



## Self certification form

### TAX DETAILS – ENTITY

This form is required as part of compliance with the International Tax Compliance Regulations 2015.

#### How to complete this form

If completed by e-signature please follow the instructions as requested. If completed by hand, please complete this form in BLOCK CAPITALS using black ink and return the completed application to your private banker or wealth manager. For help, please see our **Automatic Exchange of Information Glossary**, found at the back of this form or for further information ask your private banker for a copy of our leaflet.

**If you would like this document in another format such as Braille, large print or audio, please let us know.**

#### Tax compliance and tax information sharing

We require you to be compliant with both the letter and the spirit of applicable tax laws, as well as deal with us on an open and transparent basis. You are solely responsible for your own tax affairs and you should seek independent tax advice from a professional tax adviser as appropriate to ensure you remain compliant.

You should be aware that if an Entity or its Controlling Persons are Reportable Persons, we may be required to disclose some of the information you provide to us. Whether we disclose your information depends upon the Entity's FATCA and CRS Classifications and the tax residence of the Entity, and/or its Controlling Persons.

#### How we will use your information

Before continuing with this application, please read the information below which explains how we and others will use your personal and financial information during this application process. When we use and share personal and financial information, we do so on the basis that we have a legitimate interest to prevent fraud and money laundering, to manage our risk and to protect our business and to comply with laws that apply to us (including verifying your identity and assessing the suitability of our products).

For full details about how we use the personal and financial information of our clients, please see our full privacy notice at [coutts.com/privacynotice](https://coutts.com/privacynotice).

#### 1. Your Entity

Entity name

Nature of business

Address line 1

Address line 2

Address line 3

Address line 4 OR  
overseas country

Postcode

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### 2. Tax Details

Is the Entity a US Person?

Yes ☐

No ☐

If 'Yes', please complete the Internal Revenue Service W-9 form which your private banker can provide.

Please detail all countries in which your entity is currently resident for tax purposes, as well as the local tax number(s) for each.

Countries of tax residence (including the UK)

Tax number or functional equivalent  
(eg. UTR, TIN)

No tax number  
held\*

1.

☐

2.

☐

No country of tax residence\* ☐

\*Please provide an explanation where the entity has no country of tax residence or no tax number is held (tax number will be required once available):

### 3. FATCA/CRS Classification

Courtts is required to capture your Entity Classifications in line with the FATCA and CRS regulations. An Entity Classification is based primarily on the nature of your business activities, income and assets, and tax residence(s).

#### 3.1 Is your Entity a Financial Institution under FATCA and CRS\*?

☐

Yes – please complete 3.2 AND 3.3

☐

No – please move to 3.4

\* If the entity's classification differs between FATCA and CRS (eg. the entity is an Investment Entity under FATCA and a Passive NFE under CRS) then please complete 3.2 and 3.3 if a Financial Institution under FATCA and specify the alternative classifications at 3.5.

#### 3.2 For a Financial Institution to complete (Please tick ONE)

a. Financial Institution – Managed Investment Entity

☐

b. Financial Institution – Other than a Managed Investment Entity

☐

This includes Depository Institutions, Custodial Institutions, Specified Insurance Companies and Activity Based Investment Entities.

#### 3.3 Global Intermediary Identification Number (GIIN)

If you are a Financial Institution under FATCA and have a GIIN, please provide:

GIIN/Sponsor/Trustee's GIIN  -  -  -

Sponsor/Trustee's Name

If you do not have a GIIN, please select one reason why below:

i. It is a Financial Institution that has applied for a GIIN but not available yet

☐

ii. It is a Certified Deemed Compliant Foreign Financial Institution (eg. investment managers/advisers, etc.)

☐

iii. It is an Owner Documented Financial Institution\* (Please also complete Section 4)

☐

iv. Other (please state):

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**\*Owner Documented Financial Institution agreement and declaration:**

By selecting Owner Documented Financial Institution, you are asking Coutts to undertake FATCA reporting on your behalf, based on the information provided. Please note that obligations under FATCA legislation remain with your Entity. Coutts' responsibility is limited to reporting the accounts held with us. As a Financial Institution you will need to consider your own reporting obligations that may be required, separately, under CRS should you have any 'Controlling Persons' who are considered Reportable Persons.

By selecting this option you are declaring that: the Entity does not maintain a Financial Account for any Non-Participating Financial Institution; and, the Entity is not owned by, nor is it a member of a group of Related Entities with any Financial Institution that is a Depository Institution, Custodial Institution or Specified Insurance Company.

### 3.4 For a Non-Financial Entity to complete

If you are not a Financial Institution, you will be a Non-Financial Entity (NFE). An NFE will be either Active or Passive. Please see our **Automatic Exchange of Information Glossary**, found at the back of this form for further information.

