

# Automatic Exchange of Information

## Introduction and overview

The Automatic Exchange of Information (AEOI) based on the Common Reporting Standard (CRS) is the result of the efforts by the G20 nations to develop a global standard for improving transparency in the fight against tax evasion. AEOI requires participating jurisdictions to obtain information from their financial institutions and automatically exchange that information with other jurisdictions on an annual basis. AEOI became effective in 2016 and has since been implemented by more than 100 jurisdictions.

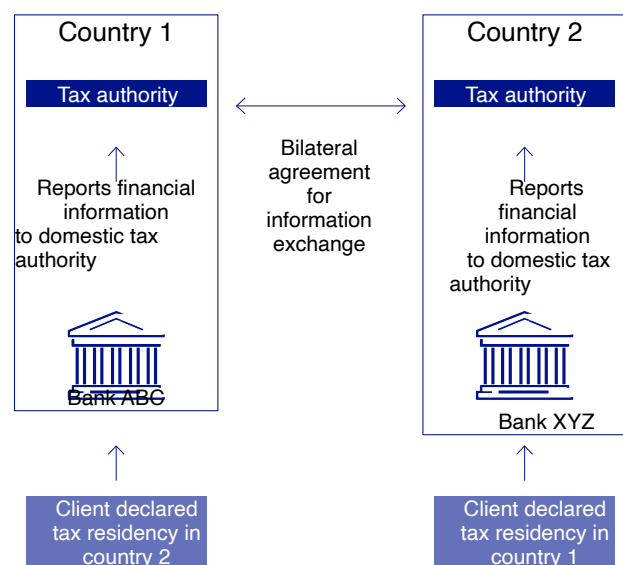
AEOI regulations require banks such as Aura Solution Company Limited (Aura) to document their clients' tax status and, if required, report certain client information and related financial account information to the relevant tax authorities.

### Identifying and disclosing Reportable Persons

AEOI objectives are:

- to identify clients holding assets in financial accounts outside their country of tax residence (so-called Reportable Persons); and
- to provide information about those clients and their financial accounts to the domestic tax authorities.

A Reportable Person, for the purposes of AEOI, is a person who is resident in a country committed to AEOI (Participating Jurisdiction) and holds a financial account with a financial institution in a Participating Jurisdiction outside their country of tax residence. Information will only be shared if the two countries have agreed to exchange information (AEOI partner states). Therefore, the first general rule for identifying a Reportable Person is the existence of an AEOI agreement between the client's country of tax residence and the country where the financial account is held. If no agreement exists, the client is not within the scope of AEOI.



With AEOI, information regarding Reportable Persons and Reportable Accounts is delivered by the financial institutions to the domestic tax authorities. The domestic tax authorities then exchange the information with the tax authorities in the client's country of tax residence. It is worth noting that CRS is neither a tax calculation nor a tax-withholding regime, as it only requires data to be exchanged.

### Clients in scope

A client who holds a financial account at a bank in a country outside their country of tax residence falls within the scope of the due diligence and reporting requirements as set out in CRS and requires closer scrutiny. The due diligence and reporting (i.e. disclosure) requirements apply to accounts held by both individuals and legal entities.

A client (individual or legal entity) is subject to AEOI if the client's country of tax residence is not the country in which the client holds a financial account with Aura (e.g. a UK resident client holding an account with Aura Solution Company Limited (Aura) ., Zurich); and

- these countries have agreed to exchange data under AEOI (e.g. the UK and Thailand have implemented an intergovernmental agreement); and
- in the case of a legal entity / corporate client, the entity is not exempt from AEOI reporting.

### Documentation requirements for clients

If an AEOI agreement exists, the bank maintaining the account has to assess if such a client is subject to reporting under AEOI. For new accounts, the bank will collect the necessary information, such as the client's country of tax residence (e.g. self-certification), on forms which will be part of the account-opening set.

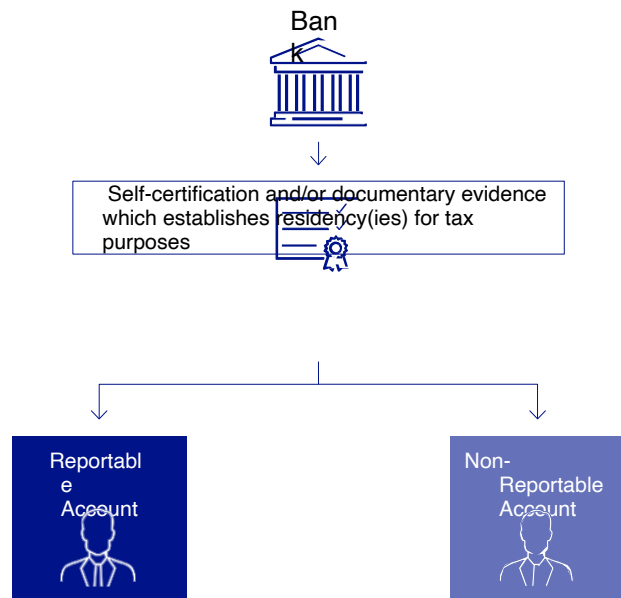
### AEOI procedure for the identification of individual clients

For individual accounts, the named account holder of a custody or deposit account could qualify as a Reportable Person under AEOI.

