-U.S. government (including a political sub-division of such government, a public body performing a function of such government or a political sub-division thereof, a government of a U.S. Territory, an international organization, a non-U.S. central bank of issue or an entity wholly-owned by at least one of the foregoing).

A holding and/or financing company (substantially all activities of the company consist of holding the outstanding shares of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than that of a financial institution. Such holding and/or financing company does not qualify if it is an investment fund such as a private equity fund, venture capital fund, leveraged buyout fund or any investment vehicle whose purpose it is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes).

A financing and hedging company (being a company primarily engaged in financing and hedging transactions with or for Related Entities (as defined for FATCA) that are not financial institutions. Note: a financing and hedging company that (i) provides such services to any entity that is not a Related Entity or (ii) belongs to a group primarily engaged in a business other than that of a financial institution, does not qualify).

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PART 5: CONTROLLING PERSONS

If you are a Passive NFE (under CRS) and/or Passive NFFE (under U.S. FATCA), please provide the following details for each Controlling Person.

If you are a Passive NFFE under U.S. FATCA only, please provide the following details for each Controlling Person that is a Specified U.S. Person.

No.	Last Name	First Name	Address	Country(ies) of tax residence (or citizenship if US)	% Ownership	Tax Identification Number (TIN)

For Passive NFE (under FATCA & CRS), please **also complete** Appendix A for each Controlling Person listed above.

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PART 6: DECLARATION AND SIGNATURE (IN BLOCK CAPITALS)

I/We declare that all statements made in this declaration are, to the best of my knowledge and belief, correct and complete. I/We understand that providing false information, withholding relevant information or responding in a misleading way, may result in rejection of my application or other appropriate action taken against me.

I/We certify that I am/we are authorized to sign for the Account Holder in respect of all the account(s) to which this form relates.

If there is a change in circumstances that affects the US Status or tax residence status of the Account Holder identified in Part 1 of this Form or causes the information contained herein to become incorrect or incomplete (including any changes to the information on controlling persons identified in Part 2, section 2a), I/We understand that I am/We are obligated to inform National Bank of Oman SAOG of the change in circumstances within 30 days of its occurrence and to provide a suitably updated FATCA and CRS self-certification.

Name of Entity: _____

Signature: 

Signature: _____

Name: _____ Name: _____

Capacity: _____ Capacity: _____

Date: _____ Date: _____



APPENDIX A - SELF-CERTIFICATION FORM FOR CONTROLLING PERSONS

If you are not a Controlling Person, then you should not use this form and instead use the self-certification form for entities.

Why am I completing this form?

We are required by the OECD Common Reporting Standard (“CRS”) regulations to collect and report certain information about an Account Holder’s Controlling Persons tax residence. Each jurisdiction has its own rules for defining tax residence.

For the purposes of the U.S. Foreign Account Tax Compliance Act (“FATCA”), we are required to determine whether our Account Holders are U.S. Persons.

For more information on tax residence, please consult your tax advisor. Our staff are unable to assist in the completion of this form. Please refer to the definitions in Appendix B.

If the Controlling Person’s tax residence is located outside the country where the financial account is held, 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 national tax authorities or regulators or the Internal Revenue Service (“IRS”) and they may further exchange this information with competent authorities and/or regulators of other jurisdiction(s) or jurisdictions pursuant to intergovernmental agreements to exchange financial account information.

Does this form expire?

This form will remain valid unless there is a change in circumstances relating to the Controlling Person’s tax status or other mandatory fields included on this form. You must notify us of a change in circumstances, within a maximum period of 30 days from the date of such change, that makes the information in this self-certification incorrect or incomplete and provide an updated self-certification form.

We may request that you submit additional documentation that supports the FATCA US Status and OECD CRS declarations made in this self-certification form.

We therefore request you to complete all Parts of this self-certification form, as they are all mandatory and sign this form below in PART 4.

OECD CRS AND U.S. FATCA SELF-CERTIFICATION FORM FOR ENTITIES



PART 1: IDENTIFICATION OF CONTROLLING PERSON (IN BLOCK CAPITALS)

Mr. Mrs. Ms. Miss

Family Name/ Surname:

First Name:

Middle Name:

Date of Birth:

City of Birth:

Country:

Current Residential Address

House/Apartment, Number, Street:

Town/City:

Country:

Postal/ Zip Code:

Mailing Address (Please complete only if different from Residential Address)

House/Apartment, Number, Street:

Town/City:

Country:

Postal/ Zip Code:

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PART 2: JURISDICTION OF RESIDENCY FOR TAX PURPOSES (CRS) (IN BLOCK CAPITALS)

Please complete the following table indicating (i) where the Controlling Persons is tax resident and (ii) the Controlling Person's TIN for each country/Reportable Jurisdiction indicated.

If the Controlling Person is tax resident in more than three countries/jurisdictions, please use a separate sheet.

If a TIN is unavailable please provide the appropriate reason A, B or C:

Reason A - The country where the Controlling Person is liable to pay tax does not issue TINs to its residents.

Reason B - The Controlling Person is otherwise unable to obtain a TIN or equivalent number (Please explain why you are unable to obtain a TIN in the below table if you have selected this reason).

Reason C - No TIN is required. (Note. Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction).

