

# Specialist Intermediaries

## Self-Certification Instructions for Entities Form

Please complete, where applicable, the relevant sections below and provide any additional information as may be required. In certain circumstances there may be a requirement to share this information with the relevant tax authorities.

Please refer to the accompanying explanatory notes and instructions and/or contact your tax advisor to help complete this form.

If your tax residency (or the account holder's tax residency, if you are completing the form on their behalf) is outside the UK and in a country that is signed up to FATCA/CRS, we are legally obliged to pass on the information in this form to the UK Tax Authorities.

### Section A: Entity Information

#### Entity Name

The full name of the beneficial owner must be provided. Beneficial owner in this context means the entity or organisation that is entitled to the income for tax purposes and has the benefit thereof, taking into account the economic, legal, factual and other relevant circumstances under which the income is received; it does not mean a person who receives income as an agent, nominee or mere conduit for another person. Countries' views of the meaning of beneficial owners vary. Therefore you should consult available guidance to determine whether you are considered to be beneficial owner.

#### Current Residence Address (Do not use P.O box (unless this is your registered address) or an 'in care of' address)

This address will be viewed by Aldermore Specialist Intermediaries as the tax resident address of the beneficial owner unless another address can be substantiated. P.O. Boxes and 'in care of' addresses will not be viewed as a permanent residence address.

P.O. Boxes may only be acceptable in very limited circumstances; for example, but not restricted to, countries in which Postal Box Addresses are common practice. If you intend to populate such an address you should be prepared to provide supporting documentation.

#### Mailing Address (if different from above)

This is the address to which correspondence should be sent if different from that of the permanent residency.

#### Country of Incorporation/ Organisation

If the entity is a corporation, enter the country (and the province, state or other sub-national division where relevant under national law) of incorporation. If it is another type of entity, enter the country (and province, state or other sub-national entity where relevant) under whose laws it is created, organised or governed. If you are a branch, this will be where your principal place of business is.

### Section B: Entity Tax Residency

Please indicate ALL countries in which the entity is incorporated/organised for the purposes of that country's income tax and the relevant Tax Identification Number (or functional equivalent). Please list all tax residencies in the table below.

A subsidiary or branch of a non UK entity (including a US entity) carrying on a business, as a Custodial Institution, a Depository Institution, an Investment Entity or a Specified Insurance Company in the UK, will be a Reporting UK Financial Institution.

Subsidiaries and branches of UK tax resident Financial Institutions that are not located in the UK are excluded from the scope of the UK Agreement and will not be regarded as UK Financial Institutions.

These entities will be covered by the relevant rules in the jurisdiction in which they are located. Those rules will either be the US Regulations or the legislation introduced to bring effect to an Agreement between that jurisdiction and the US.

#### Country of Tax Residency/ Residencies

Enter the country where the entity or organisation is resident for tax purposes.

#### Tax Identification Number(s)/Functional Equivalent

It is mandatory to supply a TIN or functional equivalent if the country in which you are tax resident issues such identifiers. If no TIN is yet available, has not yet been issued, or there is another reason please provide an explanation and attach this to the form.

Enter the entity or organisations Tax Identification Number (TIN) under (a) if the entity's country of residence for tax purposes has issued you with a TIN. The TIN is the combination of letters and/or numbers assigned to the entity or organisation by its country of residence (or its tax authorities) to identify the entity in the course of collecting taxes.

In some countries this may be a number that is specifically referred to as a TIN, while other countries may use other numbers (such as Legal Entity Identifier) to identify their residents for tax purposes. If the entity does not have a TIN and its country issues TINs upon request, you cannot complete the form until you have obtained such TIN.

## Section C: Entity classification for the purposes of the OECD Common Reporting Standard and UK-US Agreement to Improve International Tax Compliance and to Implement FATCA

- If the Entity is a Reporting Financial Institution (FI), Non-Reporting FI, Certified Deemed Compliant FI or other please complete Section C1 below; and/or
- If the Entity is a Non-Financial Entity (NFE)/Non-Financial Foreign Entity (NFFE), please complete Section C2 below.

### Section C1: The Entity is a Financial Institution

#### (a) Please provide your Global Intermediary Identification Number (GIIN) (for FATCA purposes):

The term "Financial Institution" means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company.

If your organisation is an FI, the assumption will be that an FI will register with the IRS and obtain a GIIN unless it is able to certify that it is exempted from the FFI category. A GIIN is the identification number used to identify the FFI for FATCA registration purposes and U.S. information reporting purposes. This represents combination of the FATCA ID and FFI EIN that were outlined in the regulations.