Account holders with individual accounts become Reportable Persons by virtue of their country of tax residence and/or by certain criteria indicating a link to a Reportable Jurisdiction. Generally, client information suggesting possible residence in a given jurisdiction includes:

- a) a current mailing or residence address (including a post office box) in a Reportable Jurisdiction;
- b) one or more telephone numbers in a Reportable Jurisdiction;
- c) standing instructions (other than with respect to a depository account) to transfer funds to an account maintained in a Reportable Jurisdiction;
- d) a currently effective power of attorney or signatory authority granted to a person with an address in a Reportable Jurisdiction; or
- e) a 'hold mail' instruction or 'in-care-of' address in a Reportable Jurisdiction if the bank does not have any other address of the account holder on file.

Should any of these criteria indicate a link to a Reportable Jurisdiction, the account holder will be asked to provide further documentation to confirm their country(ies) of tax residence for the purposes of AEOI.



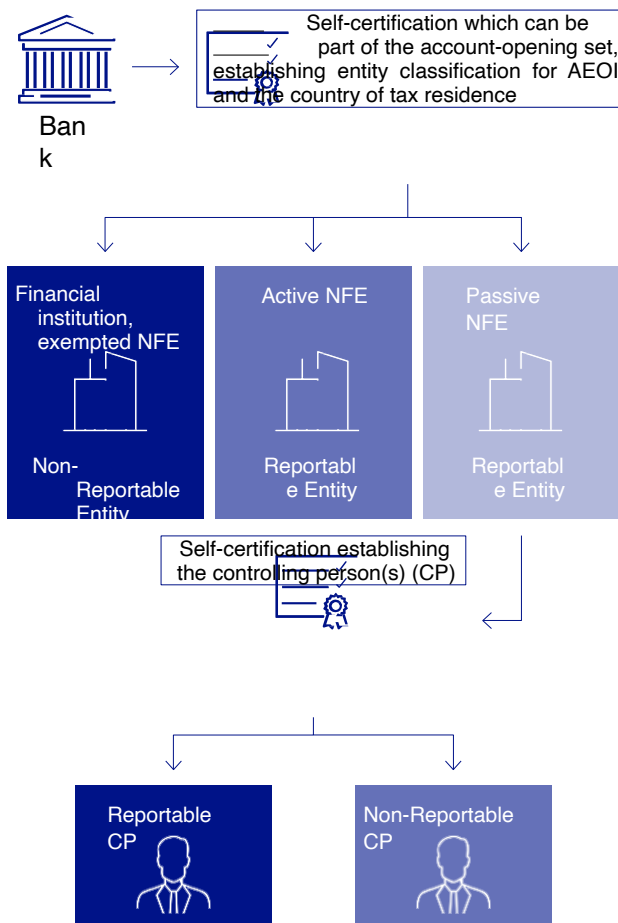
In joint account structures with several account holders, some of whom are Reportable and others Non-Reportable Persons, the personal information of the Non-Reportable Person will not be reported. However, the whole account (including all financial information without splitting) will be disclosed and reported for the Reportable Person.

If several joint account holders are Reportable Persons, the account will be reported to each relevant jurisdiction.

### AEOI procedure for the identification of legal entity clients

Legal entity clients become Reportable Persons depending firstly on their entity classification under AEOI and secondly on their country of tax residence. For certain entity types, the individual controlling person behind an entity must be identified as well.

Both pieces of information will have to be indicated by the legal entity account holder.



Certain legal entities can be classified as Non-Reportable Accounts irrespective of their country of tax residence, such as financial institutions (custodial and depositary institutions), investment entities, specified insurance companies) or exempted Non-Financial Entities (NFEs). For example, trusts with a gross income which is primarily attributable to investing, reinvesting, or trading in financial assets, which are professionally managed by a corporate trustee or have a discretionary mandate at a bank, and which are resident in a Participating Jurisdiction qualify as a financial institution under CRS.

NFEs qualify as exempted if they are a corporation whose stock is regularly traded on one or more established securities markets or any legal entity that is a related entity of a corporation whose stock is regularly traded on an established securities market, a governmental entity, an international organisation, or a central bank or an entity wholly owned by one or more of the foregoing.

Accounts held by entities classified as active Non-Financial Entities (active NFEs) are Reportable Accounts by virtue of the entity's country of tax residence.

Entities which qualify as active NFEs

are active NFEs by reason of income and assets: less than 50% of the NFE's gross income for the preceding calendar year or other appropriate reporting periods is passive income and less than 50% of the assets held by the NFE during the preceding calendar year or other appropriate reporting periods are assets that produce or are held for the production of passive income;

- holding NFEs that are members of a non-financial group;
- start-up NFEs;
- NFEs in liquidation or emerging from bankruptcy;
- treasury centres that are members of a non-financial group; or
- non-profit NFEs.

Accounts held by entities classified as passive Non-Financial Entities (passive NFEs) are Reportable Accounts by virtue of the entity's country of tax residence and/or by virtue of the country of tax residence of the controlling person(s).

A passive NFE is an NFE that is not active; e.g. it is an entity whose gross income is primarily ( $\geq 50\%$ ) passive income or whose assets are primarily ( $\geq 50\%$ ) held to produce or expected to produce passive income. This can include trusts, foundations, partnerships, and companies. Entities that fulfil the criteria of an investment entity can also be classified as passive NFEs in case the country of tax residence is not a Participating Jurisdiction.

