

# Common Reporting Standard (CRS) & Foreign Account Tax Compliance Act (FATCA) Self-Certification Form for Entity Accounts

## Introduction

In compliance with the signed Intergovernmental Agreement ("IGA") between Qatar and the United States of America related to the Foreign Account Tax Compliance Act (FATCA) dated 7th of January 2015 and the Common Reporting Standard (CRS), The Commercial Bank (P.S.Q.C.) ("the Bank") is required to determine if you are a U.S. Person and where you are "tax resident" by collecting this Self-Certification Form and exchanging financial account information with other jurisdictions.

If your tax residence country (or the account holder, if you are completing the form on their behalf) is located outside Qatar or if you are a US Person, the Bank may be legally obliged to pass on the information in this form and other financial information with respect to your financial accounts to the competent authorities in Qatar and they may exchange this information with tax authorities of another jurisdiction or jurisdictions pursuant to intergovernmental agreements to exchange financial account information (FATCA and CRS).

These explanatory notes are not a substitute for understanding the requirements of the CRS regulations. Further details on the CRS may be found within the OECD CRS for Automatic Exchange of Information (AEOI), the associated Commentary to the CRS and domestic guidance.

Please note that this document does not constitute tax or legal advice. If you have any questions about this Form or CRS, please contact your tax, legal and/or other professional advisor.

Please complete this Form if you need to certify on behalf of an entity Account Holder.

Where the Account Holder is a Passive NFE, please provide information on the natural person(s) who exercise control over the Account Holder (individuals referred to as "Controlling Person(s)") by completing a "Self-certification for Controlling Persons" form for each Controlling Person.

If you are an Individual (including a sole proprietor) Account Holder, do not use this Form. Instead, fill in the 'Self-Certification Form - Individual'.

## Part 1: Account Holder information

<b>A) Name of Legal Entity or Branch</b>		
<b>B) Country of Incorporation or Organization</b>	Account Base number	
	Country of Incorporation or Organization	
<b>C) Current Residence Address</b>	Address Line 1:	
	Address Line 2:	
	City/Town:	
	Province/State/County:	
	Postal Code/ZIP Code:	
	Country:	
<b>D) Mailing Address (complete only if different from Section C)</b>	Address Line 1:	
	Address Line 2:	
	City/Town:	
	Province/State/County:	
	Postal Code/ZIP Code:	
	Country:	

## Part 2: CRS and FATCA Entity Classification

1) Is the entity a Corporation incorporated or Tax resident in the U.S?	<input type="radio"/> Yes	<input type="radio"/> No	If yes, please advise if you are:	Specified US Entity (other than publically traded entity, government entity, broker etc.):	<input type="radio"/> A	A US Person that is not a Specified Person	<input type="radio"/> B
				If (a) is ticked, please provide your Employment Identification Number (EIN):			

<b>2) Financial Institution (FI) Classification under FATCA</b>	US Financial Institution <input type="radio"/> A	Participating FFI under FATCA Regulations <input type="radio"/> B	Registered Deemed Compliant FFI under FATCA Regulations <input type="radio"/> C	Reporting FFI under Model 1 IGA <input type="radio"/> D	Reporting FFI under Model 2 IGA <input type="radio"/> E
	Please provide us with the Global Intermediary Identification Number (GIIN):				
	Other (such as Non reporting FFI under Model IGA, deemed compliant FFI): <input type="radio"/> E Please Specify:				
<b>3) Financial Institutions Classification under CRS (if applicable, to fill in addition to point 2)</b>	Financial Institution – Depository, Custodial, Investment entity or Specified Insurance Company <input type="radio"/> A	For Investment Entity, please confirm if located in a Non-Participating Jurisdiction, managed by another FI (If ticked, please complete Point 5) <input type="radio"/> B			
<b>4) Non-Financial Entity under FATCA and CRS (please complete if the entity classification doesn't fall under 2 and 3)</b>	A publicly traded corporation on an established market or a Related Entity of such entity <input type="radio"/> A	If ticked, please specify the name of the established Stock Exchange where it is regularly traded			
	A Government Entity or Central or an International Organization Bank or any related entity <input type="radio"/> B				
	Active NFE such as: Active by reason of income and asset test, a start-up NFE, Non-profit organization, Holding NFE member of a non-financial group, Treasury center or entity under liquidation members of a non-financial group): <input type="radio"/> C If ticked, please specify:				
	Passive NFE (please complete Point 5 below) <input type="radio"/> D				
<b>5) Controlling Persons details:</b>	If you have ticked 3(b) or 4 (d) above, please indicate the name of any Controlling Person(s) and complete FATCA/CRS Self-Certification form for each Controlling Person (if more than 4 persons please provide the names on a separate sheet)				
	First Name	Last Name	Account Base Number (if applicable)		

### Part 3 – Country/Jurisdiction of Residence for Tax Purposes and related Tax Identification Number (TIN) or Functional Equivalent Number\*

Please complete the following table indicating (i) where the Account Holder is tax resident and (ii) the Account Holder's TIN for each country/jurisdiction indicated. If the Account Holder is not tax resident in any country/jurisdiction (e.g., because it is fiscally transparent), please indicate that on line 1 and provide its place of effective management or jurisdiction in which its principal office is located. If the Account Holder is tax resident in more than three countries/jurisdictions, please use a separate sheet

If a TIN is unavailable please provide the appropriate reason A, B or C where indicated below:

Reason A: The country/jurisdiction where the Account Holder is resident does not issue TIN to its residents.

Reason B: The account holder is unable to obtain a TIN or equivalent number (please explain the reason in the table below).

