

Pension Practitioner.Com Ltd  
Daws House  
33-35 Daws Lane  
LONDON  
NW7 4SD

3 March 2016

Our Ref 20/7076/SSAS DT STL1/SH – Please quote this reference in any reply  
Direct Dial 03445 440601

Dear Sirs

**Taipan Retirement Benefit Scheme  
H56581**

Further to my colleague Dan Thomas's letter dated 22 October 2015, please find enclosed further correspondence received from UBS concerning FATCA.

As you replaced Standard Life Trustee Company Limited as Independent Trustee with effect from 12 March 2015, we have written to UBS advising that we are not in a position to respond to their letter and requesting that any further correspondence is directed to yourselves.

If you should have any queries, please call me on 03445 440601.

Yours faithfully



**Steven Harding**  
Technical Specialist, SSAS Department

Enc



23 FEB 2016

UBS AG  
London Branch  
3 Finsbury Avenue  
London, EC2M 2AN  
Tel. +44-20-7567 5757

[www.ubs.com/uk](http://www.ubs.com/uk)

Standard Life Administration Department  
C/o Rowanmoor Pensions  
Rowanmoor House  
46-50 Castle Street  
Salisbury  
SP1 3TS

769

18 February 2016

**Please review your classification as a Non-US Person under US Derivatives Regulations by 31 March 2016**

Dear Sir/Madam

**Re: CARSON/CARSON/STD LIFE TRUSTEES OF TAIPAN RETIREMT BEN SCME - 382907**

We are writing to you about US derivatives regulations.

These regulations follow a global agenda agreed by the G20 and aim to reduce risks in the derivatives markets. Even though they originate from the US, they apply to us and all other financial firms globally who are registered as SWAP Dealers with the Commodities Future Trading Commission (CFTC). As a result, any Derivatives Transactions that you enter into with us will be subject to these regulations.

The regulations require us to affirm your US / Non-US Person status using the criteria defined by the US Commodities Futures Trading Commission (CFTC), which are set out in the Appendix. With this in mind, we have reviewed our records and have classified you as a Non-US Person who does not qualify as a Guaranteed Affiliate or as an Affiliate Conduit.

However, since the CFTC definition of a US Person differs from other regulations, we kindly request you to independently review your classification against the CFTC criteria.

If you're happy with our classification you don't need to do anything. If you disagree then you must contact your Client Advisor by no later than 31 March 2016. Please note that if you meet the CFTC criteria your account may be blocked from entering into Derivatives Transactions.

If you have any questions about this letter please contact your Client Advisor who will be happy to help.

Yours faithfully

Alistair Conner  
Managing Director

Paddy Lewis  
Managing Director

UBS AG is a public company incorporated with limited liability in Switzerland domiciled in the Canton of Basel-City and the Canton of Zurich respectively registered at the Commercial Registry offices in those Cantons with new Identification No. CHE-101.329.561 as from 18 December 2013 (and prior to 18 December 2013 with Identification No. CH-270.3.004.646-4) and having respective head offices at Aeschenvorstadt 1, 4051 Basel and Bahnhofstrasse 45, 8001 Zurich, Switzerland and is authorised and regulated by the Financial Market Supervisory Authority in Switzerland. Registered in the United Kingdom as a foreign company with No. FC021146 and having a UK Establishment registered at Companies House, Cardiff, with No. BR 004507. The principal office of UK Establishment: 1 Finsbury Avenue, London EC2M 2PP. In the United Kingdom, UBS AG is authorised by the Prudential Regulation Authority and subject to regulation by the Financial Conduct Authority and limited regulation by the Prudential Regulation Authority. Details about the extent of our regulation by the Prudential Regulation Authority are available from us on request.

01038000

## Appendix: Definitions

### "SWAP Dealer" means any person who:

- i. holds itself out as a dealer in swaps;
- ii. makes a market in swaps;
- iii. regularly enters into swaps with counterparties as an ordinary course of business for its own account, or
- iv. engages in activity causing itself to be commonly known in the trade as a dealer or market maker in swaps.

