

**Tax residency Self-Certification for Entities
(under FATCA and the UK Intergovernmental Agreements)**

Please complete Sections 1, 2, 3 & 6 and if applicable 4 and 5

SECTION 1 – Institution information

Account/entity name

Registered address &
country of incorporation

Account number(s)

SECTION 2 – Country of residence for tax purposes

Please indicate all countries in which the Entity is incorporated/organised for the purposes of that country's tax and the relevant tax identification number (TIN) or functional equivalent.

If the entity is resident in the US, you must complete and return IRS Form W-9. Additional residencies should be listed in the table below.

Country	TIN
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

SECTION 3 – Entity classification for the purposes of FATCA or US IGAs

The Entity will either be a Financial Institution (FI) or a Non-Financial Foreign Entity (NFFE). If you are an FI please complete section A below. If you are an NFFE please complete section B below to determine the status of the Entity.

A The Entity is a Financial Institution

Please select the relevant classification:

Participating Foreign Financial Institution

☐

Registered Deemed Compliant (incl Reporting Model 1 FI)

☐

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SECTION 3 – Entity classification for the purposes of FATCA or US IGAs (continued)

- (a) i) If you have registered as an FI please provide your Global Intermediary Identification Number (GIIN)
ii) If you are a Sponsored Investment Entity please provide the GIIN of your sponsoring FI)

GIIN

Please confirm whether it is the GIIN of the Entity or Sponsoring Entity:

Own ☐ Sponsoring ☐ Name of Sponsor

or:

- (b) i) The Entity has applied, or is going to apply, for a GIIN (but has not yet received it) ☐
ii) The Entity is an 'Exempt Beneficial Owner' (e.g. International Organisations) ☐
ii) The Entity is a 'Certified or otherwise Deemed Compliant FI' (e.g. UK registered Charity or Charitable Trust) ☐
iv) The Entity is a 'Non-Participating FI' ☐
v) Other reason (please specify) ☐

B The Entity is NOT a Financial Institution

If the Entity is not considered an FI, it will be considered to be a NFFE. It can be Active, Passive, Direct Reporting or Sponsored Direct Reporting NFFE.

Please note that the concepts of a 'Direct Reporting NFFE' and a 'Sponsored Direct Reporting NFFE' are only applicable to the UK-US Agreement. Please confirm the status of the entity according to UK regulations:

Active NFFE ☐

Passive NFFE ☐ Please complete section 5 below

Direct Reporting NFFE ☐ GIIN

Sponsored Direct Reporting NFFE Sponsoring Entity GIIN

Name of Sponsor

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SECTION 4 – Classification for the purposes of the IGAs between the UK and the Crown Dependencies/Gibraltar

A If your classification is different for the purposes of the IGAs between the UK and the Crown dependencies/Gibraltar (e.g. a non-profit organisation) please specify your classification below:

B Please complete this section only if your entity is tax resident in Gibraltar, Guernsey, Jersey or the Isle of Man and you fall into one of the classifications below:

Non Reporting Financial Institution (e.g. Credit Union) ☐

Exempt Beneficial Owner (e.g. International Organisation) ☐

Non Specified Person (e.g. Reporting Financial Institution) ☐

SECTION 5 – ‘Passive NFFE’ Controlling Persons Self-Declaration of Residency

This section need not be completed where the Entity is declared as an FI or ‘Active NFFE’.

Does the Entity have controlling persons Yes ☐ No ☐

If ‘Yes’, please complete a ‘Controlling Person Return’ for each controlling person.

SECTION 6 – Declaration

- 1) I undertake to notify First Equity Limited promptly of any change in circumstances which causes the information contained herein to become incorrect or incomplete and to provide an updated declaration within 30 days of such a change in circumstances.
- 2) I am aware that in certain circumstances First Equity Limited may be obliged to share this information with UK tax authorities who may pass it on to other tax authorities.
- 3) I declare that the information provided in this form is, to the best of my knowledge and belief, accurate and complete.

Print Name

Signature

Date

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Controlling Persons Return

This Return should be completed where controlling persons exist and the Entity is not declared as an FI or 'Active NFFE'.

Account/entity name

Please complete for EACH controlling person, confirming ALL countries of tax residency and ALL Tax Identification Numbers. If a Controlling Person is a US citizen, US Green Card holder or US resident, you must include the United States in this table along with his/her US Tax identification Number.

Name

Address

Contact name

Home telephone no

Date of birth

Place of birth

Resident in the following countries income tax with the relevant tax identification number (TIN) or functional equivalent. Please indicate if a TIN is unavailable.

