

**Please read the instructions on page 9 before completing this form**  
(Download and save a copy of this form if you wish to use 'input' fields)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

Please read the instructions and the definitions provided in the Appendix before completing the form.

Please complete this form where you are providing self-certification on behalf of an entity account holder (the account is held in the name of a company or a trust or partnership etc). If you are an individual account holder or sole trader or sole proprietor do not complete this form. Instead, please request and complete an 'Individual tax residency self-certification form'. For joint or multiple account holders please complete a separate form for each account holder.

If the Account Holder is a U.S. tax resident under U.S. law, you should indicate that you are a U.S. tax resident on this form and also fill in an IRS W-9 form. If the account holder meets the definition of a Financial Institution, you should also complete a form W8-BENE or W8 BEN-IMY as appropriate. These additional forms can be downloaded from the IRS website -[www.irs.gov/businesses/corporations/fatca-related-forms](http://www.irs.gov/businesses/corporations/fatca-related-forms) or can be made available by the bank upon request.

**Why does the Bank need this information?**

Certain regulations, European Union directives and Intergovernmental Agreements concerning the Automatic Exchange of Information require Financial Institutions (including Banks) to collect and, under certain circumstances, report, information about an account holder's tax residency along with certain other account details. 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 Tax Authorities. We might also use information provided in this form to update our records and more generally for the purposes set out in the Banks General Terms and Conditions. You can find definitions of who is classified as an account holder, and other terms used throughout this form, in the Appendix.

**Change of circumstances**

This form will remain valid unless there is a change in circumstances relating to the information you provide, such as the account holder's tax status or other mandatory field information that makes this form incorrect or incomplete. In that case, you must notify us immediately and provide an updated self-certification.

**Do you need more information?**

You can refer to the information included on the Banks website at [www.trustednovusbank.gi](http://www.trustednovusbank.gi) (under the Tax Reporting tab at the bottom of the page) or at the other various internet links mentioned in the appendix.

Alternatively, you can contact your Relationship Manager, but please note that we are not allowed to give tax advice and as such, you should consult your tax adviser or local tax authority if you are uncertain as to your tax status or residency.

**What happens if I don't complete and return the form?**

If you have difficulty providing any of the information requested, then please talk to us about it and if we can, we will try to clarify any issues about which you are unsure. Ultimately, if you do not return the form as requested, then your account details may be reported to various jurisdictions dependent upon data that we may hold in our records. Ultimately, we may regrettably, and as a last resort, block any future operation of your account and ask you to make alternative banking arrangements.

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Part 1 - The Entity**

Name of Account Holder (Entity name) \_\_\_\_\_

Business Reg. No. (if available) \_\_\_\_\_

Address of Entity \_\_\_\_\_

Postal Code and City \_\_\_\_\_

Country of incorporation/registration \_\_\_\_\_

**(If you are a Financial Institution (As stated in Part 4, page 3 of this form) please also indicate)**

Name of sponsor (if applicable) \_\_\_\_\_

GIIN-number (19 characters) \_\_\_\_\_

GIIN number applies to Financial Institutions in FATCA Jurisdictions (Part 4.1) that must obtain a GIIN

**Part 2 - List all countries in which the entity is tax resident**

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

**Part 3 - Nature of the Entity**

Corporation/Ltd. Company  Foundation

Trust \*  Partnership

Limited Liability Partnership  Registered Charity

Other (please state)

\*If you have indicated above that the Entity is a Trust then please confirm the nature of the Trust:

Simple Trust  Grantor Trust  Complex Trust

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Entity Status**

Indicate the Entity's status by completing Part 4, or Part 5 or Part 6 as applicable, (i.e. one of the parts must be completed) by ticking the relevant boxes. Please be sure to read and understand the instructions starting on page 9 and the different definitions of a Financial Institution, Active NFE and Passive NFE before completing this part

**Part 4 - Financial Institution (Part 4.1 and part 4.2 must be completed)**

**Part 4.1 FATCA for Financial Institution** (Please provide the status related to the business performed by ticking the appropriate box below)

- I the undersigned hereby confirm that the Entity is a Financial Institution in a FATCA Partner Jurisdiction and that it is not categorised as a Non-Participating Financial Institution by the US tax authorities.
- I the undersigned hereby enclose in addition a completed Form W-8BEN-E or W-8IMY as appropriate (a W-8BEN-E or W-8IMY form must be completed for Financial Institutions outside FATCA Partner Jurisdictions or if this form is not sufficient for indication of FATCA status).