**Reportable information**

The following will be reported for both individual and legal entity account holder(s):

- personal information on the Reportable Person, i.e. name, address, tax identification number (TIN), date of birth (for individual account holder[s]) and controlling person[s]; and
- financial account information, i.e. account number, aggregate balance or value of the account at the end of the calendar year, total gross amount of interest, dividends, and other income, as well as total gross proceeds from the sale or redemption of financial assets.

## AEOI terms and definitions

### Reportable Account

The term Reportable Account means an account held by one or more Reportable Persons or by a passive NFE with one or more controlling persons who is (are)

(a) Reportable Person(s).

### Reportable Person

A Reportable Person is an individual or a legal entity that is resident for tax purposes in a Reportable Jurisdiction.

### Reportable Jurisdiction

A Reportable Jurisdiction is a jurisdiction with which an agreement is in place pursuant to which there is an obligation for the Automatic Exchange of Information according to CRS.

### Reporting Financial Institution

Reporting Financial Institutions (FIs) are depository institutions, custodial institutions, investment entities, and specified insurance companies. For example, a private investment company qualifying as an investment entity for AEOI purposes is a Reporting FI and would need to report its debt and equity interest holder(s) as account holder(s).

## Disclosed data is used by tax authorities for information purposes

Generally, the information exchanged may be made available only to tax authorities of an AEOI partner state in which the Reportable Person is resident and may be used only for tax purposes. In principle, the receiving AEOI partner state is prohibited from forwarding the information received to another jurisdiction

and must treat it confidentially. Generally, the receiving AEOI partner state may make this information available only to persons and authorities responsible for handling or supervising taxation in that country.

## Relation to income tax laws of the receiving AEOI partner state

Financial information exchanged under AEOI does not replace tax-filing obligations. It is very likely that the reportable amounts under CRS do not correspond with the taxable income and/or wealth according to the applicable tax law in the Reportable Person's (Persons') country(ies) of tax residence.

## Contact

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## Important legal information

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## CONFIRMATION OF RESIDENCE FOR TAX PURPOSES FOR LEGAL ENTITIES (INCLUDING GENERAL AND LIMITED PARTNERSHIPS)

Title of account/custody account

Account/Custody account no.

### Legal Entity Identification for AEOI, FATCA and QI purposes

(please provide the details regarding the legal entity, the trust, the partnership or the foundation, whichever applies)

Company/Trust/Partnership/Foundation name

Main residence address (Street, no.)

Postal code

City

Country

Legal form

Incorporated under laws of (country)

Date of incorporation

Tax Identification Number (TIN)

In case no TIN can be provided, please provide an explanation:

The country does not issue a TIN

Other reason: \_\_\_\_\_

### A Tax Residence Information

If, under the applicable tax residence rules and laws, the entity is not considered to be a tax resident in the country of incorporation, please indicate the country of tax residence:

Country of tax residence

Reason for the difference (please tick the appropriate box): Place of

effective management

Other reason: \_\_\_\_\_

TIN /Functional equivalent

In case no TIN can be provided, please provide an explanation: Country

does not issue a TIN

Other reason: \_\_\_\_\_

### B Automatic Exchange of Information (AEOI) Classification

Based on the OECD Common Reporting Standard (CRS) and the according Thailand law the bank is obliged to report entities, classifying as "Reportable Accounts", to the Thailand Federal Tax Authority (FTA) which may share this information with the competent foreign tax authorities. "Reportable Accounts" are active non-financial entities (active NFE), passive non-financial entities (passive NFE) or passive non-financial entities with at least one "reportable controlling person" (individual) tax resident in a reportable jurisdiction (a jurisdiction with which Thailand has executed a bilateral agreement, pursuant to which the automatic exchange of information according to CRS becomes effective).

Please indicate the status which applies to your organization (for details see AnnexA):

**I Financial institution (FI) – Professionally Managed Investment Entity** tax resident in a participating jurisdiction, as defined by the Thailand authorities.

**NOTE:** if the entity is a professionally managed investment entity tax resident in a non-participating jurisdiction at the time of signing this form, the account holder is considered a passive NFE.



- II. Financial institution (**FI**) – any other
- III. Active nonfinancial entity (**Active NFE**) **IV**
- Passive nonfinancial entity (**Passive NFE**)  
Please provide also a “Controlling Person Statement”

**C. FATCA Classification**

Based on the Foreign Account Tax Compliance Act (FATCA) and the according Thailand law the bank is obliged to determine whether an entity is considered a “US Account” or a “non US Account”. “US Accounts” are subject to disclosure to the competent US authorities (IRS).

Please indicate the applicable FATCA status. Only one option applies.

**1. US Entity**

US Entity

- A U.S. entity is (a) a partnership or corporation organized in the U.S. or under the laws of the U.S. or any State thereof, (b) a trust if (i) a court within the U.S. would have authority under applicable law to render orders or judgments concerning substantially all issues regarding the administration of the trust, and (ii) one or more U.S. persons have the authority to control all substantial decisions of the trust, (c) or an estate of a decedent that is a citizen or resident of the U.S.

If the entity classifies as a US entity, please provide a W-9, a QI/FATCA Waiver concerning Thailand bank-client confidentiality in addition to this form and disregard the rest of the form, proceeding directly to the signature.