Country of tax residency	TIN (e.g. National Insurance/Social Security number)
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

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NOTES & INSTRUCTIONS

Completion of the Form

1. You must complete Sections 1, 2, 3 and 6 of the form and depending on your answers, either Section 4A, 4B and/or 5.
2. If you have indicated that you are tax resident in either Gibraltar, Guernsey, Jersey or the Isle of Man please complete Section 4 if applicable.
3. You must complete and sign the "Declaration Section".

Background

4. The UK International Tax Compliance (United States of America) Regulations 2014 came into force on 30th June 2014 and implement the UK-US Agreement to Improve International Tax Compliance and to implement the US Internal Code, commonly known as FATCA. Under the UK Regulations FIs must identify all reportable accounts and establish the tax residency of all account holders not just in respect of US persons. More background on the FATCA requirements in the UK can be found in HMRC's UK-US Guidance Notes at <http://www.hmrc.gov.uk/drafts/uk-us-fatca-guidance-notes.pdf>.
5. The UK has signed similar reciprocal agreements with the Crown Dependencies (CDs) - the Isle of Man (10 October 2013), Jersey and Guernsey (22 October 2013) - and Gibraltar (21 November 2013). The International Tax Compliance (Crown Dependencies and Gibraltar) Regulations 2014 came into force on 31 March 2014. Further details can be found at <http://www.hmrc.gov.uk/fatca>.
6. The UK-US Agreement and the UK-CD and Gibraltar Agreements require UK FIs to identify and report Financial Accounts held by US Specified Persons and held by Specified CD or Gibraltar Persons. First Equity Limited will meet its obligations by requesting a self-certification from entity account holders.
7. The scope of entity types for the purposes of the UK-US Agreement and the UK-Crown Dependency Agreements include the following (and are not limited to):
 - a) Corporations
 - b) Partnerships
 - c) UK branches of non-resident companies
 - d) Pension funds
 - e) Charities including non-profit organisations
 - f) Trusts

Purpose of the Self-Certification Form

8. First Equity requires you, as an account holder, to complete a self-certification in order to:
 - a) To establish your status where the FI cannot reasonably determine that the account holder is not a US Specified Person or is not a Specified CD or Gibraltar Person based on information in its possession or that is publicly available.
 - b) To establish the status of a FI that is neither a UK FI nor a Partner Jurisdiction FI (such as a Participating FI, a Deemed Compliant FI, an Exempt Beneficial Owner) or, in the case of a CD or Gibraltar, a Non-Resident Entity or a Non-Reporting FI.
 - c) To establish whether the Entity is an Active or Passive NFFE (Non-Financial Foreign Entity).
 - d) To establish the tax residence of a Controlling Person of a Passive NFFE.
 - e) If there is a relevant change of circumstance to indicate that the Entity's status has changed First Equity Limited is required to establish whether the account holder is a US Person or that they are no longer a US Person or to check whether it affects the status of the Account Holder for the purposes of the CD and Gibraltar Agreements.

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Detail

Section 1: Entity Information

Entity Name: Enter the full name of the Entity (the account holder).

Registered Address: Enter the permanent address where the Entity is resident including the postal code and country.

Country of Incorporation: If the Entity is a corporation enter the country of incorporation. If it is another entity type enter the country under the laws in which it is created.

Account Number(s): Where you are a new client you will not have an account number unless you hold additional accounts with First Equity Limited. Where you are an existing client please include all relevant account numbers.

Section 2: Country of residence for tax purposes

UK legislation requires First Equity Limited to collect certain information about each client's tax residence(s), and determine whether we are obliged to submit certain account information to the UK tax authorities, who may pass it on to other tax authorities. Please indicate **ALL** countries in which the Entity is resident for tax purposes and the associated tax identification numbers in the table provided.

'Tax residence' is determined by the laws of the relevant local jurisdiction and may depend on factors such as the place of incorporation, organisation, management and control, or other factors.

If you are unsure as to which country your Organisation is resident in for tax purposes please contact your tax advisor.

Country of tax residency: Enter the country where the Entity is resident for the purposes of that country's income taxation. If the Entity is tax resident in more than one country, please list each one separately.

If the Entity is resident in the United States you must complete and return an Internal Revenue Service (IRS) form W-9.

Tax Identification Number(s): Enter the tax reference number that your country of residence for tax purposes has issued you. Where a country does not issue a Tax Identification Number a "functional equivalent" may be used. For an entity it would include a business or company registration number or other similar form of identification.