**Part 4.2 CRS for Financial Institution** (Please provide the status related to the business performed by ticking the appropriate box below)

**Financial Institution - Investment Entity**

- A. Investment Entity whose gross income primarily derives from investment/re-investment in or trade in financial assets and which is professionally managed by another Financial Institution and located in a Non-CRS Participating Jurisdiction. [www.oecd.org/ctp/exchange-of-tax-information/MCAA-Signatories.pdf](http://www.oecd.org/ctp/exchange-of-tax-information/MCAA-Signatories.pdf)  
**If you have ticked this box, please continue to Part 7 on page 3.**
- B. **Other type of Investment Entity than under A above.**

**Financial Institution (Other than an Investment Entity)**

- Financial Institution - Depository Institution, Custodial Institution or Specified Insurance Company.

**Part 5 - Active Non-Financial Entity (Active NFE)** (Please provide the status related to the business performed by ticking the appropriate box below)

- A. Active NFE - The Entity is an Active NFE other than B and C below.
- B. Active NFE - A Governmental Entity, an International Organisation or a Central Bank.
- C. Active NFE - A corporation whose shares are regularly traded on one or more established securities markets or a related entity (affiliate) of such a publicly traded corporation.

**Please continue to Part 8 on page 8**

**Part 6 - Passive Non-Financial Entity (Passive NFE)** (Please provide the status related to the business performed by ticking the appropriate box below)

- A. The Entity is a Passive NFE. The Entity has provided all the required information related to the Controlling Persons of the Entity in Part 7.

**Please continue to Part 7 on page 4 in order to provide information related to the Entity's Controlling Person(s)**

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Part 7 - Information with respect to Controlling Persons of the Entity**

Only complete this part (7) if you have selected 'A' in part 6 or 'A' in part 4.2 - If you have, then please provide information with respect to **all** Controlling Persons related to the Entity below (on pages 4-7). It's important that you read and understand the instruction and definitions with regard to Controlling Persons on Page 12 before completing this part. Once you have completed this section, please continue to Part 8 on page 8.

**Controlling Person No. 1:**

Name \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Residential Address \_\_\_\_\_  
Postal Code and City \_\_\_\_\_  
Country \_\_\_\_\_  
Citizen (state all) \_\_\_\_\_  
Place of birth (country and city) \_\_\_\_\_

Country of tax residence \_\_\_\_\_  
Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_  
 Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_  
Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_  
 Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_  
Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_  
 Country does not issue TIN/Equivalent

**Citizenship/tax liability in the United States (Please select one of the alternatives by ticking the appropriate box below)**

- A. The Controlling Person is a US citizen and/or a tax resident of the US. (USA is stated as one of the Countries of Tax Residence in the section above)
- B. The Controlling Person is neither a US citizen nor a tax resident of the US.

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Controlling Person No. 2:**

Name \_\_\_\_\_

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

Residential Address \_\_\_\_\_

Postal Code and City \_\_\_\_\_

Country \_\_\_\_\_

Citizen (state all) \_\_\_\_\_

Place of birth (country and city) \_\_\_\_\_

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

**Citizenship/ tax liability in the United States (Please select one of the alternatives by ticking the appropriate box below)**

A. The Controlling Person is a US citizen and/or a tax resident of the US. (USA is stated as one of the Countries of Tax Residence in the section above)

B. The Controlling Person is neither a US citizen nor a tax resident of the US.

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Controlling Person No. 3:**

Name \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Residential Address \_\_\_\_\_  
Postal Code and City \_\_\_\_\_  
Country \_\_\_\_\_  
Citizen (state all) \_\_\_\_\_

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

**Citizenship/ tax liability in the United States (Please select one of the alternatives by ticking the appropriate box below)**

A. The Controlling Person is a US citizen and/or a tax resident of the US. (USA is stated as one of the Countries of Tax Residence in the section above)

B. The Controlling Person is neither a US citizen nor a tax resident of the US.

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Controlling Person No. 4:**

Name \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Residential Address \_\_\_\_\_  
Postal Code and City \_\_\_\_\_  
Country \_\_\_\_\_  
Citizen (state all) \_\_\_\_\_

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

Country of tax residence \_\_\_\_\_

Taxpayer Identification Number (TIN/Equivalent) \_\_\_\_\_

Country does not issue TIN/Equivalent

**Citizenship/ tax liability in the United States (Please select one of the alternatives by ticking the appropriate box below)**

A. The Controlling Person is a US citizen and/or a tax resident of the US. (USA is stated as one of the Countries of Tax Residence in the section above)

B. The Controlling Person is neither a US citizen nor a tax resident of the US.

**NB - If there are more than 4 Controlling Persons please print and complete extra Controlling Person sheets (from part 7) as may be required**

**Please read the instructions on page 9 before completing this form**

(Download and save a copy of this form if you wish to use 'input' field)



**Self-certification form for Entities and Financial Institutions etc.  
for CRS, FACTA and US withholding tax purposes**

**Part 8 - Declaration and Signature of authorised signatory**

I hereby certify, and declare under penalties of perjury, that I am authorised to sign for the Entity and that the information in this form is, to the best of my knowledge and belief, true, accurate and complete.