The recipient is required to verify the GIIN with the IRS database once it is received. If the GIIN is not found in the IRS FFI list after 90 days then the account holder will be treated as a Non-Participating Foreign Financial Institution (NPFFI).

If the GIIN is found in the IRS FFI list but other information is inaccurate (e.g. name of FFI does not reasonably match the name contained within the IRS FFI list) then the account holder will be treated as a NPFFI.

If your status requires you to have a GIIN you must provide this to your bank. Failure to provide this in a timely manner may result in you being classified as a reportable entity and, where there is US income, in some circumstances there may be withholding applied to any payments.

If the entity is a Reporting Financial Institution

The term "Financial Institution" means a "Custodial Institution", a "Depository Institution", an "Investment Entity", or a "Specified Insurance Company". Please see the relevant Tax Regulations and the CRS for further classification definitions that apply to Financial Institutions.

If the Entity is an Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution

**Note:** if ticking this box please also complete Section D below

An Entity is "managed by" another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the following activities or operations of an 'Investment Entity':

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;

Individual and collective portfolio management; or

Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.

An Entity only manages another Entity if it has discretionary authority to manage the other Entity's assets (either in whole or part). Where an Entity is managed by a mix of Financial Institutions, NFEs or individuals, the Entity is considered to be managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.

Under the CRS where this type of Entity is located in a Non-Participating Jurisdiction and managed by another Financial Institution then it is treated as Passive NFE.

#### (b) If unable to provide a GIIN, please give a reason by ticking one of the boxes below:

For payments made prior to 1 January 2015, however, a Form W-8BEN-E provided by a reporting Model 1 FFI need not contain a GIIN.

For payments made prior to 1 January 2016, a sponsored direct reporting NFFE or sponsored FFI that has not obtained a GIIN must provide the GIIN of its sponsoring entity.

The Entity has applied, or is going to apply, for a GIIN (but has not yet received it)

It is a Financial Institution that intends to apply for a GIIN but has not yet applied or has not yet received it:

If you are in the process of registering with the IRS but are waiting for a GIIN to be issued, you should compete "applied for" in (b) other.

If you are an exception, such as a start-up company or a company in liquidation, you should provide details of this in (b) other. These details should include e.g. for a start-up company the date of incorporation, or for a company in liquidation, the date it entered liquidation.

Once you have completed this status you have a maximum of 90 days to supply an updated form clearly stating your GIIN.

The Entity is a Non-Participating FI

The term "Financial Institution" means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company as defined for the purposes of FATCA. The same definitions apply to the UK's Agreements to Improve International Tax Compliance. Please see the relevant Tax Regulations for the classification definitions that apply to Financial Institutions.

A non-participation certification may arise through various circumstances:

- Active business decision
- Inability to comply with IRS FATCA regulations and there is no local law compliance alternative
- Exclusion through significant non-compliance and a failure to remediate.

A non-participating FFI may be excluded from the reporting and withholding penalties of non-participation if they act as an intermediary for exempt beneficial owners and are able to certify and disclose the beneficial ownership to the recipient of this form.

The beneficial owner has a responsibility to provide an updated certification if the certification follows a period where the entity was previously compliant.

**(c) If the Entity classification is one of the below and a GIIN is not required:**

The Entity is an Exempt Beneficial Owner (e.g. International Organisations)

The term "Exempt Beneficial Owner" means:

- a Governmental Entity;
- an International Organisation (examples of which include The International Monetary Fund, The World Bank, The International Bank for Reconstruction and Development and The European Community – for a full list please see the relevant guidance issued by HMRC, or the IRS);
- a Central Bank; or
- a UK registered pension scheme, or non-UK pension scheme falling within the definition of Exempt Beneficial Owner for the purpose of FATCA.

To qualify as an Exempt Beneficial Owner you must be the beneficial owner in your own right. If you are acting as an intermediary for another party, a status of exempt beneficial owner cannot and should not be claimed.

The Entity is a Non-Reporting FI or a Certified Deemed Compliant FI (e.g. UK registered charity or UK registered charitable trust)

**CRS- Non-Reporting FI-** The term "Non-Reporting Financial Institution" means any Financial Institution that is:

- a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution;
- a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer; any other Entity that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the Entities described in subparagraphs B(1)(a) and (b), and is defined in domestic law as a Non-Reporting Financial Institution, provided that the status of such Entity as a Non-Reporting Financial Institution does not frustrate the purposes of the Common Reporting Standard;
- an Exempt Collective Investment Vehicle; or
- a trust to the extent that the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported pursuant to Section I with respect to all Reportable Accounts of the trust (Trustee Documented Trust).

FATCA – Certified deemed compliant FIs as beneficial owners are not obliged to register with the IRS and obtain a GIIN. This certification can only be claimed if the beneficial owner providing the certification is not acting as an intermediary for another party.

