

FOREIGN ACCOUNT TAX COMPLIANCE ACT (FATCA) FORM – CORPORATE ACCOUNT  
(Company/Trust/Foundation/Partnership/any other legal arrangements)

Account Opening Form Supplement

**Indicia of US status**

Please confirm entity's FATCA status by checking the relevant box:

YES NO

	YES	NO
Is the entity incorporated in US?	<input type="checkbox"/>	<input type="checkbox"/>
Is shareholder/ultimate beneficial owner/director/controlling person* of the entity a US citizen or resident? (20 percent ownership threshold is required for determining a substantial U.S. owner)	<input type="checkbox"/>	<input type="checkbox"/>
Does the entity have a current US residence or mailing address?	<input type="checkbox"/>	<input type="checkbox"/>
Does the entity have current US telephone number?	<input type="checkbox"/>	<input type="checkbox"/>
Does the entity have standing instructions to pay amounts from the account to an account maintained in the United States?	<input type="checkbox"/>	<input type="checkbox"/>
Has a current power of attorney or signatory authority of the entity been granted to a person with a US address?	<input type="checkbox"/>	<input type="checkbox"/>
Does the entity only maintain a US "in-care-of" or "hold mail" address?	<input type="checkbox"/>	<input type="checkbox"/>
Does entity receive any payment of interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income from sources within the United States?	<input type="checkbox"/>	<input type="checkbox"/>
Does entity receive any gross proceeds from the sale or other disposition of any property of a type which can produce interest or dividends from sources within the United States?	<input type="checkbox"/>	<input type="checkbox"/>

The entity or organisation is a resident of: \_\_\_\_\_ for tax purposes.

US Taxpayer Identification Number: \_\_\_\_\_ GIIN/Foreign Tax Identification Number: \_\_\_\_\_

The entity's FATCA status:

- Nonparticipating FFI\*     
  Participating FFI\*     
  Reporting Model 1 FFI\*     
  Reporting Model 2 FFI\*  
 Nonreporting IGA FFI\*     
  Active NFFE\*     
  Passive NFFE\*



## Annexure 1 - Definitions

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

In the case of a Trust this means -

- the settlor;
- the trustees;
- the protector (if any);
- the beneficiaries (if appointed); and
- any other natural person exercising ultimate effective control over the Trust.

In case of a Company this means -

- shareholders;
- the beneficiaries or Ultimate beneficial owners; and
- any other natural person exercising ultimate effective control over the Company.

In case of a Foundation this means -

- Council Members;
- Founder;
- Executor;
- Beneficiaries;
- Protector;
- the beneficiaries(if appointed); and
- any other natural person exercising ultimate effective control over the Foundation.

**Non-participating foreign financial institution** - An FFI that does not enter into an agreement with the IRS is referred to as a “non-participating foreign financial institution” (NPFFI), and is subject to withholding under FATCA.

**Participating foreign financial institution** - An FFI that enters into a FFI agreement with the IRS is referred to as a “participating foreign financial institution” (PFFI).

**Reporting Model 1 FFI** - The term Reporting Model 1 FFI means a Financial Institution with respect to which a non-U.S. government or agency thereof agrees to obtain and exchange information pursuant to a Model 1 IGA, other than a Financial Institution treated as a Nonparticipating Financial Institution under the Model 1 IGA.

**Reporting Model 2 FFI** - Model 2 IGA means an agreement or arrangement between the U.S. or the Treasury Department and a foreign government or one or more agencies to implement FATCA through reporting by FFIs directly to the IRS in accordance with the requirements of an FFI agreement, supplemented by the exchange of information between such foreign government or agency thereof and the IRS. An FFI in a Model 2 IGA jurisdiction that has entered into an FFI agreement is a participating FFI, but may be referred to as a reporting Model 2 FFI.

**Nonreporting IGA FFI** - Financial Institution in a jurisdiction which has not signed a IGA with the US government.

**An NFFE** is any non-USA entity under the US Agreement that is not treated as a Financial Institution. In practice therefore this could apply to any company, partnership, trust, foundation or any other legal entity that is not a Financial Institution.

There are two categories of NFFE:

- Active NFFE
- Passive NFFE

An NFFE, whether Passive or Active, has no registration obligations. Instead, it is the responsibility of the financial Institution with which the NFFE has a relationship to obtain self-certification from the NFFE to establish its status. Where the NFFE is Passive, the financial institution should request information in respect of Controlling Persons of that NFFE and report to the local tax authorities in respect of those Controlling Persons.

**Active NFFE** - An Active NFFE means any NFFE that meets certain specified criteria including the following:

1. less than 50% of its gross income for the preceding calendar year is passive income and less than 50% of the weighted average percentage of assets held by it is assets that produce or are held for the production of passive income (i.e. dividends, interest annuities etc.);
2. the stock of the NFFE is regularly traded on an established securities market or the NFFE is related to such an entity;
3. 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 a period of 2 years from incorporation/establishment;
4. The NFFE is an “excepted NFFE” as described in relevant USA Treasury Regulations; or
5. The NFFE 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, labor organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare and certain other conditions are satisfied.

**Passive NFFE** - A passive NFFE is an NFFE that is not:

- an Active NFFE; or
- a withholding foreign partnership or withholding foreign trust pursuant to relevant USA Treasury Regulations.