**Active NFE** (please select either ONE Active NFE option or Passive NFE below):

- |  |                          |
|--|--------------------------|
| i. Active NFE – Actively trading Entity  | <input type="checkbox"/> |
| ii. Active NFE – Government Entity/International Organisation  | <input type="checkbox"/> |
| iii. Active NFE – A corporation, the stock of which is regularly traded on an established securities market, or a Related Entity of such a corporation | <input type="checkbox"/> |
| iv. Active NFE – Other   | <input type="checkbox"/> |

OR

### Passive NFE (please also complete Section 4)

### 3.5 CRS Classification (only required where FATCA/CRS classifications differ)

[illegible]

#### 4. Controlling Persons

Only complete if you are a Passive NFE or Owner Documented Financial Institution (ODFI) as per Section 3. If this does not apply please move onto Section 5.

Please detail all countries in which the Controlling Person is a resident for tax purposes, as well as the local tax number(s) for each. Please note, that even if you are not currently paying tax in a country, or have no tax number, you could still be a resident for tax purposes in that country.

## Controlling Persons Definitions

### Passive NFE:

- Any natural person with 25% (10% in certain circumstances) or more ownership interest of the Entity, including indirect ownership interests through a group structure;
- If there is no natural person meeting the above criteria for an entity that is not a trust, a Senior Managing Official (eg. a natural person with ultimate effective control over the Entity);
- For Trusts, any natural person who is a settlor, protector, trustee, mandatory beneficiary or any other beneficiary identified for AML purposes. This includes scenarios where an entity is owned by a Trust;
- Managing Partner of a Limited Partnership.

**ODFI:**

- Any natural person holding any equity and/or debt interest in the Entity, as found when looking through the overall ownership structure. An exception to this is where a natural person holds their interest through a US Entity or a Financial Institution.

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## Controlling Person 1

Name

Address

Postcode

Date of birth

Is the Controlling Person a US Person?

Yes ☐

No ☐

Countries of tax residence (including the UK)

Tax number or functional equivalent  
(eg. National Insurance Number, UTR, TIN)

No tax number  
held\*

1.

☐

2.

☐

3.

☐

No country of tax residence\*

☐

\*Please provide an explanation where no country of tax residence or no tax number is held (tax number will be required once available):

## Controlling Person 2

Name

Address

Postcode

Date of birth

Is the Controlling Person a US Person?

Yes ☐

No ☐

Countries of tax residence (including the UK)

Tax number or functional equivalent  
(eg. National Insurance Number, UTR, TIN)

No tax number  
held\*

1.

☐

2.

☐

3.

☐

No country of tax residence\*

☐

\*Please provide an explanation where no country of tax residence or no tax number is held (tax number will be required once available):

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### Controlling Person 3

Name

Address

Postcode

Date of birth

Is the Controlling Person a US Person?

Yes ☐

No ☐

Countries of tax residence (including the UK)

Tax number or functional equivalent  
(eg. National Insurance Number, UTR, TIN)

No tax number  
held\*

1.

☐

2.

☐

3.

☐

No country of tax residence\*

☐

\*Please provide an explanation where no country of tax residence or no tax number is held (tax number will be required once available):

### Controlling Person 4

Name

Address

Postcode

Date of birth

Is the Controlling Person a US Person?

Yes ☐

No ☐

Countries of tax residence (including the UK)

Tax number or functional equivalent  
(eg. National Insurance Number, UTR, TIN)

No tax number  
held\*

1.

☐

2.

☐

3.

☐

No country of tax residence\*

☐

\*Please provide an explanation where no country of tax residence or no tax number is held (tax number will be required once available):

5. Declaration

I certify that the information recorded in this document is complete and correct. I confirm that the Entity agrees to notify Coutts of any changes to the information provided within 30 days of the change.

I declare to Coutts that the Entity is or will be the beneficial owner of the assets within the account. I further declare that the Entity has and will continue to comply with and meet all of its tax obligations in each country in which it has tax responsibilities. I also declare that I have no reason to believe that any of the Controlling Persons have not fully complied with their relevant tax obligations.

This declaration must be signed and dated by one of the following, as applicable:

- Director of a company;
- Partner of a partnership;
- Trustee of a trust;
- Any person holding an equivalent title to any of the above for all other entities.

Signature(s)

Date

D

D

M

M

Y

Y

Y

Y

Name

Position

The definitions below are designed to support our Entity clients in understanding the terms used in our Self Certification forms. They are not designed to constitute advice and we encourage you to contact your tax adviser if you require further assistance with these definitions, or with completing your Self Certification form.

### **Active Non–Financial Entity (NFE)**

The most common type of Active NFE is an Actively Trading Entity. ‘Actively Trading’ for FATCA and CRS Entity Classification is determined primarily based on income type, in particular looking at any Passive Income received by the Entity, rather than the activities undertaken by the Entity.

Other types of Active NFE can include the following, providing they meet certain conditions

- Non-profit organisations
- Governmental Entities
- International Organisations, and
- Companies that are listed on an established securities market (or their Related Entities).

### **Actively Trading Entity**

The most common type of Active NFE that Coutts encounters. An Actively Trading Entity derives more than 50% of its gross income from an active trade or source (that is not Passive Income such as rents, royalties and investment income), and more than 50% of the assets held by the Actively Trading Entity cannot produce or be held for the production of Passive Income.