The rules also follow the statute in excluding any person that enters into swaps for such person's own account, either individually or in a fiduciary capacity, but not as a part of a regular business.

Factors that are relevant to considering whether a non-US Person is an **"Affiliate Conduit"** include whether:

- i. the non-US person is a majority-owned affiliate of a US person;
- ii. the non-US person is controlling, controlled by or under common control with the US person;
- iii. the financial results of the non-US person are included in the consolidated financial statements of the US person; **or**
- iv. the non-US person, in the regular course of business, engages in swaps with non-US third-party(ies) for the purpose of hedging or mitigating risks faced by, or to take positions on behalf of, its US affiliate(s) and enters into offsetting swaps or other arrangements with its US affiliate(s) in order to transfer the risks and benefits of such swaps with third-party(ies) to its US affiliates.

**"Derivative Transaction"** means any transaction that results in the creation of any new forward, swap or option on rates, currencies, commodities, securities, instruments of indebtedness, indices, quantitative measures, or other financial or economic interests or property of any kind between two or more parties or in a change to the terms of an existing OTC Transaction between parties, including execution, termination, assignment, novation, exchange, transfer, amendment, conveyance, or extinguishing of rights or obligations of an OTC Transaction.

**"Guarantee"** means an agreement or arrangement under which a person commits to provide a financial backstop, security or funding against potential losses that may be incurred by another person in connection with a swap.

**"Guaranteed Affiliate"** is a non-US Person that is affiliated with, and whose swap obligations are subject to a Guarantee by, a US Person.

**"United States" or "US"** means the United States of America, its states, the District of Columbia, Puerto Rico, the US Virgin Islands, and any other territories or possessions of the United States government, or enclave of the United States government, its agencies or instrumentalities.

**"US Person"** means the categories of "US persons" as set out below:

- i. any natural person who is a resident of the United States;
- ii. any estate of a decedent who was a resident of the United States at the time of death;
- iii. any corporation, partnership, limited liability company, business or other trust, association, joint-stock company, fund or any form of enterprise similar to any of the foregoing (other than an entity described in (iv) or (v), below) (a "legal entity"), in each case that is organized or incorporated under





- the laws of a state or other jurisdiction in the United States or having its principal place of business in the United States;
- iv. any pension plan for the employees, officers or principals of a legal entity described in (iii), unless the pension plan is primarily for foreign employees of such entity;
  - v. any trust governed by the laws of a state or other jurisdiction in the United States, if a court within the United States is able to exercise primary supervision over the administration of the trust;
  - vi. any commodity pool, pooled account, investment fund, or other collective investment vehicle that is not described in (iii) and that is majority-owned by one or more persons described in (i), (ii), (iii), (iv), or (v), except any commodity pool, pooled account, investment fund, or other collective investment vehicle that is publicly offered only to non-US persons and not offered to US persons;
  - vii. any legal entity (other than a limited liability company, limited liability partnership or similar entity where all of the owners of the entity have limited liability) that is directly or indirectly majority-owned by one or more persons described in (i), (ii), (iii), (iv), or (v) and in which such person(s) bears unlimited responsibility for the obligations and liabilities of the legal entity; or
  - viii. any individual account or joint account (discretionary or not) where the beneficial owner (or one of the beneficial owners in the case of a joint account) is a person described in (i), (ii), (iii), (iv), (v), (vi), or (vii).

Standard Life Administration Department  
C/o Rowanmoor Pensions  
Rowanmoor House  
46-50 Castle Street  
Salisbury  
SP1 3TS

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29 February 2016

**Account reference: 382907 - CARSON/CARSON/STD LIFE TRUSTEES OF TAIWAN RETIREMENT BEN SCME**

Dear Sir/Madam,

**Final Reminder: FATCA and UK FATCA Classifications - Deadline 30 April 2016**

We wrote to you last year requesting your FATCA and UK FATCA Classifications and we have yet to receive a reply or we still require further information. If you have returned all requested documentation please ignore this letter, if not please read on.