I understand and acknowledge that the information contained in this form, and any Reportable Account details, may be used for reporting to the tax authorities according to the rules and regulations in force from time to time. I also understand that the information contained in the form may be used to update the banks records, and that it is covered under the full provisions of the terms and conditions covering the relationship with Trusted Novus Bank, setting out how Trusted Novus Bank may use and share information supplied.

I undertake to inform any Controlling Persons, whose data I have included above, about the possibility of reporting and disclosure.

I also undertake, to advise Trusted Novus Bank Limited **within 30 days** of any change in circumstances which affects the tax residency status of the Entity 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 4), and to provide Trusted Novus Bank with a suitably updated self-certification and Declaration within 30 days of such change in circumstances

I understand that I can read more about tax information reporting at [www.trustednovusbank.gi](http://www.trustednovusbank.gi)

\_\_\_\_\_  
Place and date

\_\_\_\_\_  
Place and date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Position

\_\_\_\_\_  
Position

\_\_\_\_\_  
Name in block letters

\_\_\_\_\_  
Name in block letters

\_\_\_\_\_  
Capacity\*

\_\_\_\_\_  
Capacity\*

**\* Note:** Please indicate the capacity in which you are signing the form (for example `Director` or `Authorised Officer`).  
If signing under a power of attorney please also attach a certified copy of the power of attorney





## Appendix - Instructions to self-certification form

Trusted Novus Bank, along with financial institutions internationally, is required under various regulations, to collect and automatically report certain information on a regular basis to the Gibraltar Tax Authority, who in turn may share the information with other jurisdictions. The obligation involves, among other things, reporting of an Account Holder's tax residency, the value of gross assets held and levels of investment income etc.

### CRS

'CRS' is an abbreviation of 'The Common Reporting Standard' CRS is a global standard for automatic exchange of information about Financial Accounts/products/Account Holders etc between tax authorities internationally.

### FATCA

'FATCA' is an abbreviation of Foreign Account Tax Compliance Act. This US legislation was adopted by the US Congress in March 2010. An agreement was subsequently entered into between the Government of Gibraltar and the US about implementation of FATCA obligations in Gibraltar legislation. These obligations primarily involve:

An obligation for Financial Institutions to identify Financial Accounts held or controlled by US persons  
An obligation for Financial Institutions to report information to the Gibraltar tax authorities about the accounts identified as reportable under the regulations  
An obligation for the Gibraltar Tax Authority to exchange the information with the US tax authorities.

### Definitions:

Note: These are selected definitions 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 following link:

[www.oecd.org/tax/automatic-exchange/common-reporting-standard/](http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/)

If you have any questions then please contact your tax adviser or domestic tax authority.

### "Account Holder"

The "Account Holder" is the person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, if a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust's owners or beneficiaries. Similarly, if a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.



## Appendix - Instructions to self-certification form

### **“Active NFE” (See also definition of NFE further in this appendix)**

**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 (see below); publicly traded NFEs; Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities; holding NFEs that are members of a nonfinancial group; start-up NFEs; NFEs that are liquidating or emerging from bankruptcy; treasury centers that are members of a nonfinancial group; or non-profit NFEs.

An entity will be classified as Active NFE if it is not classified as a Financial Institution and 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 (see below for definition of passive income), and less than 50% of the assets held by the NFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- b) the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market;
- c) the NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d) substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an Entity does not qualify for this status if the Entity functions (or holds itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes;
- e) the NFE is not yet operating a business and has no prior operating history, (a “ start-up NFE”) but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- f) the NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- g) the NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or



## Appendix - Instructions to self-certification form

h) the NFE meets all of the following requirements (a “non-profit NFE”) :

- i) it is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
- ii) it is exempt from income tax in its jurisdiction of residence;
- iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- iv) the applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents do not permit any income or assets of the NFE to be distributed to, or applied for the benefit of, a private person or non-charitable Entity other than pursuant to the conduct of the NFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and
- v) the applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents require that, upon the NFE's liquidation or dissolution, all of its assets be distributed to a Governmental Entity or other non-profit organisation, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision.

**Note:** Certain entities (such as U.S. Territory NFFEs) may qualify for Active NFFE status under FATCA but not Active NFE status under the CRS.