If the certifying entity is not the beneficial owner of the account in question you should seek professional advice.

## Section C2: The Entity is NOT a Financial Institution

If the Entity is not a FI, it will be considered to be a NFE/NFFE. It can be Active or Passive. (See instructions for definitions under CRS and FATCA.) Please note your classification can differ under CRS and FATCA.

Please confirm the status of the Entity according to domestic legislation/Regulations by ticking one of the boxes below:

Organisations not classed as a Financial Institution.

Any certification that you are a Passive NFE/Passive NFFE should include details of Controlling Persons in the table included in the form.

Failure to provide any category certification will result in the default status of Non-Participating FI being applied to the account for FATCA purposes.

**Active NFE – CRS**

Any NFE 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;
- publicly traded NFEs;
- Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- holding NFEs that are members of a nonfinancial group;
- start-up NFEs;
- NFEs that are liquidating or emerging from bankruptcy;
- treasury centres that are members of a nonfinancial group; or
- non-profit NFEs.

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

- 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;
- 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;
- the NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- 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;
- 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;
- 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;
- 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:
  - (i) 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;
  - (ii) it is exempt from income tax in its jurisdiction of residence;
  - (iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
  - (iv) 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
  - (v) 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

### Active NFFE – FATCA

A NFFE is any entity that is not a Financial Institution. An Active NFFE is any NFFE that meets one of the following criteria:

- Less than 50 per cent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income (such as dividends, interest, royalties, annuities and rent) and less than 50 per cent 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;
- The stock of the NFFE is regularly traded on an established securities market or the NFE is a Related Entity of an entity, the stock of which is traded on an established securities market;
- The NFFE is a government, a political subdivision of such government, or a public body performing a function of such government or a political subdivision thereof, or an entity wholly owned by one or more of the foregoing;
- Substantially all of the activities of the NFFE 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. However the entity will not qualify as an Active NFFE if it functions (or holds itself out to be) 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. In these circumstances the entity will be a Passive NFFE;
- The NFFE 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 shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- The NFFE 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;
- The NFFE 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 entity is a Non-Profit Organisation.

Passive NFE/Passive NFFE  
**You must complete section D below**

### Passive NFE – CRS

Under the CRS a "Passive NFE" means any: (i) NFE that is not an Active NFE; and (ii) an Investment Entity described in subparagraph A(6)(b)Section VIII of the CRS.

### Passive NFFE – FATCA

A Passive NFFE is any NFFE that is not an Active NFFE. Certifications of Passive NFFE will require certifications of underlying beneficial ownership and whether this constitutes the owner being either a Substantial US owner or a Controlling US person.

You should understand the definitions of both prior to providing ownership details alongside the certification of the entity. You should consider ownership by natural persons and entities, determining if they are specified US persons according to the definitions laid out in the relevant Intergovernmental Agreement.

The requirement and consequences of a failure to provide valid certifications for underlying ownership is no different to that of providing a valid certification of the entity.

A default assumption of a reportable US status (with the associated consequences) will be assumed if there is a failure in certification or if a form is rejected. A failure in certification is a failure in the provision of a valid certification of the entity and/or beneficial ownership to the satisfaction of the recipient.

Whilst the certification of Passive NFFE imposes a potentially more onerous certification process, beneficial owners cannot and should not seek to certify as another entity type in a bid to reduce the administrative burden.

## Section D: Passive NFE/NFFE or Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution Controlling Persons Self-Declaration of tax residency

If you have declared the Entity to be a Passive NFE/NFFE or Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution (in Section C2 or Section C1 above), this section must be completed.

Below please list EACH Controlling Person, confirming ALL countries of tax residency and ALL Tax Identification Numbers for EACH Controlling Person.

Type of Controlling Person\*  
(for CRS only)

The term "Controlling Persons" means the natural persons who exercise control over an entity. In the case of a trust, such term means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions.

Please provide the Controlling Person's Status, options are listed below:

- Controlling Person of a legal person – control by ownership
- Controlling Person of a legal person – control by other means
- Controlling Person of a legal person – senior managing official
- Controlling Person of a trust – settlor
- Controlling Person of a trust – trustee
- Controlling Person of a trust – protector
- Controlling Person of a trust – beneficiary
- Controlling Person of a trust – other
- Controlling Person of a legal arrangement (non-trust) – settlor-equivalent
- Controlling Person of a legal arrangement (non-trust) – trustee-equivalent
- Controlling Person of a legal arrangement (non-trust) – protector-equivalent
- Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent
- Controlling Person of a legal arrangement (non-trust) – other-equivalent