We ask for your prompt attention because your accounts will be affected if you don't respond, specifically:

1. From 30 April 2016 we will have to block your account from receiving any new assets (Securities & Cash); and
2. from 30 June 2016 your accounts may become reportable to HMRC and/or we may have to withhold certain amounts of any U.S. source income (which may result in your account having to be closed).

We have enclosed additional copies of the Self-Certification Form for FATCA and the Self-Certification Written Statement for UK FATCA. If you fall into a different classification or your circumstances have changed please contact your Client Advisor. Please refer to our earlier letter for additional information.

Please return both documents to the FATCA Processing Team at the address at the top of this letter.

Many thanks for engaging with us on this important matter. Your Client Adviser will be happy to assist with any questions you may have.

Yours faithfully,



Alistair Conner  
Managing Director  
Chief Operating Officer  
UBS Wealth Management UK



Scott Randall  
Executive Director  
General Counsel  
UBS Wealth Management UK



# Foreign Account Tax Compliance Act (FATCA)<sup>1</sup>

## Self-certification for Exempt Beneficial Owners and Certified Deemed-Compliant Foreign Financial Institutions (FFI) or Nonreporting IGA FFI

**For London Booked Account**

### Entity Details

Name of Entity (the "Entity")

Registered office address (if registered) or principal place of business

City/Postcode

Country

**FATCA Status<sup>2</sup>**

The Entity certifies that it meets the requirements to be considered an Exempt Beneficial Owner/Certified Deemed-Compliant FFI under the provisions of the US Internal Revenue Code (IRC) Chapter 4 (FATCA) or a Nonreporting IGA FFI pursuant to Annex II of an applicable Intergovernmental Agreement (IGA) between the country you have stated above and the United States; and is treated under the provisions of the applicable IGA as **(please tick one box only)**:

**Exempt Beneficial Owner<sup>3</sup>**

- ☐ Exempt retirement plan<sup>4</sup>
- ☐ Foreign government or foreign central bank
- ☐ International organisation
- ☐ Entity wholly owned by exempt Beneficial Owners

### Investment Entity

- ☐
- Trustee-documented trust (Nonreporting IGA FFI)

Name of trustee

						.					.		.			
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Global Intermediary Identification Number (GIIN) of trustee

- ☐ Sponsored closely held investment vehicle (Certified deemed-compliant)

Name of sponsoring entity

A horizontal number line with vertical tick marks at every integer from 0 to 10. Small black dots are placed on the tick marks corresponding to the numbers 4, 6, and 8.

Global Intermediary Identification Number (GIIN) of sponsoring entity

- ☐
- Sponsored investment entity and controlled foreign corporation (Nonreporting IGA FFI – Model 1 IGA country only
- <sup>5</sup>
- )

Name of sponsoring entity

[illegible]

Global Intermediary Identification Number (GIIN) of sponsoring entity									

- ☐
- Investment Advisor and Investment Manager
- <sup>6</sup>
- (Certified deemed-compliant)

- ☐
- Qualified collective investment vehicle (Nonreporting IGA FFI – Model 1 IGA country only)

\* All note references can be found at the end of this document.

**Small or limited scope Financial Institution**

- ☐ Local bank (Certified deemed-compliant)
- ☐ FFI with only low-value accounts (Certified deemed-compliant)
- ☐ FFI with a local client base (Nonreporting IGA FFI – Model 1 IGA country only)
- ☐ Qualified credit card issuer (Nonreporting IGA FFI – Model 1 IGA country only)

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**Certification**

The Entity understands that investments in US Securities<sup>7</sup> are only possible with the completion of a UBS Substitute Form W-8. Without the UBS Substitute Form W-8 all of the Entity's accounts will be blocked for investments in US Securities.

