

CRS Entity Self-Certification Form

Important: please read this information before you complete the form

Why we are asking you to complete this form

Regulations based on the OECD¹ Common Reporting Standard (CRS) require Financial Institutions like us to collect and report information about where our customers are tax resident. This includes entity customers, such as corporations, organisations, partnerships or foundations. Under these regulations, we have to ask you to provide the information requested in this form.

About tax residence

Each country/jurisdiction has its own rules for defining tax residence. In general, an entity is tax resident in the country/jurisdiction where it pays corporate income taxes. For more information on tax residence, please seek specialist advice or consult the information on the OECD¹ website:

www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-residency/.

What you need to do

As a business banking customer, you need to complete this form, even if you have given us information about your business' tax status in the past. Specifically this applies to all businesses and partnerships, but not to sole traders.

If you are a personal banking customer or a sole trader complete an 'Individual Self-Certification Form' (CRS-I). Similarly, if you are a controlling person of an entity, complete a 'Controlling Person Self-Certification Form' (CRS-CP). You can find these forms at

<https://www.crs.hsbc.com/en/cmb/uae>.

Please tell us in what capacity you are signing in Part 4. For example you may be an authorised officer of the business.

What we will do with this information

We will keep a record of this form on the entity's file. If the entity holds an account in one country/jurisdiction, but is tax resident in a different country/jurisdiction, we may be legally obliged to pass on the information in this form and other details about the entity's accounts to the tax authority in the country/jurisdiction where the account is located.

It is important that we hold the right information about the entity. If any of this information changes, you must tell us by sending us an updated form. You can download a new form from <https://www.crs.hsbc.com/en/cmb/uae> or request a copy from your branch.

Before you begin

You will need to have the entity's Taxpayer Identification Number (TIN) or equivalent for each country/jurisdiction where the entity is tax resident.

If you are completing the form for an account holder that is a branch of a legal entity, please ensure that in Part 3 you provide the tax residence details for the legal entity.

A TIN is a unique combination of letters or numbers assigned by tax authorities to identify individuals and entities for tax purposes. You will normally find it on any letters or correspondence you receive from your tax authority. Some authorities do not issue a TIN, however, they will often use a similar type of number such as a Unique Tax Reference (UTR) number, or Employer Identification Number (EIN). If you are not sure of the entity's TIN or its equivalent, further details on what is acceptable can be found on the OECD website: www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers. **Where to go for help**

If you have any questions about the information requested in this form please visit <https://www.crs.hsbc.com/en/cmb/uae>, contact your Relationship Manager, visit a branch or call us. You can find more information about CRS and the governments taking part on the OECD website: www.oecd.org/tax/automatic-exchange/.

We are not allowed to give tax advice so if you're not sure what the entity's tax residence status is, please visit the OECD website or speak to a professional tax adviser. You can find a list of definitions in the Appendix.

Entity Tax Residence - Self-Certification Form

CRS - E

Please complete Parts 1 – 4 in BLOCK CAPITALS

Part 1

Identifying who you are. (If you are completing the form for an account holder which is a branch of a legal entity, please provide the legal entity's details in A-C. The branch details should be completed in D).

A. Entity Name

B. Country/Jurisdiction of Incorporation or Organisation of the Entity

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C. Entity's Current Residence Address

Line 1 House/Apt/Suite Name, Number,
Street

--

Line 2 Town/City

--

Line 3 Province/County/State

--

Line 4 Country/Jurisdiction

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Postal Code / ZIP code

--

D. Branch Details (only applicable if you are completing this form in respect of a branch of the above entity)

Branch Name

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Line 1 House/Apt/Suite Name, Number,
Street

--

Line 2 Town/City

--

Line 3 Province/County/State

--

Line 4 Country/Jurisdiction

--

Postal Code / ZIP code

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Identifying your CRS status. If you are completing the form for an account holder which is a branch, please ensure that you complete the following information from the branch's perspective.

Please indicate your entity's status by placing an 'X' in one of the boxes in section A. If required, then provide the additional information requested in section B.

a. Financial Institution – Investment Entity

- ii. Other Investment Entity

- If you have selected **a)** or **b)** above, please provide, if held, the entity's Global Intermediary Identification Number ("GIIN") obtained for FATCA purposes.

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c. Active NFE – a corporation whose stock is regularly traded on an established securities market, or a NFE that is a related entity of such a corporation

If you have selected this option, please provide the name of the established securities market on which the corporation is regularly traded:

If you are a related entity of a regularly traded corporation, please provide the name of the regularly traded corporation that you are a related entity of:

- e. Active NFE – an International Organisation (e.g. The United Nations, World Health Organisation)

- f. Active NFE – another type of active NFE, other than option c) – e) (for example, a start-up NFE or a non-profit NFE)

- g. **Passive NFE (Note: If you have selected this option please also complete Part 2.B below.)**

B. If you have selected Part 2.A.a).(i) or Part 2.A.g) above, please complete the following:

- a. Enter the name(s) of all controlling person(s) of the entity below.

