

Tax certification - FATCA (US) and CRS (other jurisdictions)

**What are FATCA and CRS?
Some background**

The US Foreign Account Tax Compliance Act (FATCA) and the Common Reporting Standard (CRS) are two ways in which a large number of governments are seeking the same thing - to improve global tax compliance. Both require financial institutions to capture relevant information on foreign taxpayers, as follows:

- FATCA promotes cross border tax compliance by US taxpayers, by implementing an international standard for the automatic exchange of information related to those taxpayers. Australia has entered into an inter-governmental agreement (IGA) with the US to implement FATCA in Australia, to be administered through the ATO. The AUS-USA FATCA IGA requires the ATO to obtain detailed account information for US citizens and/or taxpayers on an annual basis. The effect of this is that, to satisfy their FATCA obligations, relevant Australian financial institutions must identify any US taxpayers and report those taxpayers' financial account data to the ATO.
- CRS is a global reporting standard, developed by the OECD, for the automatic exchange of information (AEOI). Its goal is to allow tax authorities to obtain a clearer understanding of financial assets held abroad by their residents, for tax purposes. Over 100 countries have agreed to share information on residents' assets and incomes in accordance with defined reporting standards. Once again, this means that financial institutions around the globe must provide tax authorities with taxpayer financial account data, and the financial institutions must therefore collect this information from their customers and pass it on.

FATCA/CRS information - Who should complete this section?

This section should be completed by the person completing the application form who is **authorised to provide tax residency and certification information** for:

- all other applicants, and
- the underlying entity e.g. trust or partnership etc., and
- the beneficial owners and controlling persons.

Investor details

Investor number

Investor name

FATCA/CRS certification of individual, joint individual, sole trader or deceased estate.

If you are an individual, joint individual, a sole trader, or you will hold the account on behalf of another individual or a deceased estate, then please select the best option below and answer the associated questions. **If your account is held on behalf of an entity, e.g. a company, trust, partnership etc., please go to the section on 'FATCA and CRS certification of an entity'** (on page 4). If you do not provide this information, we will not be able to accept your application.

Is the following statement correct? (Tick if applicable)

Your account is held by an individual or an entity acting in the capacity of executor or administrator of a deceased estate, where EITHER certified copies of the death certificate or Grant of Probate/ Letters of Administration have already been provided to us, OR certified copies of these documents are attached to this application.

If you selected the above, your FATCA/CRS certification is complete and **no further information is required**. Please sign where indicated at page 8.

Is/are all of the Individual applicants (including the person/s for whom the account will be held e.g. a children's account) a citizen or a resident for tax purposes in a country other than Australia?

Yes - please provide the **Foreign Individual Investors and Individual Beneficial Owner** details below. Note: If an individual is both an Australian and a foreign tax resident, or a tax resident of more than one foreign country, you must also provide this information.

No - your FATCA/CRS certification is complete and **no further information is required**. Please sign where indicated at page 8.

Only some of the individuals are Australian tax residents:

- For those Individuals who are **Australian tax residents only** (including the person/s for whom the account is held), please provide their full names in the Australian tax resident information below.
- For the remaining individuals (i.e. who are NOT solely Australian tax residents), please provide the **Foreign Individual Investors and Individual Beneficial Owner** details below.

Australian tax resident information

Foreign Individual Investor(s) and Individual Beneficial Owner(s) details

Please provide ALL information, including your foreign TIN (Taxpayer Identification Number), or exclusions, as relevant

Name of Australian tax resident 1	<input type="text"/>		
Name of Australian tax resident 2	<input type="text"/>		
Name of Australian tax resident 3	<input type="text"/>		

Full name of individual 1	<input type="text"/>		
Date of birth	<input type="text"/>		
Street address (PO Box is NOT acceptable)	<input type="text"/>		
Country 1 of tax residency	<input type="text"/>	TIN 1	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 2 of tax residency	<input type="text"/>	TIN 2	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 3 of tax residency	<input type="text"/>	TIN 3	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	