### “Complex Trust”

A trust that is not a Simple or Grantor trust (normally discretionary trusts) (see also the definitions for Simple and Grantor Trusts)

### “Control”

“Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means.

Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, then under the CRS the Reportable Person is deemed to be the natural person who holds the position of senior managing official.



## **Appendix - Instructions to self-certification form**

### **“Controlling Person(s)”**

A Controlling Person is a natural person(s) who, either directly or indirectly, owns or exercises ultimate control over more than 25% of the equity interest or voting rights in the company. 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 of a Controlling Person corresponds to the term “beneficial owner” described in Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

In the case of a trust, the Controlling Person(s) are the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, or any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). Under the CRS the settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, are always treated as Controlling Persons of a trust, regardless of whether or not any of them exercises control over the activities of the trust. Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the Controlling Persons of the settlor(s) and when required report them as Controlling Persons of the trust.

In the case of a legal arrangement other than a trust, “Controlling Person(s) means persons in equivalent or similar positions.

### **“Custodial Institution”**

The term “Custodial Institution” means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This is where the Entity's gross income attributable to the holding of Financial Assets and related financial services equals or exceeds 20% of the Entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

### **“Depository Institution”**

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

### **“Entity”**

The term “Entity” means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).

### **“FATCA”**

FATCA stands for the Foreign Account Tax Compliance provisions, which were enacted into U.S. law as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010. FATCA creates a new information reporting and withholding regime for payments made to certain non-U.S. financial institutions and other non-U.S. entities.



## Appendix - Instructions to self-certification form

### **“Financial Institution”**

The term “Financial Institution” means a “Custodial Institution”, a “Depository Institution”, an “Investment Entity”, or a “Specified Insurance Company”. Please see the relevant domestic guidance, the CRS and FATCA for further classification definitions that apply to Financial Institutions.

### **“Grantor Trust”**

A trust over which the grantor (also known as the settlor or creator) or other owner retains the power to control or direct the trust's income or assets. If a grantor retains certain powers over, or benefits in, a trust, the income of the trust will be taxed to the grantor, rather than to the trust. (Examples, the power to decide who receives income, the power to vote or to direct the vote of the stock held by the trust or to control the investment of the trust funds, the power to revoke the trust, etc.) All "revocable trusts" are by definition grantor trusts. Note that an "irrevocable trust" can be treated as a grantor trust if any of the grantor trust definitions contained in the U.S. Internal Code Sections 671, 673, 674, 675, 676, or 677 are met (the relevant Sections of the Internal Code can be accessed from the table of contents found at: [www.irs.gov/Tax-Professionals/Tax-Code,-Regulations-and-Official-Guidance](http://www.irs.gov/Tax-Professionals/Tax-Code,-Regulations-and-Official-Guidance) . If a trust is a grantor trust, then the grantor is treated as the owner of the assets, the trust is disregarded as a separate tax entity, and all income is taxed to the grantor

### **“Investment Entity”**

The term “Investment Entity” includes two types of Entities:

1) 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.

2) "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. (as in 1 above)

### **“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 (1) 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.



## Appendix - Instructions to self-certification form

### **“Non-Reporting Financial Institution”**

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

a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution; a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer; an Exempt Collective Investment Vehicle; or a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust; any other defined in a countries domestic law as a Non-Reporting Financial Institution.

### **“Participating Jurisdiction” (For CRS)**

A “Participating Jurisdiction” means a jurisdiction with which an agreement is in place pursuant to which it will provide the information set out in the CRS.

### **“Reportable Jurisdiction”**

A Reportable Jurisdiction is a jurisdiction with which an obligation to provide financial account information is in place. A list of jurisdictions that are reportable under the CRS is available at the following link: [www.oecd.org/ctp/exchange-of-tax-information/MCAA-Signatories.pdf](http://www.oecd.org/ctp/exchange-of-tax-information/MCAA-Signatories.pdf)

### **“Reportable Jurisdiction Person”**

A Reportable Jurisdiction Person is an Entity that is tax resident in a Reportable Jurisdiction(s) under the tax laws of such jurisdiction(s) - by reference to local laws in the country where the Entity is established, incorporated or managed. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. As such if an Entity certifies that it has no residence for tax purposes it should complete the form stating the address of its principal office.

Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to determine their residence for tax purposes.

### **“Reportable Person”**

A “Reportable Person” is defined as a “Reportable Jurisdiction Person”, other than:

a corporation the stock of which is regularly traded on one or more established securities markets; any corporation that is a Related Entity of a corporation described in clause (i); a Governmental Entity; an International Organisation; a Central Bank; or a Financial Institution (except for an Investment Entity described in Sub Paragraph A(6) b) of the CRS that are not Participating Jurisdiction Financial Institutions. Instead, such Investment Entities are treated as Passive NFE's.)