Section 3: Entity classification for the purposes of FATCA or US IGAs

In general, the definition of a 'Financial Institution' is met by depository, custodial and insurance institutions, holding companies and investment entities. One example where an entity qualifies as an FI is where the entity's gross investment income equals or exceeds 50 per cent of the entity's total gross income and its assets are managed by a discretionary asset manager. If you are unsure about the Entity's classification for these purposes please contact your tax advisor.

Note; the below terms are as defined in section §1.1471 of the United States Treasury Regulations (adopted pursuant to US legislation commonly known as FATCA). However, if you are based in a country that has signed an IGA with the Internal Revenue Service (IRS) or any other jurisdiction's tax authority, there will also be equivalent 'FATCA' regulations issued by your local tax authority.

If the Entity fits the definition of 'Financial Institution' please complete Section A of the form ("The Entity is a Financial Institution"). If the Entity is a Non- Financial Foreign Entity (NFFE) please complete Section B of the Form.

A - The Entity is a Financial Institution

Where the Entity is a FI, First Equity Limited is obliged to verify that the Entity is a "compliant" FI. One way to verify that is to obtain a 'Global Intermediary Identification Number' (GIIN) from the Entity which First Equity Limited will validate against the IRS FFI Portal

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a) Please provide the respective GIIN, if either of the two cases below apply:

- i. **The Entity has registered as a “Financial Institution” with the US IRS, Please provide the Entity’s GIIN**
- ii. **The Entity is a ‘Sponsored Investment Entity - please provide the GIIN of the sponsoring entity**

A Sponsored Investment Entity does not need to register with the IRS and obtain a GIIN. Only the sponsoring FI will have to register with the IRS. Please provide the GIIN of the sponsoring FI. For more information, please see section 2.24 of HMRC’s UK-US Guidance Notes.

Please confirm whether it is the GIIN of the Entity (“Own”) or the GIIN of the Sponsoring FI: If it is the Entity’s GIIN, please tick the relevant box and if it is the GIIN of the Sponsoring FI please tick the relevant box and also put the name of the Sponsor in the relevant box.

If you have provided a GIIN you should proceed to the “Declaration Section” at the end of the form.

b) If the Entity cannot provide a GIIN, please tick the reason why:

- i. **The Entity has applied, or is going to apply, for a GIIN but has not yet received it**

Whilst most FIs will have applied and received a GIIN there may be cases where the FI is in the process of applying but not yet received it. If this is the case please tick this box.

Entities that have already registered as Foreign Financial Institutions (FFIs) will appear on the IRS FFI list at <http://apps.irs.gov/app/fatcaFfiList/flu.jsf>.

- ii. **The Entity is an ‘Exempt Beneficial Owner’**

Examples of this category include Foreign Governments and their agencies, offices of certain International Organisations and UK Governmental Organisations.

For a full list of exempt beneficial owners, please see the relevant section of HMRC’s UK-US Guidance Notes.

- iii. **The Entity is a “Certified or otherwise Deemed Compliant FFI”**

The most common example for this category is a UK registered charity. For other examples, see section the relevant section of HMRC’s UK-US Guidance Notes.

- iv. **The Entity is a “Non-Participating FI”**

The Entity may be a Non-Participating FI if it is located in a jurisdiction that does not have an IGA with the US and the FI has not entered into a FATCA Agreement with the IRS. See relevant section of HMRC’s UK-US Guidance Notes.

Please note that ticking this box will increase the amount of withholding tax deducted where the entity receives US sourced income. We may also be obliged to report details of this account to HMRC.

- v. **Other reason (please specify)**

Please explain in the box if there is another reason why you believe that the Entity does not require a GIIN. **As with iv. above this will increase the amount of withholding tax deducted from the Entity’s US sourced income and we may also be obliged to report details of this account to HMRC.**

B - The Entity is not a Financial Institution

If the Entity is not a Financial Institution, it will be a ‘Non-Financial Foreign Entity’ (“NFFE”). An NFFE is either an active or passive NFFE.

Active NFFE: The most common example of an Active NFFE is a Trading Company that meets certain conditions such as an active income test.

The criteria for determining an Active NFFE are in the relevant section of HMRC’s UK-US Guidance Notes. If your organisation is such an entity please tick the relevant box and proceed to the “Declaration Section” at the end of the form.

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Passive NFFE: If your organisation is not an Active NFFE or an FI, it will be a Passive NFFE and you should tick the relevant box.