Full name of individual 2	<input type="text"/>		
Date of birth	<input type="text"/>		
Street address (PO Box is NOT acceptable)	<input type="text"/>		
Country 1 of tax residency	<input type="text"/>	TIN 1	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 2 of tax residency	<input type="text"/>	TIN 2	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 3 of tax residency	<input type="text"/>	TIN 3	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	

Full name of individual 3	<input type="text"/>		
Date of birth	<input type="text"/>		
Street address (PO Box is NOT acceptable)	<input type="text"/>		
Country 1 of tax residency	<input type="text"/>	TIN 1	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 2 of tax residency	<input type="text"/>	TIN 2	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	
Country 3 of tax residency	<input type="text"/>	TIN 3	<input type="text"/>
	OR <input type="checkbox"/>	Country does not require collection of TINs	OR <input type="checkbox"/>
		Country does not issue TINs	
	OR <input type="checkbox"/>	TIN is available but, has not obtained or has not been issued a TIN	

Please sign where indicated at page 8.

**FATCA and CRS
certification of an entity**

If you are an investor that is one of the following:

- **A company or other incorporated body, or**
- **another type of entity e.g. a trust, partnership, cooperative or association etc. or**
- **An individual/s that will hold the Account on behalf of another entity that is a superannuation fund, trust, partnership, government body, co-operative, association or other type of entity,**

then please select the best option below and answer the associated questions. If you do not provide this information, we will not be able to accept your application.

Is the account holder Australian registered for tax purposes?

Yes No

If you answered **No**, please go to the next question.

If you answered Yes, please provide your ACN, ABN, ARBN or ARSN

Is this account holder a resident for tax purposes in a country other than Australia?

Yes No

The following best describes your organization (tick one)

An Australian regulated superannuation fund (including a complying SMSF), retirement or pension fund. Please provide a printout from the ATO's ABN Lookup or APRA that displays the fund's status. If you select this option, your certification is complete and no further information is required. Please sign where indicated at page 8.

An account held by an entity acting in the capacity of executor or administrator of a deceased estate. EITHER certified copies of the death certificate or Grant of Probate/Letters of Administration have already been provided to us, OR certified copies of these documents are attached to this application. If you select this option, your certification is complete and no further information is required. Please sign where indicated at page 8.

Not a Financial Account. Certain accounts are NOT considered to be 'Financial Accounts' for the purposes of CRS and FATCA. These include:

- An Employee Share Scheme or Trust as defined in the Income Tax Assessment Act 1997
- An Escrow Account established in connection with a court order or judgment, or a sale, exchange, or lease of real or personal property where certain requirements have been met.

If you select this option, your certification is complete and no further information is required. Please sign where indicated at page 8.

Non reportable account. Under CRS and FATCA, a non reportable account includes, but is not limited to:

- Government organisation or agency
- Central Bank
- International (including intergovernmental) organization
- Listed company or a related entity that is not a financial institution

If you select this option, your certification is complete and no further FATCA/CRS information is required. Please sign where indicated at page 8.

Financial institution. Includes:

- Depository institution
- Investment entity
- Specified insurance company
- Custodian institution.

Are you an Investment Entity (financial institution) located in a non-CRS participating jurisdiction and professionally managed by another financial institution?

Yes No

If you answered YES, please answer the following GIIN questions about the financial institution and then provide the **Beneficial Owners or **Controlling Persons** information (on page 7).

What is your GIIN?

If you do not have a GIIN, what is your financial institution FATCA status? (Tick one):

- Deemed Compliant FFI (foreign financial institution)
- Excepted FFI
- Non-participating FFI
- Other (please specify)

Is the registered holder of this account also a financial institution?

Yes No

If you answered **Yes**, please provide the GIIN (below) for the registered holder.

What is holder's GIIN?