### **“Reporting Model 1 FFI”**

A Reporting Model 1 FFI is a Financial Institution classified for US FATCA purposes as a Foreign Financial Institution and that is located in a jurisdiction with which has signed a Model 1 Intergovernmental Agreement with the USA.

### **“Reporting model 2 FFI”**

A Reporting Model 2 FFI is a Financial Institution classified for US FATCA purposes as a Foreign Financial Institution and that is located in a jurisdiction with which has signed a Model 2 Intergovernmental Agreement with the USA.



## Appendix - Instructions to self-certification form

A list of jurisdictions that have entered into a FATCA Intergovernmental Agreements and their model type is available on the IRS website at: [www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA.aspx](http://www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA.aspx)

### **“Simple Trust”**

A trust where all income in the year must be distributed. No income can be accumulated for charitable purposes and no distributions in excess of income can be made for the year. (See also the definitions for Grantor and Complex Trusts)

### **“Specified Insurance Company”**

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

### **“TIN” (including “functional equivalent”)**

The term “TIN” means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the individual or Entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable TINs can be found at the following links

#### **OECD:**

[search.oecd.org/tax/automatic-exchange/tinsandtaxresidency/taxidentificationnumberstins/](http://search.oecd.org/tax/automatic-exchange/tinsandtaxresidency/taxidentificationnumberstins/)

#### **European Commission:**

[https://ec.europa.eu/taxation\\_customs/tin/tinByCountry.html](https://ec.europa.eu/taxation_customs/tin/tinByCountry.html)



## Appendix - Instructions to self-certification form

### Tax Residence

#### US citizenship/tax residence

In general, you are considered a tax resident of the US if your address is in the US, if you are a US citizen (inclusive of persons with dual citizenship), own real property in the US, have a valid work permit (a so-called "Green Card") or have permanent residence in the US. If you are a resident of the US, you may be liable to pay tax in this country.

#### Legal Entities

Generally, an entity will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction, it pays or should be paying tax therein by reason of its domicile, residence, place of management or incorporation, or other criterion of a similar nature, and not only from sources in that jurisdiction.

An Entity such as partnership, limited liability partnership, or similar legal arrangement that has no residence for tax purposes would generally be treated as resident at least in its place of effective management.

A trust would generally be treated as resident at least where one or more of its trustees is resident.

#### Branches of Entities

The tax residence of the Branch of an Entity is normally only in the country of tax residence of the Entity to which the Branch belongs.

#### When is an entity tax resident in another country?

The domestic laws of the other countries lay down the conditions under which an entity is to be treated as tax resident. They cover various forms of attachment to a country, which in the domestic tax laws, form the basis of a comprehensive taxation (full tax liability).

#### Natural Persons

Domestic laws of countries lay down the conditions under which Natural Person are considered Tax Resident

#### When is an individual tax resident in another country?

Each country has its own set of rules for determining tax residence. For more information about tax residency rules in a certain jurisdiction, please visit OECD's website via the following link:

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

If you have any questions as to how to determine your tax residency status, you should consult a tax advisor or your local tax authorities.





## Appendix - Instructions to self-certification form

### Sponsoring Entity (Managing Entity)

A managing entity (Sponsoring Entity) is an Entity that has registered with the Internal Revenue Service (IRS) and has agreed to fulfil the FATCA obligations on behalf of the Sponsored Entity

### More information:

You may find out more concerning the various Automatic Exchange of Information regimes, along with details of the information requested and exchanged by going to the following links:

Regarding the OECD Common Reporting Standard (CRS): [www.oecd.org/tax/automatic-exchange/](http://www.oecd.org/tax/automatic-exchange/)

Regarding the United States Foreign Account Tax compliance Act (FATCA): [www.gibraltarlaws.gov.gi/articles/2015s134.pdf](http://www.gibraltarlaws.gov.gi/articles/2015s134.pdf)

### Privacy Policy

The information in this form is collected by the bank for the following purposes:

- To be able to comply with our obligations under CRS, FATCA, and US withholding tax
- For verification of existing individual and account data held on record

The General Privacy notice from Trusted Novus Bank will give you a comprehensive overview about how we handle data, including information we may collect from our customers. We explain in detail about the information we hold, what we do with this data and when we share it outside of Trusted Novus Bank (and with whom). You can read more about your rights and how you can contact us if you have any queries or concerns around your data. In order to Assess our General Privacy Notice please refer to [www.trustednovusbank.gi](http://www.trustednovusbank.gi)