Each of the undersigned declares that he/she:

- is authorised to sign this certification on behalf of the Entity;
- has examined the information on this form and to the best of his/her knowledge and belief it is true, correct and complete;
- undertakes and agrees to update the information contained in this form within 30 days of a change in circumstance which would render this certification incorrect; and
- acknowledges that UBS will disclose data in accordance with the Standard Terms and Conditions governing their account(s) with UBS AG London Branch as applicable.

\_\_\_\_\_  
Signature of Authorised Representative 1

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 2

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 3

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 4

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\* All note references can be found at the end of this document.

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**For internal bank use only**

Signature(s) verified \_\_\_\_\_

<sup>1</sup> Further information on FATCA can be found on the internet page of the Internal Revenue Service (IRS): [www.irs.gov/fatca](http://www.irs.gov/fatca)

<sup>2</sup> If you are unsure what your FATCA status is, please consult your tax advisor. If this form does not offer the classification appropriate for the Entity, please contact your Client Advisor to request an alternative form.

<sup>3</sup> **Exempt Beneficial Owner**

Includes retirement plans, a foreign government, any political subdivision of a foreign government or any wholly owned agency or instrumentality of any one or more of the foregoing; any international organisation (for example, the United Nations) and any wholly owned agency or instrumentality thereof; any foreign central bank of issue (for example, the Bank of England).

<sup>4</sup> The US Treasury Regulations classify certain designated non-US **Retirement Plans** as Exempt Beneficial Owners. In addition, an Annex II of an applicable Intergovernmental Agreement (IGA) sets forth by name a list of specific Retirement Plans designated as exempt if governed by that IGA.

For entities established in the UK, these are any pension scheme or other retirement arrangement established in the United Kingdom and described in Article 3 (General Definitions) of the US UK Double Taxation Convention, including pension funds or pension schemes covered by IRS Announcement 2005-30, 2005-1 C.B. 988, on the Mutual agreement on U.K. Pension Agreements.

For entities established in Jersey, these are:

- a) Broad Participation Retirement Fund
- b) Narrow Participation Retirement Fund
- c) Pension Fund of an Exempt Beneficial Owner
- d) Investment Entity Wholly Owned by Exempt Beneficial Owners

For more information, please refer to the IGA between Jersey and the US.

<sup>5</sup> A list of Model 1 IGA countries can be found on the internet page of the US Department of the Treasury: <http://www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx>

<sup>6</sup> **Investment Advisor and Investment Manager**

An Investment Advisor or Investment Manager will fall into this category if their sole activity is to provide investment advice or undertake discretionary portfolio management on behalf of a customer.

In order to qualify for this category, the Entity must qualify as an Foreign Financial Institution solely because it:

- a) does not maintain financial accounts, where financial account means an account maintained by a Financial Institution and includes a Depository Account, a Custodial Account, a Cash Value Insurance Contract, an annuity contract, equity or debt interests in an Investment Entity and in certain specified cases equity or debt interests issued by other financial institutions. A Custodial account is an account for the benefit of another person that holds any financial instrument or contract held for investment, including a share in a company, a bond or a debenture. A Cash Value Insurance Contract is an insurance contract with a cash value greater than 50,000 US dollars; **and either**
- b) renders investment advice to, and acts on behalf of, a customer for the purposes of investing, managing, or administering funds deposited in the name of the customer with a Financial Institution other than a Non-Participating FFI; or
- c) manages portfolios for, and acts on behalf of, a customer for the purposes of investing, managing, or administering funds deposited in the name of the customer with a Financial Institution other than a Non-Participating FFI.

<sup>7</sup> In general terms, **US Securities** under FATCA are equities of US companies, bonds and investment funds from US issuers. A non-US investment fund (e.g. Luxembourg SICAV) generally is not considered a US Security under FATCA.



# Written statement for the certification of the status of an entity for the agreements to improve international tax compliance between UK and the Crown Dependencies and Overseas Territories ("UK FATCA")

For London Booked Account

## Entity Details

Name of Entity (the "Entity")

Registered office address (if registered) or address of principal place of business

City/Postcode

Country

## Tax Residency Information<sup>1</sup>

Please specify the country/countries in which the Entity is resident for tax purposes. If you are applying a tie-breaker clause under an applicable tax treaty then please enter the primary tax residence only.