**2. Financial Institutions**

Participating FFI (fill in C.3.1) Reporting

Model 1 FFI (fill in C.3.1) Reporting

- Model 2 FFI (fill in C.3.1)
- Registered deemed compliant FFI (fill in C.3.1)
- Sponsored FFI (fill in C.3.1 and C.3.2)
- Certified deemed-compliant non-registering local bank Excepted
- interaffiliate FFI
- Territory Financial institution
- Nonreporting IGA FFI according to the IGA between USA and
- 
- 

\_\_\_\_\_ treated as a

\_\_\_\_\_ (fill in C.3.1 and C.3.2 where available/required)

- Certified deemed-compliant FFI with only low-value accounts
- Certified deemed-compliant sponsored, closely held investment vehicle (fill in C.3.1 and C.3.2)
- Certified deemed-compliant limited life debt investment entity
- Certain investment entities that do not maintain financial accounts
- Owner-documented FFI (please provide an owner reporting statement)
- Restricted distributor
- Exempt retirement plans

**3. Global Intermediary Identification Number (GIIN)**

- 1. Please indicate the Entity’s (own, respectively sponsored) GIIN:

\_\_\_\_\_ C.3.2 Please identify the sponsoring entity

\_\_\_\_\_ Name of the sponsoring Entity

**C.4 Active Non-Financial Foreign Entities**

- Foreign government, government of a U.S. possession, or foreign central bank of issue
- International organization
- Active NFFE
- Nonprofit organization
- Excepted territory NFFE
- Sponsored direct reporting NFFE (fill in C.3.1 and C.3.2) Excepted nonfinancial entity in liquidation or bankruptcy 501(c) organization
- Publicly traded NFFE or NFFE affiliate of a publicly traded corporation
- Nonfinancial group entity Excepted nonfinancial start-up company
- Direct reporting NFFE (fill in C.3.1)
- 
- Entity wholly owned by exempt beneficial owners (please provide an owner reporting statement)

**C.5 Passive Non-Financial Foreign Entity**

(Please provide also a Controlling Person Statement)

Please indicate which applies (one option only):

- The entity identified above does not have any U.S. Controlling Person(s)<sup>1</sup>.
- The entity identified above has U.S. Controlling Person(s). The total number of U.S. Controlling Person(s) is \_\_\_\_\_. (Please provide a banking secrecy waiver in addition to the Controlling Person Statement)

**D U.S. Investments (Disregard in case the account holder is a U.S. entity)**

**D.1 Shall U.S. securities be held in the account?**

- Yes  No

**Please note:** by answering “No” to the question above, the account will be blocked to hold any U.S. securities. Any orders that conflict with this declaration cannot be executed by the Bank. Withdrawal of this declaration must be in writing by providing this form again. The undersigned hereby further instructs the Bank to sell any and all U.S. securities and other U.S. investments that are currently held in the account.

**D.2 According to U.S. legislation, the entity identified above is considered to be:**

- Corporation
- Foundation (charitable/tax exempt)
- Complex Trust/Foundation

For double tax treaty benefits claim, please provide a W-8BEN-E.

- Flow-through Entity (e.g Simple Trust/Foundation, Grantor Trust/Foundation, Partnership, Intermediary)

Please provide a W-8IMY and, if applicable, a withholding statement and W-8BEN for each non-U.S. beneficial owner or a W-9 for each U.S. beneficial owner.

**E Declarations**

**Changes in Circumstances**

For the duration of the contractual relationship with the Bank, the account holder(s) hereby confirms that it undertakes to notify the Bank within 30 days on its own initiative, in case of any change affecting the classification of the Entity or any information provided on this form. The account holder(s) acknowledges that a change in circumstances affecting this self-certification will terminate the validity of the document with respect to the information that is no longer reliable. The account holder(s) agrees that it will submit all necessary forms and documentation within 90 days if any information provided on this form becomes incorrect.

**Signature of account / custody account holder**

The account holder confirms that the information on this form, as well as the relevant content and certification in Annex A, is correct and complete as of the date hereof and may be relied upon by the Bank.

The undersigned is aware that based on Article 35 of the Thailand AEOI Act, willfully providing incorrect information on a self-certification, not notifying the Bank about any change in circumstances or providing incorrect information about any change in circumstances is subject to penalty.

\_\_\_\_\_  
Place, date

\_\_\_\_\_  
Company signature(s)

<sup>1</sup> This term indicates a person who:

- is a U.S. citizen and/or was born in the U.S. (including U.S. territories); or
- is in possession of a green card, irrespective of its expiry date; or
- meets the substantial presence test.

An individual will be considered a U.S. resident for tax purposes if the substantial presence test for the calendar year is met. In order to meet this test, the individual must be physically present in the United States (U.S.) on at least:

- a) 31 days during the current year; and
- b) 183 days during the 3-year period that includes the current year and the 2 years immediately before that, counting:
  - All the days the individual was present in the current year; and
  - 1/3 of the days the individual was present in the first year before the current year; and
  - 1/6 of the days the individual was present in the second year before the current year; or
  - is considered unlimitedly liable for taxation in the U.S. for any other reason.



## ANNEX A

### SUPPORTING NOTES TO THE ENTITY CLASSIFICATION UNDER CRS AND FATCA

The supporting notes to the entity classification under CRS and FATCA (“**Supporting Notes**”) can be used for reference purposes and shall in no case be construed as tax advice. If the client requires assistance in determining the applicable status then qualified professional assistance should be sought.