A controlling person is the natural person who exercises control of the entity. If one does not exist then the entity's controlling person is the natural person(s) who holds the position of senior managing official. An entity can have more than one controlling person. You may identify an entity as a controlling person, if such controlling person is (or is a majority owned subsidiary of) a company that is publicly traded.

- b. Complete a 'Controlling Person Self-Certification Form' (CRS-CP) for each controlling person named above. You can find this form at <https://www.crs.hsbc.com/en/cmb/uae>. You are not required to complete a CRS-CP for the controlling person, if such controlling person is (or is a majority owned subsidiary of) a company that is publicly traded.

Part 3

Entity's country/jurisdiction of residence for tax purposes and related Taxpayer Identification Number ("TIN") or equivalent

Please complete the following table telling us:

- ◆ which country(ies)/jurisdiction(s) the entity is tax resident in; and
- ◆ the entity's TIN for each country/jurisdiction indicated.

An entity is not tax resident in any country/jurisdiction when it is fiscally transparent, such as a partnership. If the entity is not tax resident in any country/jurisdiction, please enter the entity's place of effective management or the country/jurisdiction in which the entity's principal office is located and the corresponding TIN.

If you are completing the form for an account holder which is a branch of a legal entity, please ensure that you provide below the tax residency details for the legal entity.

If you do not have a TIN please provide the appropriate reason **A, B or C**:

Reason A The country/jurisdiction where the entity is liable to pay tax does not issue TINs to its residents.

The entity is otherwise unable to obtain a TIN or equivalent number. (Please explain why you are unable to obtain a **Reason B** TIN in the below table if you have selected this reason).

Reason C The laws of this country/jurisdiction do not require the entity to provide its TIN.

Country/jurisdiction of residence for tax purposes	TIN	If no TIN available enter Reason A, B or C
1		
2		
3		

Please confirm that you have provided ALL of the countries/jurisdictions in which the entity is tax resident due to applicable tax residency, local laws or treaties, by placing an 'X' in this box.

☐

Note: If the entity is tax resident in more than three countries/jurisdictions, please use a separate sheet and confirm by placing an 'X' in the box.'

☐

Please explain in the following boxes why the entity is unable to obtain a TIN if you selected **Reason B** above.

1	
2	
3	

Part 4

Declarations and Signature

I certify that I am authorised to sign for the account holder (the entity) in respect of all the account(s) to which this form relates. I understand that the information I have provided, including information regarding the account holder, my personal information and that of individuals connected to my business, is covered by the Privacy Notice and the terms and conditions governing the account holder's relationship with HSBC, in particular how HSBC may use and share this information.

I acknowledge that HSBC may share this information with the tax authorities of the country(ies)/jurisdiction(s) where the account(s) are held, and that those tax authorities may exchange this information between themselves as part of the intergovernmental agreements to exchange Financial Account information.

If I have provided details on behalf of the account holder (including where the account holder is a Controlling Person) I certify that I have their authority and that all relevant individuals have been made aware of the Privacy Notice, and the individual rights and information it sets out. I will notify the account holder, within 30 days of signing this form, that I have provided this information to HSBC and that it may be passed to the tax authorities of all countries/jurisdictions where the account holder holds accounts.

I declare that all statements made in this declaration are, to the best of my knowledge and belief, correct and complete.

I agree to tell HSBC within **30 days** of any change in circumstance that affects the tax residence status of the entity named in Part 1 of this form, or means that the information contained within the form becomes out of date. I agree to provide an updated selfcertification form to HSBC within **90 days** of any such changes.

Signature

Print name:

Date:

D	D	M	M	Y	Y	Y	Y
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Note: If you are signing on behalf of someone else, enter the capacity below. For example, 'Authorised Officer'.

Capacity:

Appendix – Definitions

Note: These are selected definitions provided to assist you with the completion of this form. Further details can be found within the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (the “CRS”), the associated Commentary to the CRS, and domestic guidance. This can be found at the following link:

www.oecd.org/tax/transparency/automaticexchangeofinformation.htm

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

“Account Holder” The term “Account Holder” means the person listed or identified as the holder of a Financial Account. A person, other than a Financial Institution, holding a Financial Account for the benefit of another person as an agent, a custodian, a nominee, a signatory, an investment advisor or an intermediary, is not treated as the Account Holder. In these circumstances that other person is the Account Holder.