Tax Residence(s) (list all countries)

Tax Identification Number ("TIN")<sup>2</sup>

No TIN

1.

☐

2.

☐

If any of the TINs are not available, please specify the reason why:

If you have entered Jersey, Guernsey, Isle of Man or Gibraltar above as one or more of the Entity's tax residence/residencies, the Entity will be disclosed to HMRC unless you confirm the Entity falls into one of the categories below.

Please tick only one of the following reason codes:

- ☐ **A** a corporation, the stock of which is regularly traded on one or more established securities markets.
- ☐ **B** a corporation, that is a Related Entity<sup>3</sup> of a corporation described in option a) above.
- ☐ **C** a Depository Institution.
- ☐ **D** a broker or dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the local laws.
- ☐ **E** an Exempt Beneficial Owner<sup>3</sup>.

## UK FATCA Status<sup>3</sup>

Please complete the certification below for the Entity's applicable status by ticking **one** box only and then proceed to the applicable section.

If any of the Entity's assets are professionally managed (i.e. it has a segregated UBS discretionary mandate) by UBS or another Financial Institution, the Entity will not meet the definition of a Passive NFFE and should tick Financial Institution instead.

- ☐ **Financial Institution** > Complete Section I. and Section V.
- ☐ **Exempt Beneficial Owner** > Complete Section II. and Section V.
- ☐ **Active NFFE** > Complete Section III. and Section V.
- ☐ **Passive NFFE** > Complete Section IV. and Section V and Appendix 1.

Please refer to all footnotes in Appendix 2.

For London Booked Account Only

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If the Entity or the Entity's Sponsoring Entity<sup>3</sup> have registered with the IRS under the US Foreign Account Tax Compliance Act and have obtained a Global Intermediary Identification Number ("GIIN"), please provide it below. If the entity does not have a GIIN or a Sponsoring Entity, please leave this section blank.

GIIN/Sponsoring Entity GIIN

Name of Sponsoring Entity (if applicable)

>

☐ I certify that the Entity identified on this form meets the requirements to be considered an EBO pursuant to the Intergovernmental Agreements between the UK and the Crown Dependencies or Overseas Territories ("IGA"), and that it should be treated as appropriate under the provisions of the applicable IGA.

If you believe the Entity is an EBO but you are in doubt as to the category it falls into, please consult your tax advisor.

 $\geq$ 

☐ I certify that the Entity identified on this form meets the requirements to be considered an Active NFFE pursuant to the Intergovernmental Agreements between the UK and the Crown Dependencies or Overseas Territories ("IGA"), and that it should be treated as such under the provisions of the applicable IGA.

✓

If any of the Entity's assets are professionally managed (i.e. it has a segregated UBS discretionary mandate) by UBS or another Financial Institution, the Entity will not meet the definition of a Passive NFFE and should tick Financial Institution instead.

- ☐ I certify that the Entity is not a Financial Institution, not an Exempt Beneficial Owner and is not certifying its status as an Active NFFE.
- ☐ I confirm that I have provided the details for all controlling persons in Appendix 1 of this form.

 $\geq$ 

For London Booked Account Only  
100459 E V1 06.02.2015

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**Section V – Certification**

Each of the undersigned declares that he/she:

- is authorised to sign this certification on behalf of the Entity
- has examined the information on this form and the schedule of controlling persons Appendix 1 attached (where applicable) and to the best of his/her knowledge and belief it is true, correct, and complete
- undertakes and agrees, on behalf of the Entity, to update the information contained in this form and the schedule(s) attached within 30 days of a change in circumstances which would render this certification incorrect
- acknowledges that UBS will disclose data in accordance with the standard terms and conditions governing their account(s) with UBS AG London Branch as applicable.