Table A

No.	Country/Jurisdiction of tax residence (no abbreviations)	TIN (Taxpayer Identification Number e.g. Social Security Number)	If no TIN is available, please enter Reason A, B or C
1.			
2.			
3.			
4.			

Please explain in the following boxes why the Controlling Person is unable to obtain a TIN if you selected Reason B above.

No.	
1.	
2.	
3.	



PART 3: TYPE OF CONTROLLING PERSON

Please provide the Controlling Person's status by ticking the appropriate box.

Controlling Person of a legal person - control by ownership

Controlling Person of a legal person - control by other means

Controlling Person of a legal person - senior managing official

Controlling Person of a trust – settlor

Controlling Person of a trust – trustee

Controlling Person of a trust – protector

Controlling Person of a trust – beneficiary

Controlling Person of a trust – other

Controlling Person of a legal arrangement (non-trust) - settlor – equivalent

Controlling Person of a legal arrangement (non-trust) - trustee – equivalent

Controlling Person of a legal arrangement (non-trust) - protector – equivalent

Controlling Person of a legal arrangement (non-trust) - beneficiary – equivalent

Controlling Person of a legal arrangement (non-trust) - other – equivalent

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PART 4: DECLARATION AND SIGNATURE (IN BLOCK CAPITALS)

I understand that providing false information, withholding relevant information or responding in a misleading way, may result in rejection of my application or other appropriate action taken against me.

I hereby consent to the Bank using, processing, reporting and transferring information about me, my relationship with the Bank (including information about my accounts and other banking products related to the accounts) and my financial affairs to any governmental authority (e.g. tax authorities, ministries, central banks, regulators) or third party as may be required by, or in connection with, any law, regulation or agreement with any governmental authority in the country where the Bank maintains my accounts (which may then pass that information to the tax authorities in another country) or in other countries (such as the United States) as may be required by the foregoing.

If there is a change in circumstances that affects the US status or tax residence status of the Account Holder or causes the information contained herein to become incorrect or incomplete, I understand that I am obligated to inform National Bank of Oman SAOG of the change in circumstances within 30 days of its occurrence and to provide a suitably updated FATCA and CRS self-certification.

Print Name:

Signature

Date:

Note: If you are not the Controlling Person, please indicate the capacity in which you are signing the form. If signing under a power of attorney, please also attach a copy of the power of attorney.

Capacity:

APPENDIX B: DEFINITIONS (CRS)

Note: These are selected summaries of defined terms provided to assist you with the completion of this form. Further details can be found within the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (the CRS), the associated Commentary to the CRS, and domestic guidance. This can be found at the OECD automatic exchange of information portal.

“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 organizations, central banks, or their wholly owned entities;
- holding NFEs that are members of a non-financial group;
- start-up NFEs;
- NFEs that are liquidating or emerging from bankruptcy;
- treasury centers that are members of a nonfinancial group; or
- non-profit NFEs.

“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 or through other means, then under the CRS the Controlling Person is deemed to be the natural person who hold the position of senior managing official.

“Controlling Persons” are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non- Financial Entity (“Passive NFE”) then a Financial Institution is required to determine whether or not these Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” described in Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012) - additionally, refer to the definition of Control above.

“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” 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).

“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.

OECD CRS AND U.S. FATCA SELF-CERTIFICATION FORM FOR ENTITIES



“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” 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 Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity 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 under CRS.

“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.

“Passive NFE” means any: (i) NFE that is not an Active NFE; and (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

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

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

“Resident 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 his domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction. Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for determining their residence for tax purposes. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. For additional information on tax residence, please talk to your tax adviser or see the OECD automatic exchange of information portal.

“Specified Insurance Company” means any Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract.

“TIN” (including “functional equivalent”) 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.

APPENDIX B - DEFINITIONS (U.S. FATCA)

“Account Holder” means the person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. 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 for purposes of this Agreement, and such other person is treated as holding the account. For purposes of the immediately preceding sentence, the term “Financial Institution” does not include a Financial Institution organized or incorporated in a U.S. Territory. In the case of a Cash Value Insurance Contract or an Annuity Contract, the Account Holder is any person entitled to access the Cash Value or change the beneficiary of the contract. If no person can access the Cash Value or change the beneficiary, the Account Holder is any person named as the owner in the contract and any person with a vested entitlement to payment under the terms of the contract. Upon the maturity of a Cash Value Insurance Contract or an Annuity Contract, each person entitled to receive a payment under the contract is treated as an Account Holder.

“Controlling Persons” are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non- Financial Foreign Entity (“Passive NFFE”) then a Financial Institution is required to determine whether or not these Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” described in Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

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

“NFFE” is any Non-U.S. Entity that is not a Financial Institution under U.S. FATCA, and any Non-U.S. Entity that meets the requirements to be a non-profit organization Active NFFE.

“Passive NFFE” means any NFFE that is not:(i) an Active NFFE, or (ii) a withholding foreign partnership or withholding foreign trust pursuant to relevant U.S. treasury Regulations.

“U.S. Person” means a U.S. citizen or resident individual, a partnership or corporation organized in the United States or under the laws of the United States or any State thereof, a trust if (i) a court within the United States 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 U.S. 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 United States.