“Active NFE” An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- a. 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 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;
- b. Publicly traded NFEs; the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market;
- c. The NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d. Holding NFEs that are members of a nonfinancial group. Substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an Entity does not qualify for this status if the Entity functions (or holds itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes;
- e. Start-up NFEs; 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 organisation of the NFE;
- f. NFEs that are liquidating or emerging from bankruptcy; the NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- g. Treasury centres that are members of a nonfinancial group; 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
- h. Non-profit NFEs; the NFE meets all of the following requirements:
 1. It is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
 2. It is exempt from income tax in its jurisdiction of residence;
 3. It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
 4. 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
 5. The applicable laws of the NFE’s jurisdiction of residence or the NFE’s formation documents require that, upon the NFE’s liquidation or dissolution, all of its assets be distributed to a Governmental Entity or other non-profit organisation, or escheat to the government of the NFE’s jurisdiction of residence or any political subdivision.

“Branch” means a unit, business, or office of an Entity that is treated as a branch under the regulatory regime of a jurisdiction or that is otherwise regulated under the laws of a jurisdiction as separate from other offices, units, or branches of the Entity.

“Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person or persons are identified as exercising control of the Entity through ownership interests, the Controlling Person of the Entity is deemed to be the natural person who holds the position of senior managing official.

“Controlling Person” This is a natural person, unless it is a corporation that is publicly traded or its majority owned subsidiary, who exercises control over an entity. Where that entity is treated as a Passive Non-Financial Entity (“NFE”) then a Financial Institution must determine whether such Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” as described in Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

“Entity” The term “Entity” means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation.

“Financial Account” A Financial Account is an account maintained by a Financial Institution and includes: Depository Accounts; Custodial Accounts; Equity and Debt interest in certain Investment Entities; Cash Value Insurance Contracts; and Annuity Contracts.

“Financial Assets” Includes a security (for example, a share of stock in a corporation; partnership or beneficial ownership interest in a widely held or publicly traded partnership or trust; note, bond, debenture, or other evidence of indebtedness), partnership interest, commodity, swap (for example, interest rate swaps, currency swaps, basis swaps, interest rate caps, interest rate floors, commodity swaps, equity swaps, equity index swaps, and similar agreements), Insurance Contract or Annuity Contract, or any interest (including a futures or forward contract or option) in a security, partnership interest, commodity, swap, Insurance Contract, or Annuity Contract. The term “Financial Asset” does not include a non-debt, direct interest in real property; or a commodity that is a physical good, such as wheat.

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

“Gross Income test” An Entity’s gross income is primarily attributable to investing, reinvesting, or trading in Financial Assets, if the Entity’s gross income attributable to the relevant activities equals or exceeds 50% of the Entity’s gross income during the shorter of:

- ◆ the three-year period ending on 31 December (or the final day of a non-calendar year accounting period) preceding the year in which the determination is made; or
- ◆ the period during which the Entity has been in existence.

“International Organisation” means any international organisation or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organisation (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not inure (go) to the benefit of private persons.

“Investment Entity” means any Entity:

- a. that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
 - i. 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;
 - ii. individual and collective portfolio management; or
 - iii. otherwise investing, administering, or managing Financial Assets or money on behalf of other persons; or
- b. the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets, if the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or an Investment Entity described in subparagraph a) above.

“Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution” Any

Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets if the Entity is (i) managed by a Financial Institution and (ii) not resident in, or a branch located in, a Participating Jurisdiction.

“Managed Investment Entity” An entity is managed by a Financial Institution if that Financial Institution performs, either directly or through another service provider, any of the activities described in paragraph (a) of the definition of Investment Entity (above) on behalf of the entity. An entity is not regarded as managed by a financial institution if that Financial Institution does not have discretionary authority to manage the entity’s assets either in whole or in part.

An entity may be managed by a mix of entities and individuals. If one of the entities so involved in the management of the entity is a Financial Institution within the meaning of the agreements then the entity meets the requirements for being managed by a Financial Institution.

“NFE” is any Entity that is not a Financial Institution.

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

“Passive NFE” Under the CRS a “Passive NFE” means any NFE that is not an Active NFE. An Investment Entity located in a NonParticipating Jurisdiction and managed by another Financial Institution is also treated as a Passive NFE for purposes of the CRS.

“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 that is a Reportable Person.

“Reportable Jurisdiction” A Reportable Jurisdiction is a jurisdiction with which an obligation to provide financial account information is in place.

“Reportable Person” A Reportable Person is an individual or entity that is tax resident in a Reportable Jurisdiction under the laws of that jurisdiction. The Account Holder will normally be the “Reportable Person”; however, in the case of an Account Holder that is a Passive NFE, a Reportable Person also includes any Controlling Persons who are tax resident in a Reportable Jurisdiction. Dual resident individuals may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for purposes of determining their residence for tax purposes.

“TIN” (including “functional equivalent”) the term “TIN” means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the

individual or Entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable TINs can be found at the following link: www.oecd.org/tax/transparency/automaticexchangeofinformation.htm

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for entities, a business/company registration code/number.