\_\_\_\_\_  
Signature of Authorised Representative 1

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 2

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 3

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorised Representative 4

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

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**For internal bank use only**

Signature(s) verified \_\_\_\_\_

## Appendix 1 – For Passive NFFE Only

Please complete a copy of this form for every controlling person of the Entity named in this written statement

### Schedule of Controlling Persons for Passive NFFE

Where an entity is classified as a Passive NFFE, UBS is obliged to collect information on all parties to the relationship who are considered controlling persons.

"Controlling Persons" are defined as natural persons who exercise control over an entity.

- In the case where the Entity is a **company** this means natural persons owning a controlling ownership interest in the company (beneficial owners). Where the controlling interests are held instead by a company, "Controlling Person(s)" means the natural person(s) owning a direct or indirect controlling ownership interest in that company. If there are no natural persons with a

controlling ownership interest, "Controlling Person(s)" means the natural persons exercising control over the Entity, through the position they hold.

- In the case where the Entity is a **trust** or the Entity is **owned by a trust** this includes one or more natural persons any of whom are the settlor, the trustees, the protector (if any), the beneficiaries and any other natural person exercising ultimate effective control over the trust (including through a chain of control or ownership).
- In the case of a legal arrangement other than a trust, "Controlling Person(s)" means persons in equivalent or similar positions.

### Controlling Person

Please indicate the capacity/capacities that the controlling person is acting in:

- |   |  |                                   |  |  |
|---|--|-----------------------------------|--|--|
| <input type="checkbox"/> Authorised Signatory | <input type="checkbox"/> Beneficial Owner  | <input type="checkbox"/> Director | <input type="checkbox"/> Guarantor     | <input type="checkbox"/> Named Beneficiary |
| <input type="checkbox"/> Partner              | <input type="checkbox"/> 3rd Party Mandate | <input type="checkbox"/> POA      | <input type="checkbox"/> Policy Holder | <input type="checkbox"/> Premium Payer     |
| <input type="checkbox"/> Protector            | <input type="checkbox"/> Settlor           | <input type="checkbox"/> Trustee  | <input type="checkbox"/> Other: _____  |  |

Title \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Last name \_\_\_\_\_

First name(s) \_\_\_\_\_

Address \_\_\_\_\_

City/Postcode \_\_\_\_\_

Country \_\_\_\_\_

Date of birth \_\_\_\_\_

Tax Residence(s) (list all countries)<sup>1</sup>

Tax Identification Number ("TIN")<sup>2</sup>

No TIN

1. _____	_____	<input type="checkbox"/>
2. _____	_____	<input type="checkbox"/>
3. _____	_____	<input type="checkbox"/>

If any of the TINs are not available, please specify the reason why: \_\_\_\_\_

Please refer to all footnotes in Appendix 2.



## Appendix 1 – For Passive NFFE Only

Please complete a copy of this form for every controlling person of the Entity named in this written statement

### Schedule of Controlling Persons for Passive NFFE

Where an entity is classified as a Passive NFFE, UBS is obliged to collect information on all parties to the relationship who are considered controlling persons.

"Controlling Persons" are defined as natural persons who exercise control over an entity.

- In the case where the Entity is a **company** this means natural persons owning a controlling ownership interest in the company (beneficial owners). Where the controlling interests are held instead by a company, "Controlling Person(s)" means the natural person(s) owning a direct or indirect controlling ownership interest in that company. If there are no natural persons with a

controlling ownership interest, "Controlling Person(s)" means the natural persons exercising control over the Entity, through the position they hold.

- In the case where the Entity is a **trust or the Entity is owned by a trust** this includes one or more natural persons any of whom are the settlor, the trustees, the protector (if any), the beneficiaries and any other natural person exercising ultimate effective control over the trust (including through a chain of control or ownership).
- In the case of a legal arrangement other than a trust, "Controlling Person(s)" means persons in equivalent or similar positions.