Reason C: No TIN is required (Note. Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction)

Jurisdiction of tax residence	TIN/functional equivalent	If no TIN available select reason A, B or C (explain why you are unable to obtain a TIN if you select reason B)

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

1	
2	
3	

## Part 4 – Declaration

1. I declare that all statements made in this declaration are, to the best of my knowledge and belief, correct and complete.
2. I undertake to advise The Commercial Bank (P.S.Q.C) of any change of circumstance that affects the tax residence status of the account holder or causes the information provided within this form to become incorrect or incomplete within 30 days of its occurrence and to provide The Commercial Bank (P.S.Q.C.) with a suitably updated self-certification and Declaration form within 30 days
3. I understand that the information supplied by me is covered by the full provisions of the terms and conditions governing the Account Holder's relationship with The Commercial Bank (P.S.Q.C.) setting out how The Commercial Bank (P.S.Q.C) may use and share the information supplied by me.
4. I acknowledge that the information contained in this form and information regarding the Account Holder and any Reportable Account(s) may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country/jurisdiction or countries/jurisdictions in which the Account Holder may be tax resident pursuant to intergovernmental agreements to exchange financial account information.
5. I certify that I am authorized to sign for the Account Holder in respect of all the account(s) to which this form relates.

Signature		Date	D   D   M   M   Y   Y   Y   Y
Print Name (first, last)			
Capacity (If signing on behalf of Account Holder. For POA holders, kindly provide a certified copy of the POA)			
Officer Name (first,last):		Position of the Officer:	

### Appendix – Defined Terms

#### General and CRS Terms

##### “Account Holder”

The “Account Holder” is the person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, if a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust's owners or beneficiaries. Similarly, if a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

##### “Active NFE”

An NFE is an Active NFE if 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 Organizations, 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 centers that are members of a nonfinancial group; or
- Non-profit NFEs.

##### “Controlling Person(s)”

“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. This definition corresponds to the term “beneficial owner” described in Recommendation 10 and the Interpretative Note on Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

In the case of a trust, the Controlling Person(s) are 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, “Controlling Person(s) means persons in equivalent or similar positions.

##### “Entity”

The term “Entity” means a legal person or a legal arrangement, such as a corporation, organization, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).

##### “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 domestic guidance and the CRS for further classification definitions that apply to Financial Institutions.

##### “Investment Entity”

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:

- 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.

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.

##### “Investment Entity managed by another Financial Institution”

“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 activities or operations described in clause (i) above in the definition of ‘Investment Entity’.

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.

#### **“NFE”**

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

#### **“Non-Reporting Financial Institution”**

A Non-Reporting Financial Institution means any Financial Institution that is:

- a Governmental Entity, International Organization 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 Organization or Central Bank; or a Qualified Credit Card Issuer;
- An Exempt Collective Investment Vehicle; or
- A Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust;
- Any other defined in a country's domestic law as a Non-Reporting Financial Institution.

#### **“Participating Jurisdiction”**

A “Participating Jurisdiction” means a jurisdiction with which an agreement is in place pursuant to which it will provide the information set out in the CRS and that is identified in a published list.

#### **“Participating Jurisdiction Financial Institution”**

The term “Participating Jurisdiction Financial Institution” means (i) any Financial Institution that is tax resident in a Participating Jurisdiction, but excludes any branch of that Financial Institution that is located outside of that jurisdiction, and (ii) any branch of a Financial Institution that is not tax resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.

#### **“Passive NFE”**

Under the CRS a “Passive NFE” means any: (i) NFE that is not an Active NFE; and (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

#### **“Related entity”**

An Entity is a “Related Entity” of another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

#### **“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 and that is identified in a published list.

#### **“Reportable Person”**

A “Reportable Person” is defined as a “Reportable Jurisdiction Person”, other than:

- a corporation the stock of which is regularly traded on one or more established securities markets;
- any corporation that is a Related Entity of a corporation described in clause (i);
- a Governmental Entity;
- an International Organization;
- a Central Bank; or
- a Financial Institution (except for an Investment Entity described in Sub Paragraph A(6) b) of the CRS that are not Participating Jurisdiction Financial Institutions. Instead, such Investment Entities are treated as Passive NFE's.)

#### **“Specified Insurance Company”**

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.

#### **“FATCA”**

FATCA stands for the U.S. provisions commonly known as the Foreign Account Tax Compliance Act, which were enacted into U.S. law as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010. FATCA creates a new information reporting and withholding regime for payments made to certain non-U.S. financial institutions and other non-U.S. entities.

#### **FATCA IGA**

FATCA IGA refers to jurisdictions that have entered an Intergovernmental Agreement with the United States to implement FATCA under local laws.

#### **Financial Institution**

The term “Financial Institution” means an Investment Entity, a Custodial Institution, a Depository Institution, or a Specified Insurance Company as defined for the purposes of FATCA. Please see the relevant Tax Regulations for the classification definitions that apply to Financial Institutions.

#### **Specified US Person:**

The term specified United States person (or specified U.S. person) means any U.S. person other than-

- A corporation the stock of which is regularly traded on one or more established securities markets
- Any corporation that is a member of the same expanded affiliated group as a corporation
- Any organization exempt from taxation under section 501(a) or an individual retirement plan as defined in section 7701(a)(37);
- The United States or any wholly owned agency or instrumentality thereof;
- Any State, the District of Columbia, any U.S. territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;
- Any bank as defined in section 581;
- Any real estate investment trust as defined in section 856;
- Any regulated investment company as defined in section 851 or any entity registered with the Securities Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-64);
- Any common trust fund as defined in section 584(a);
- Any trust that is exempt from tax under section 664(c) or is described in section 4947(a)(1);
- A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any State;
- A broker; and any tax exempt trust under a section 403(b) plan or section 457(g) plan.

#### **“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:

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers>. Some jurisdictions do not issue a TIN. However, these jurisdictions often utilize 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.