#### Automatic Exchange of Information (AEOI) classification

##### I/II Financial institution

The common reporting standard (CRS) differentiates between two types of financial institutions

- I Financial institution professionally managed investment entities; and
- II any other (Depository Institutions, Custodial Institutions, Investment Entity or Specified Insurance Companies) Financial Institution

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

- i an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
  - a) 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;
  - b) Individual and collective portfolio management; or
  - c) 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.

- ii The second type of “Investment Entity” (“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.

Professionally managed investment entities incorporated in a non-participating jurisdiction are deemed to be passive non-financial entities. As such the bank is required to identify its controlling persons to determine whether the account is reportable or not. Professionally managed investment entities tax resident in a participating jurisdiction and all other financial institutions are non-reportable persons.

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

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.

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.

##### III Active non-financial entity

A nonfinancial entity is any entity that is not a Financial Institution. Any non-financial entity can be an Active NFE, provided that it meets any of the criteria listed below. In summary, those criteria refer to:

- active NFEs by reason of income and assets (i);
- publicly traded NFEs (ii);
- Governmental Entities, International Organizations, Central Banks, or their wholly owned Entities (iii);
- holding NFEs that are members of a nonfinancial group (iv);
- startup NFEs (v);
- NFEs that are liquidating or emerging from bankruptcy (vi);
- treasury centers that are members of a nonfinancial group (vii); or
- non-profit NFEs (viii).

An entity will be classified as active NFE if it meets any of the following criteria:

- i. less than 50 % of the NFE’s gross income for the preceding calendar year or other appropriate reporting period is 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;
- ii. 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;
- iii. the NFE is a Governmental Entity, an International Organization, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- iv. 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;
- v. the NFE 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 NFE does not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFE;
- vi. the NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing



with the intent to continue or recommence operations in a business other than that of a Financial Institution;

vii 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

the NFE meets all of the following requirements:

viii

- 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 organization, business league, chamber of commerce, labor organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare;
- it is exempt from income tax in its jurisdiction of residence;
- it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- 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
- 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 organization, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision

#### IV Passive non-financial entity

Passive NFEs are any legal entities that do not fall under any of the above categories. In particular more than 50 % of the NFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and more 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;

In determining what is meant by "passive income", reference must be made to each jurisdiction's particular rules. Passive income would generally be considered to include the portion of gross income that consists of:

- a) dividends;
- b) interest;
- c) income equivalent to interest;
- d) rents and royalties, other than rents and royalties derived in the active conduct of a business conducted, at least in part, by employees of the NFE;
- e) annuities;
- f) the excess of gains over losses from the sale or exchange of Financial Assets that gives rise to the passive income described previously;
- g) the excess of gains over losses from transactions (including futures, forwards, options, and similar transactions) in any Financial Assets;
- h) the excess of foreign currency gains over foreign currency losses;
- i) net income from swaps; or
- j) amounts received under Cash Value Insurance Contracts.

Notwithstanding the foregoing, passive income will not include, in the case of a NFE that regularly acts as a dealer in Financial Assets, any income from any transaction entered into in the ordinary course of such dealer's business as such a dealer.

#### V Controlling Person

"Control" over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest 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 then under the CRS the Controlling Person is deemed to be the natural person who hold the position of senior managing official.

"Controlling Persons" are the natural person(s) who exercise control over an entity. 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.

In the case of a trust or an Entity equivalent to a trust (e.g. foundation), the Controlling Person may be 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, such term means persons in equivalent or similar positions.



**FATCA classification**

By selecting the applicable FATCA status of the account holder on the “Application for Opening an Account and Custody Account for Legal Entities” or “Self-Certification for Legal Entities” the account holder is also certifying that the criteria relevant to the chosen FATCA status indicated below are met.