### Controlling Person

Please indicate the capacity/capacities that the controlling person is acting in:

- |   |  |                                   |  |  |
|---|--|-----------------------------------|--|--|
| <input type="checkbox"/> Authorised Signatory | <input type="checkbox"/> Beneficial Owner  | <input type="checkbox"/> Director | <input type="checkbox"/> Guarantor     | <input type="checkbox"/> Named Beneficiary |
| <input type="checkbox"/> Partner              | <input type="checkbox"/> 3rd Party Mandate | <input type="checkbox"/> POA      | <input type="checkbox"/> Policy Holder | <input type="checkbox"/> Premium Payer     |
| <input type="checkbox"/> Protector            | <input type="checkbox"/> Settlor           | <input type="checkbox"/> Trustee  | <input type="checkbox"/> Other: _____  |  |

Title \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Last name \_\_\_\_\_

First name(s) \_\_\_\_\_

Address \_\_\_\_\_

City/Postcode \_\_\_\_\_

Country \_\_\_\_\_

Date of birth \_\_\_\_\_

Tax Residence(s) (list all countries)<sup>1</sup>

Tax Identification Number ("TIN")<sup>2</sup>

No TIN

1. _____	_____	<input type="checkbox"/>
2. _____	_____	<input type="checkbox"/>
3. _____	_____	<input type="checkbox"/>

If any of the TINs are not available, please specify the reason why:

\_\_\_\_\_

Please refer to all footnotes in Appendix 2.

## Appendix 2 – Notes

### Note 1 – Resident for Tax Purposes

For these purposes resident for tax purposes means the following:

- For a company, if the company is incorporated in a jurisdiction or is managed and controlled in a jurisdiction
- For trusts, if any of the trustees are resident in a jurisdiction, even if there are no settlors, beneficiaries or protectors resident in that jurisdiction
- For partnerships, if a partnership is managed and controlled in a jurisdiction.

If you are unsure of your Entity's jurisdiction, please consult your tax advisor.

- For a natural person, you are normally tax resident in a country where you are liable to pay tax.

If you are unsure of what your tax residence(s) are, please consult your tax advisor.

### Note 2 – Tax Identification Numbers ("TINs")

A relevant TIN means:

- For a company, any unique identifying number assigned to the company by the local tax authorities in the company's country of residence.
- For a trust, any unique identifying number assigned to the trust by the local tax authorities in the jurisdiction(s) where the trust is liable to pay tax. This should generally be in the jurisdiction where the trust is established, if there is a tax system. This is not the tax identification number of the trustee.
- For partnerships, any unique identifying number assigned to the partnership by the local tax authorities in the jurisdiction where that partnership is set up, where the partnership has been assigned one. This is not the tax identification number of the partners.
- For a natural person, a relevant tax reference number issued by your country of tax residence for example, in the UK, Crown Dependencies and Gibraltar this is:
  - United Kingdom – National Insurance Number
  - Isle of Man – National Insurance Number
  - Guernsey – Social Security Number
  - Jersey – Social Security Number
  - Gibraltar – Social Security Number

### Note 3 – Definitions

#### Related Entity

A corporation is a "Related Entity" of another corporation if one entity controls the other or the two entities are under common control. "Control" means direct or indirect ownership of more than 50% of the vote or value of an entity.

#### Financial Institution

The term Financial Institution broadly covers any entity that is a:

- a) Depository institution that accepts deposits or other similar investments of funds in the ordinary course of a banking or similar business
- b) Custodial institution that holds assets for third parties as a substantial portion of its business
- c) Insurance company that issues or is obligated to make payments with respect to cash value insurance or annuity contracts
- d) Investment entity that is:
  - i. trading money market instruments, interest rate and index instruments or transferable securities or commodity futures on behalf of a customer, conducts investment or portfolio management for or on behalf of a customer or is otherwise administering financial assets on behalf of other persons, or
  - ii. is a collective investment vehicle, fund or similar investment vehicle, or
  - iii. managed by another Financial Institution and the Entity's gross income is primarily attributable to investing, reinvesting or trading in financial assets

Financial Institutions can be reporting or non-reporting financial institutions. In general, a reporting financial institution is likely to have registered with the IRS to obtain a Global Intermediary Identification number under US FATCA.