If holder does not have a GIIN, what is its financial institution FATCA status (tick one):

- Deemed Compliant FFI
- Excepted FFI
- Non-participating FFI
- Other (please specify)

Non-Financial Entity (NFE) or (NFFE). This includes the following entity types:

- Private or proprietary company that is NOT a financial institution
- Public unlisted company that is NOT a financial institution
- Listed company or subsidiary that is NOT a financial institution
- Partnership
- Trust
- Co-operative
- Association or club
- Registered or non-registered charitable organization

If you selected this option, go to NFE/NFFE entity details below.

An entity is Active if it derives 50% or more of its income from the sale of goods or services AND it uses 50% or more of its assets to generate income from the sale of goods or services. An NFE is Passive if it does not fit the description of an Active entity, OR is a professionally-managed investment entity located in a non-participating CRS (Common Reporting Standard) jurisdiction.

Is the NFE/NFFE Active or Passive?

Active Passive

If the NFE/NFFE is (please tick one):

- An Australian Active NFE/NFFE** - your certification is complete. Please sign where indicated at page 8.
- A foreign NFE/NFFE, Active or Passive** - please provide information below about **Foreign tax residency information**.
- An Australian or foreign Passive NFE/NFFE** - please provide information below about any **Beneficial Owners or Controlling Persons** (including those with direct or indirect ownership of 25% or more) who are a citizen or resident for tax purposes in a country other than Australia.

**Entity foreign tax
residency information**

(tick and/or provide
details as indicated)

Please provide ALL information, including your foreign TIN (Taxpayer Identification Number) or exclusions, as relevant.

Country of tax residency 1

Street address

TIN 1

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country of tax residency 2

Street address

TIN 2

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country of tax residency 3

Street address

TIN 3

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Entity foreign beneficial owner(s) or **Controlling Persons details

(NB only foreign, Passive NFEs/ NFFEs need to complete this)

Please provide ALL information, including your foreign TIN (Taxpayer Identification Number) or exclusions, as relevant.

Full name of individual 1

Date of birth

Street address (PO Box is NOT acceptable)

Country 1 of tax residency TIN 1

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 2 of tax residency TIN 2

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 3 of tax residency TIN 3

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Full name of individual 2

Date of birth

Street address (PO Box is NOT acceptable)

Country 1 of tax residency TIN 1

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 2 of tax residency TIN 2

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 3 of tax residency TIN 3

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Full name of individual 3

Date of birth

Street address (PO Box is NOT acceptable)

Country 1 of tax residency TIN 1

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 2 of tax residency TIN 2

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Country 3 of tax residency TIN 3

OR Country does not require collection of TINs OR Country does not issue TINs

OR TIN is available but, has not obtained or has not been issued a TIN

Please sign where indicated at page 8.

* Capitalised terms used in this section have the meanings defined in the intergovernmental agreement between the Australian and governments to improve international tax compliance and to implement FATCA dated 28 April 2014.

** A Controlling Person means, in relation to a company, any individual who ultimately beneficially owns 25% or more of an entity or controls the entity, including control through a chain of ownership or by means of control other than direct control.

Execution Page

Acknowledgments

If any of the certifications I/we have given herein become invalid or incorrect, I/we agree to provide an updated certification/s within 30 days.

Unitholder 1

Name	<input type="text"/>	Date	<input type="text"/>
Signature	<input type="text"/>		
Capacity (mandatory for companies)	<input type="checkbox"/> Sole Director	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Capacity (if appropriate)	<input type="checkbox"/> Individual Trustee	<input type="checkbox"/> Corporate Trustee	

If you are signing this form in one of these capacities, then please state your name and the capacity in which you are signing e.g. James West, director of West Pty Ltd as Trustee for the West Family Trust.

Unitholder 2

Name	<input type="text"/>	Date	<input type="text"/>
Signature	<input type="text"/>		
Capacity (mandatory for companies)	<input type="checkbox"/> Sole Director	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
Capacity (if appropriate)	<input type="checkbox"/> Individual Trustee	<input type="checkbox"/> Corporate Trustee	

If you are signing this form in one of these capacities, then please state your name and the capacity in which you are signing e.g. James West, director of West Pty Ltd as Trustee for the West Family Trust.