FATCA Status	Criteria
US Entity	Any Entity incorporated, located or tax resident in the United States. No certification required. Please provide a W-9.
Participating FFI	Foreign Financial Institution registered with the IRS and complying with the terms of an FFI Agreement. No certification required.
Reporting Model 1 FFI	Foreign Financial Institution operating in a country that has entered into a Model 1 IGA with the US and performs account reporting to its own relevant authorities. No certification required.
Reporting Model 2 FFI	Foreign Financial Institution operating in a country that has entered into a Model 2 IGA with the US and performs account reporting directly to the IRS. No certification required.
Registered deemed compliant FFI	FFIs deemed to comply with the FATCA regulations without the need to enter into an FFI agreement with the IRS. No certification required.
Sponsored FFI	<p><b>Certification</b></p> <p>The Entity is an Investment Entity, is not a QI, WP, or WT <b>and</b> has agreed with the sponsoring entity (that is not a nonparticipating FFI) to act as the sponsoring entity for this entity</p> <p>OR</p> <p>The Entity is a controlled foreign corporation as defined in section 957 (a); is not a QI, WP, or WT; is wholly owned, directly or indirectly, by the U.S. financial institution identified as the sponsoring entity that agrees to act as the sponsoring entity for this entity; and shares a common electronic account system with the sponsoring entity that enables the sponsoring entity to identify all account holders and payees of the entity and to access all account and customer information maintained by the entity including, but not limited to, customer identification information, customer documentation, account balance, and all payments made to account holders or payees.</p>
Certified deemed-compliant non-registering local bank	<p><b>Certification</b></p> <p>The Entity operates and is licensed solely as a bank or credit union (or similar cooperative credit organization operated without profit) in its country of incorporation or organization; engages primarily in the business of receiving deposits from and making loans to, with respect to a bank, retail customers unrelated to such bank and, with respect to a credit union or similar cooperative credit organization, members, provided that no member has a greater than five percent interest in such credit union or cooperative credit organization; does not solicit account holders outside its country of organization; has no fixed place of business outside such country (for this purpose, a fixed place of business does not include a location that is not advertised to the public and from which the FFI performs solely administrative support functions); has no more than \$175 million in assets on its balance sheet and, if it is a member of an expanded affiliated group, the group has no more than \$500 million in total assets on its consolidated or combined balance sheets; and does not have any member of its expanded affiliated group that is a foreign financial institution, other than a foreign financial institution that is incorporated or organized in the same country as the this FFI and that meets the requirements set forth in this certification.</p>
Excepted interaffiliate FFI	<p><b>Certification</b></p> <p>The Entity is a member of an expanded affiliated group; does not maintain financial accounts (other than accounts maintained for members of its expanded affiliated group); does not make withholdable payments to any person other than to members of its expanded affiliated group that are not limited FFIs or limited branches; does not hold an account (other than a depository account in the country in which the entity is operating to pay for expenses) with or receive payments from any withholding agent other than a member of its expanded affiliated group; and has not agreed to report under §1.1471-4(d) (2)(ii)(C) or otherwise act as an agent for chapter 4 purposes on behalf of any financial institution, including a member of its expanded affiliated group.</p>
Certified deemed-compliant FFI with only lowvalue accounts	<p><b>Certification</b></p> <p>The Entity is not engaged primarily in the business of investing, reinvesting, or trading in securities, partnership interests, commodities, notional principal contracts, insurance or annuity contracts, or any interest (including a futures or forward contract or option) in such security, partnership interest, commodity, notional principal contract, insurance contract or annuity contract; no financial account maintained by the FFI or any member of its expanded affiliated group, if any, has a balance or value in excess of \$50,000 (as determined after applying applicable account aggregation rules); and neither the FFI nor the entire expanded affiliated group, if any, of the FFI, have more than \$50 million in assets on its consolidated or combined balance sheet as of the end of its most recent accounting year.</p>



FATCA Status	Criteria
Certified deemed-compliant sponsored, closely held investment vehicle	<p><b>Certification</b></p> <p>The Entity is an FFI solely because it is an investment entity described in §1.1471-5(e)(4); it is not a QI, WP, or WT; it will have all of its due diligence, withholding, and reporting responsibilities (determined as if the FFI were a participating FFI) fulfilled by the sponsoring entity; and twenty or fewer individuals own all of the debt and equity interests in the entity (disregarding debt interests owned by U.S. financial institutions, participating FFIs, registered deemed-compliant FFIs, and certified deemed-compliant FFIs and equity interests owned by an entity if that entity owns 100 percent of the equity interests in the FFI and is itself a sponsored FFI).</p>
Certified deemed-compliant limited life debt investment entity	<p><b>Certification</b></p> <p>The Entity was in existence as of January 17, 2013; issued all classes of its debt or equity interests to investors on or before January 17, 2013, pursuant to a trust indenture or similar agreement; and is certified deemed-compliant because it satisfies the requirements to be treated as a limited life debt investment entity (such as the restrictions with respect to its assets and other requirements under § 1.1471-5(f)(2)(iv)).</p>
Certain investment entities that do not maintain financial accounts	<p><b>Certification</b></p> <p>The Entity is a financial institution solely because it is an investment entity described in §1.1471-5(e)(4) (i)(A), and does not maintain financial accounts.</p>
Owner-documented FFI	<p><b>Certification</b></p> <p>The Entity does not act as an intermediary; does not accept deposits in the ordinary course of a banking or similar business; does not hold, as a substantial portion of its business, financial assets for the account of others; is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account; is not owned by or in an expanded affiliated group with an entity that accepts deposits in the ordinary course of a banking or similar business, holds, as a substantial portion of its business, financial assets for the account of others, or is an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account; does not maintain a financial account for any nonparticipating FFI; and does not have any specified U.S. persons that own an equity interest or debt interest (other than a debt interest that is not a financial account or that has a balance or value not exceeding \$50,000) in the FFI other than those identified on the FFI owner reporting statement. AND</p> <p>The Entity has provided, or will provide, an FFI owner reporting statement that contains:</p> <ul style="list-style-type: none"><li>- The name, address, TIN (if any), chapter 4 status, and type of documentation provided (if required) of every individual and specified U.S. person that owns a direct or indirect equity interest in the owner-documented FFI (looking through all entities other than specified U.S. persons);</li><li>- The name, address, TIN (if any), and chapter 4 status of every individual and specified U.S. person that owns a debt interest in the owner-documented FFI (including any indirect debt interest, which includes debt interests in any entity that directly or indirectly owns the payee or any direct or indirect equity interest in a debt holder of the payee) that constitutes a financial account in excess of \$50,000 (disregarding all such debt interests owned by participating FFIs, registered deemed-compliant FFIs, certified deemed-compliant FFIs, excepted NFFEs, exempt beneficial owners, or U.S. persons other than specified U.S. persons); and</li><li>- Any additional information the withholding agent requests in order to fulfill its obligations with respect to the entity.</li><li>- Has provided, or will provide, valid documentation meeting the requirements of §1.1471-3(d)(6)(iii) for each person identified in the FFI owner reporting statement.</li></ul> <p>OR</p> <p>The Entity has provided, or will provide, an auditor's letter, signed within four years of the date of payment, from an independent accounting firm or legal representative with a location in the United States stating that the firm or representative has reviewed the FFI's documentation with respect to all of its owners and debt holders identified in §1.1471-3(d)(6)(iv)(A)(2), and that the FFI meets all the requirements to be an owner-documented FFI. The FFI has also provided, or will provide, an FFI owner reporting statement of its owners that are specified U.S. persons and Form(s) W-9, with applicable waivers.</p>