### **Certified Deemed Compliant Foreign Financial Institution**

A Certified Deemed Compliant FFI means an FFI that has certified as to its status as a deemed compliant FFI by providing a withholding agent with the documentation applicable to the relevant deemed compliant category. A certified deemed compliant FFI is not required to register with the IRS.

### **Custodial Institution**

A Custodial Institution is a Financial Institution which holds financial assets for the account of others as a substantial portion (at least 20% of the entity’s gross income that is attributable to holding financial assets and providing related financial services) of its business.

### **Depository Institution**

A Depository Institution is an institution that accepts deposits in the ordinary course of a banking or similar business.

### **FATCA/CRS Classification**

The purpose of an Entity Classification is to determine whether either an Entity or its Controlling Persons will be reportable under FATCA or CRS. Entity Classifications can be complex and may differ between FATCA and CRS. As such we encourage you to seek advice from your tax adviser.

### **Financial Institution**

A Financial Institution is defined as, a Depository Institution, Custodial Institution, Specified Insurance Company, Managed Investment Entity or Activity Based Investment Entity.

### **Financial Institution – Activity Based Investment Entity**

An Investment Entity is 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, interest rate and index instruments, transferable securities, or commodities 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.

### **Financial Institution – Managed Investment Entity**

A Managed Investment Entity is an entity that is managed by another Financial Institution if the managing Entity performs, either directly or through another service provider, any of the above activities or operations (See Activity Based Investment Entity) on behalf of the managed Entity; and

At least 50% of the managed entity’s income is attributable to investing, reinvesting or trading in financial assets in the shorter of:

- (i) The three year period ending on 31st December in the year preceding that in which its status as an investment entity is to be determined; or
- (ii) The period in which the entity has been in existence.

Examples of Entities which are managed by Financial Institutions include those with a fund manager or corporate trustee. An Entity can also be deemed to be managed by Coutts if it holds a discretionary managed product (such as Coutts Tailored Portfolio Service).

### **GIIN (Global Intermediary Identification Number)**

A 19-character identification number issued to Financial Institutions who register online with the US Internal Revenue Service for FATCA purposes.

### **Owner documented Financial Institution**

A concept under FATCA which allows one Financial Institution to report information on behalf of another Financial Institution. Typically, this classification applies to Private Investment Companies and Trusts which are Financial Institutions due to the nature of their investment management relationship with Coutts, and/or other Financial Institutions. In these instances, Coutts is able to report information relating to US persons under FATCA on behalf of the Entity, providing certain declarations and disclosures are made. Reporting is only undertaken by Coutts in relation to the accounts held with Coutts. It is the Owner Documented Financial Institution’s responsibility to ensure reporting is undertaken for accounts held elsewhere. No equivalent concept exists under CRS.

### **Passive NFE**

A passive NFE is any NFE that is not an Active NFE. This is most commonly seen where the majority of either its income, or the assets it holds for the production of income, is passive. Please also see the definition of Passive Income.

Under CRS a Passive NFE includes an Investment Entity which is Managed by a Financial Institution and not located in a CRS Participating Jurisdiction.

### **Passive Income**

As the term suggests, passive income is derived from investing in assets rather than from activities carried on in the normal course of a trade or business. Passive income generally includes, but is not limited to: dividends, interest, property rents, royalties and gains from the sale or exchange of property that gives rise to passive income.

Where the income described above is received by a NFE and is accounted for, or is taxable as, income from trading activities it should not be included in gross income as passive income.

### **Specified Insurance Company**

An Insurance Company will be treated as a Specified Insurance Company only when it writes or manufactures cash value insurance or annuity contracts, or if payments are made with respect to such contracts.

### **Tax Number (including 'functional equivalent')**

A unique combination of letters and/or numbers assigned by a jurisdiction to a tax resident for the purpose of administering the tax laws of such jurisdiction. For UK entities, this will be the Unique Tax Reference which is made up of 10 digits and can be found on documentation issued by HMRC such as the Tax Return, Notice to Complete a Tax Return or a Statement of Account.

### **Tax Residence**

The definition of Tax Residence can be complex and varies from country to country. In general, this will be the countries in which an individual or Entity may be deemed resident, based on the Tax Residence rules for those countries. Where our clients are unsure about their Tax Residence, we strongly recommend they speak with a professional tax adviser.

For Automatic Exchange of Information purposes a trust will generally be considered resident in the country in which one or more of its trustees are resident.

### **US Person**

Any United States (US) citizen or resident, any partnership or corporation created or organised in the United States or under Federal or State US Law, any US estate, any US trust or any non-US insurance company that has elected to be treated as a US corporation.

A Trust is considered a US Person for tax purposes where a US court would have authority to render orders or judgements concerning the administration of the Trust and one or more US Persons have the authority to control all substantial decisions of the Trust.

**This document is based on our understanding of the current tax law and practice and is not intended to constitute definitive tax advice.**