#### Sponsoring Entity

Certain Financial Institutions (which are either Investment Entities or Trusts) are not required to register with the IRS or obtain a GIIN if they have entered into an agreement with a Sponsoring Entity or their trustee who will fulfil all FATCA due diligence, withholding and reporting responsibilities on behalf of that Financial Institution. In this case the Sponsoring Entity or Reporting Trustee will obtain a sponsoring entity GIIN which should be disclosed along with the name of the sponsoring entity or reporting trustee.

#### Exempt Beneficial Owner

Exempt Beneficial Owner means an entity that is treated as a Non-Reporting Financial Institution as it presents a low risk of being used by Reportable Persons to evade tax in their resident jurisdictions. In general, the definition of an "Exempt Beneficial Owner" includes any entity that meets the definition of:

- a) Governmental Entity – A foreign government, any political subdivision of a foreign government or any wholly owned agency or instrumentality of any one or more of the foregoing.
- b) Central Bank – An institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency.
- c) International Organisation – Any international organisation or wholly owned agency or instrumentality thereof. e.g. The International Monetary Fund.
- d) Exempt Retirement Funds – A fund that meets certain regulatory criteria and is operated principally to administer or provide pension or retirement benefits.

#### NFFE

NFFE stands for "Non-Financial Foreign Entity". An "NFFE" means any entity that is not a Financial Institution as defined above.

#### Active NFFE

An "Active NFFE" means any NFFE that meets any of the following criteria:

- a) Less than 50 percent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income\* and less than 50 percent of the assets held by the NFFE 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 NFFE is regularly traded on an established securities market or the NFFE is a Related Entity<sup>3</sup> of an entity the stock of which is traded on an established securities market;
- c) The NFFE is a government, a political subdivision of such government or a public body performing a function of such government or a political subdivision thereof, or an Entity wholly owned by one or more of the foregoing;
- d) Substantially all of the activities of the NFFE 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 NFFE shall not qualify for this status if the NFFE 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 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 Financial Institution; provided, that the NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFFE;

- f) The NFFE 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; or
- g) The NFFE 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.

**Examples of an Active NFFE are:**

- a) A publicly traded corporation (e.g. UK investment trust whose shares are actively traded on the LSE).
- b) A Government or a political subdivision of such Government or Government owned organization e.g. sovereign wealth fund.
- c) A Trust or Fund which directly holds real estate/property and that is its only source of income.

**Passive NFFE**

A "Passive NFFE" means any NFFE that is not an Active NFFE unless:

- a) that entity's gross income is primarily attributable to investing, reinvesting, or trading in financial assets, and
- b) that entity is managed by a Financial Institution, either directly or through another third party service provider, that performs any of the following activities:
  - i. trading in money market instruments,
  - ii. foreign exchange,
  - iii. interest rate and index instruments,
  - iv. transferable securities and commodity futures trading,
  - v. individual and collective portfolio management,
  - vi. otherwise investing, administering or managing funds or money on behalf of other persons in which instance the managed entity will still be regarded as an Investment Entity (i.e. a Financial Institution).

**Examples of a Passive NFFE are:**

- a) A Trust with individual trustees where the trust assets are not professionally managed (other than trusts holding mainly non-financial assets such as real estate).
- b) A Personal investment company where company's investments are not professionally managed (advisory or execution only mandates).

\* Passive income means income other than trading income and would include, for example:

- a) Distributions, as defined by (Crown Dependencies specific legislation);
- b) Interest and Income equivalent to interest, including amounts received in lieu of interest;
- c) Rents and royalties;
- d) Annuities;
- e) Foreign currency gains;

Passive income does not include: Any income from interest, dividends, rents or royalties that is received or accrued from a related person if that amount is properly derived from income of that related person that is not passive income. A person is a related person of another if one person controls the other or the two persons are under common control.