FATCA Status	Criteria
Restricted distributor	<p><b>Certification</b></p> <p>The Entity operates as a distributor with respect to debt or equity interests of the restricted fund with respect to which this form is furnished; provides investment services to at least 30 customers unrelated to each other and less than half of its customers are related to each other; is required to perform AML due diligence procedures under the anti-money laundering laws of its country of organization (which is an FATF-compliant jurisdiction); operates solely in its country of incorporation or organization, has no fixed place of business outside of that country, and has the same country of incorporation or organization as all members of its affiliated group, if any; does not solicit customers outside its country of incorporation or organization; has no more than \$175 million in total assets under management and no more than \$7 million in gross revenue on its income statement for the most recent accounting year; is not a member of an expanded affiliated group that has more than \$500 million in total assets under management or more than \$20 million in gross revenue for its most recent accounting year on a combined or consolidated income statement; and does not distribute any debt or securities of the restricted fund to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.</p> <p>AND</p> <p>With respect to all sales of debt or equity interests in the restricted fund with respect to which this form is furnished that are made after December 31, 2011, the entity:</p> <p>EITHER</p> <p>Has been bound by a distribution agreement that contained a general prohibition on the sale of debt or securities to U.S. entities and U.S. resident individuals and is currently bound by a distribution agreement that contains a prohibition of the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI.</p> <p>OR</p> <p>Is currently bound by a distribution agreement that contains a prohibition on the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI and, for all sales made prior to the time that such a restriction was included in its distribution agreement, has reviewed all accounts related to such sales in accordance with the procedures identified in §1.1471-4(c) applicable to preexisting accounts and has redeemed or retired any, or caused the restricted fund to transfer the securities to a distributor that is a participating FFI or reporting Model 1 FFI securities which were sold to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.</p>
Exempt retirement plans	<p><b>Certification</b></p> <p>EITHER</p> <p>The Entity is established in a country with which the United States has an income tax treaty in force (see Part III if claiming treaty benefits); is operated principally to administer or provide pension or retirement benefits; and is entitled to treaty benefits on income that the fund derives from U.S. sources (or would be entitled to benefits if it derived any such income) as a resident of the other country which satisfies any applicable limitation on benefits requirement.</p> <p>OR</p> <p>The Entity is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered; no single beneficiary has a right to more than 5% of the FFI's assets; is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operated; and is generally exempt from tax on investment income under the laws of the country in which it is established or operates due to its status as a retirement or pension plan; receives at least 50% of its total contributions from sponsoring employers (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, other retirement funds described in an applicable Model 1 or Model 2 IGA, or accounts described in §1.1471-5(b)(2)(i)(A)); either does not permit or penalizes distributions or withdrawals made before the occurrence of specified events related to retirement, disability, or death (except rollover distributions to accounts described in §1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), to retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or to other retirement funds described in this part or in an applicable Model 1 or Model 2 IGA); or limits contributions by employees to the fund by reference to earned income of the employee or may not exceed \$50,000 annually.</p>



FATCA Status	Criteria
Exempt retirement plans	<p>OR</p> <p>The Entity is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered; has fewer than 50 participants; is sponsored by one or more employers each of which is not an investment entity or passive NFFE; employee and employer contributions to the fund (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or accounts described in §1.1471-5(b)(2)(i)(A)) are limited by reference to earned income and compensation of the employee, respectively; participants that are not residents of the country in which the fund is established or operated are not entitled to more than 20 percent of the fund's assets; and is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operates.</p> <p>The entity is formed pursuant to a pension plan that would meet the requirements of section 401(a), other than the requirement that the plan be funded by a trust created or organized in the United States. OR</p> <p>The entity is established exclusively to earn income for the benefit of one or more retirement funds described in this part or in an applicable Model 1 or Model 2 IGA, accounts described in §1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), or retirement and pension accounts described in an applicable Model 1 or Model 2 IGA.</p> <p>OR</p> <p>The entity is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in §1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are current or former employees of the sponsor (or persons designated by such employees); or is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in §1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are not current or former employees of such sponsor; but are in consideration of personal services performed for the sponsor.</p>
Territory Financial institution	<p><b>Certification</b></p> <p>The Entity is a financial institution (other than an investment entity) that is incorporated or organized under the laws of a possession of the United States.</p>
Non-reporting IGA FFI	<p>The Entity is a non-reporting foreign financial institution according to Annex 2 of the applicable inter-governmental agreement</p>
Foreign government, government of a U.S. possession, or foreign central bank of issue	<p><b>Certification</b></p> <p>The Entity is the beneficial owner of the payment and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in §1.1471-6(h)(2)).</p>
International organization	<p><b>Certification</b></p> <p>The Entity is an international organization described in section 7701(a)(18). OR</p> <p>The entity is comprised primarily of foreign governments; is recognized as an intergovernmental or supranational organization under a foreign law similar to the International Organizations Immunities Act or that has in effect a headquarters agreement with a foreign government; the benefit of the entity's income does not inure to any private person; is the beneficial owner of the payment and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in §1.1471-6(h)(2)).</p>
Publicly traded NFFE or NFFE affiliate of a publicly traded corporation	<p><b>Certification</b></p> <p>The Entity is a foreign corporation that is not a financial institution; and the stock of such corporation is regularly traded on one or more established securities markets</p> <p>OR</p> <p>The Entity is a foreign corporation that is not a financial institution, which is a member of the same expanded affiliated group as an entity the stock of which is regularly traded on an established securities market.</p>
Active NFFE	<p><b>Certification</b></p> <p>The Entity is a foreign entity that is not a financial institution; less than 50 % of such entity's gross income for the preceding calendar year is passive income; and less than 50 % of the assets held by such entity are assets that produce or are held for the production of passive income (calculated as a weighted average of the percentage of passive assets measured quarterly)</p>