Direct Reporting NFFE: The US Regulations introduce a new category of Passive NFFE, a Direct Reporting NFFE. It will be treated as an Exempt Beneficial Owner and must to report certain information about its direct or indirect substantial US owners. The NFFE will also be required to register with the IRS to obtain a GIIN.

Sponsored Direct Reporting NFFE: The US Regulations also allow an Entity to sponsor one or more Direct Reporting NFFEs (Sponsored Direct Reporting NFFEs).

The final two categories of NFFE only apply to the UK-US Agreement and not to the UK-CD/Gibraltar Agreements.

Section 4A: Entity classification for the purposes of the IGAs between the UK and the Crown Dependencies/Gibraltar

Please complete this section if you consider your classification under the IGAs between the UK and the Crown Dependencies/Gibraltar to be different compared to that under the UK-US IGA.

For example, this may be the case if you are an NFFE based in US territories, a non-profit organisation, or a Governmental Entity.

Section 4B:

You will be required to complete this section only if you believe you are one of the following, otherwise we will assume your entity is a Specified Person for the purposes of the IGAs between the UK and the Crown Dependencies/Gibraltar:

Non-reporting Financial Institution (e.g. Local Credit Union): The definition of a Non-Reporting Financial Institution is more limited under the UK-CD/Gibraltar IGAs compared to the UK-US IGA. Details of Non-reporting Financial Institutions and the requirements they must satisfy to be classified as such are contained in Annex III of the relevant Agreements which can be accessed via <http://www.hmrc.gov.uk/fatca/>. They include local credit unions, financial institutions with only low value accounts, qualified credit card issuers as well as trustee-documented trusts, and certain sponsored investment entities and vehicles and certain investment advisors and investment managers. If your organisation is such an entity please tick the relevant box and proceed to the "Declaration Section" at the end of the form.

Exempt Beneficial Owner (e.g. International Organisation): The definition of an Exempt Beneficial Owner is very similar under the UK-CD/ Gibraltar IGAs compared to the UK-US IGA and includes Governmental Entities, International Organisations and "Broad Participation Retirement Funds". If your organisation is such an entity please tick the relevant box and proceed to the "Declaration Section" at the end of the form.

Non Specified Person: A corporation whose stock is regularly traded on one or more established securities markets, a corporation that is a member of the same affiliated group as such a corporation, a depository institution, a broker or dealer in securities, commodities, or derivative financial instruments (including principal contracts, futures, forwards and options) that is registered under the laws of your jurisdiction or an exempt beneficial owner (as defined below).

Section 5: Passive NFFE Controlling Persons Self-Declaration

If you have declared the Entity to be an FI or 'Active NFFE' in Section 3 above – you do not need to complete this section. Otherwise, the Entity will be considered a 'Passive NFFE'.

UK legislation based on international tax exchange agreements requires First Equity Limited to identify all controlling persons of a 'Passive NFFE', determine their tax residences, and determine whether we are obliged to submit certain account information regarding such controlling persons to UK tax authorities, who may pass it on to other tax authorities.

Therefore, section 5 needs to list all "controlling persons*" in the table provided.

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The term “Controlling Persons” means the natural persons who exercise control over an entity and shall be interpreted in a manner consistent with the Recommendations of the Financial Action Task Force (FATF). Please refer to the following link: <http://www.fatf-gafi.org/topics/fatfrecommendations/>

documents/internationalstandardscombatingmoneylaunderingandthefinancingofterrorismproliferation-thefatfrecommendations.html. A controlling ownership interest depends on the ownership structure of the company.

First Equity Limited will require you to notify all controlling persons with a 10 per cent or greater ownership.

Name: Enter the full name of the controlling person(s).

Country of Tax Residency: Enter in full the name of the country in which you are resident for tax purposes.

Address: Enter the permanent residential address. Your permanent residence address is the address in the country where you claim to be resident for the purposes of that country’s income tax.

Tax Identification Number: Enter the tax reference number that your country of residence for tax purposes has issued you. Where a country does not issue a Tax Identification Number a “functional equivalent” may be used. For an individual this would include, for example, a social security number (such as in Guernsey, Jersey, Gibraltar) or national insurance number (such as in the Isle of Man), or personal identification number or a resident registration number.

Date of Birth: Enter date of birth.

Place of birth: Enter the country in which the controlling person was born. Abbreviations may be used. For example, for individuals born in the United Kingdom, enter “UK”.

Section 6: Declaration

Please ensure you sign and date this section.