FATCA Status	Criteria
Non-profit organization	<b>Certification</b> The Entity is a non-profit organization established and maintained in its country of residence exclusively for religious, charitable, scientific, artistic, cultural or educational purposes; it is exempt from income tax in its country of residence; it has no shareholders or members who have a proprietary or beneficial interest in its income or assets; neither the applicable laws of the entity's country of residence nor the entity's formation documents permit any income or assets of the entity 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 entity's charitable activities or as payment of reasonable compensation for services rendered or payment representing the fair market value of property which the entity has purchased; and the applicable laws of the entity's country of residence or the entity's formation documents require that, upon the entity's liquidation or dissolution, all of its assets be distributed to an entity that is a foreign government, an integral part of a foreign government, a controlled entity of a foreign government, or another organization that is described in this Part XXII or escheats to the government of the entity's country of residence or any political subdivision thereof.
Excepted territory NFFE	<b>Certification</b> The Entity is an entity that is organized in a possession of the United States; does not accept deposits in the ordinary course of a banking or similar business, does not hold, as a substantial portion of its business, financial assets for the account of others, or is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account; and all of the owners of the entity are bona fide residents of the possession in which the NFFE is organized or incorporated.
Excepted nonfinancial entity in liquidation or bankruptcy	<b>Certification</b> The Entity filed a plan of liquidation, filed a plan of reorganization, or filed for bankruptcy; during the past 5 years has not been engaged in business as a financial institution or acted as a passive NFFE; is either liquidating or emerging from a reorganization or bankruptcy with the intent to continue or recommence operations as a nonfinancial entity; and has, or will provide, documentary evidence such as a bankruptcy filing or other public documentation that supports its claim if it remains in bankruptcy or liquidation for more than three years.
501(c) organization	<b>Certification</b> The Entity has been issued a determination letter from the IRS that is currently in effect concluding that the payee is a section 501(c) organization; or has provided a copy of an opinion from US counsel certifying that the payee is a section 501(c) organization (without regard to whether the payee is a foreign private foundation).
Excepted nonfinancial group entity	<b>Certification</b> The Entity is a holding company, treasury center, or captive finance company and substantially all of the entity's activities are functions described in §1.1471-5(e)(5)(i)(C) through (E); is a member of a nonfinancial group described in §1.1471-5(e)(5)(i)(B); is not a depository or custodial institution (other than for members of the entity's expanded affiliated group); and does not function (or hold itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle with an investment strategy to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes.
NFE startup company	<b>Certification</b> The Entity was formed less than 24 months ago (or, in the case of a new line of business, the date of board resolution approving the new line of business); is not yet operating a business and has no prior operating history or is investing capital in assets with the intent to operate a new line of business other than that of a financial institution or passive NFFE; is investing capital into assets with the intent to operate a business other than that of a financial institution; and does not function (or hold 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.
Entity wholly owned by exempt beneficial owner	<b>Certification</b> The Entity is an FFI solely because it is an investment entity; each direct holder of an equity interest in the investment entity is an exempt beneficial owner described in §1.1471-6 or in an applicable Model 1 or Model 2 IGA; each direct holder of a debt interest in the investment entity is either a depository institution (with respect to a loan made to such entity) or an exempt beneficial owner described in §1.1471-6 or an applicable Model 1 or Model 2 IGA; has provided an owner reporting statement that contains the name, address, TIN (if any), chapter 4 status, and a description of the type of documentation provided to the withholding agent for every person that owns a debt interest constituting a financial account or direct equity interest in the entity; and has provided documentation establishing that every owner of the entity is an entity described in §1.1471-6(b), (c), (d), (e), (f) and/or (g) without regard to whether such owners are beneficial owners.

# AURA

<b>FATCA Status</b>	<b>Criteria</b>
Direct reporting NFFE	No certifications
Sponsored direct reporting NFFE	<b>Certification</b> The Entity is a direct reporting NFFE that is sponsored by the entity identified in part 32.