

Investment management service

Self-certification form for entities under Automatic Exchange of Financial Account Information (AEOI)

Please note that the Client Agreement and profile for trusts, charities, companies and similar entities must be completed in conjunction with this form.

Financial Institutions are required under UK law to review and collect details of accounts held by ALL account holders and to report details about US persons and those who are tax resident outside the UK. Rathbones have to ascertain whether there are any reportable US persons in section 3 or other reportable non-UK tax residents in section 5.

All entities must complete sections 1, 2, 3, 5 and 8, and may also need to complete sections 4, 6 and/or 7.

Please refer to the Glossary on page 10 and/or contact your Tax Adviser to help complete this form.

For further guidance you can also contact the Rathbones AEOI helpline.

Telephone: 0151 243 7160

1 Entity information

1.1 Entity name (full)

1.2 Registered address (including country)

Postcode

1.3 Mailing address (if different from registered address)

Postcode

1.4 Country of incorporation/organisation

2 Entity tax residency

Please indicate all countries in which the entity is resident for tax purposes and the relevant Tax Identification Number or functional equivalent.

2.1 Country of tax residency

2.1.1 Tax Identification Number (TIN)/UTR reference

2.1.2 ☐ No TIN

2.2 Country of tax residency (if more than one tax residency)

2.2.1 Tax Identification Number (TIN)

2.2.2 ☐ No TIN

2.3 If you ticked the 'No TIN' box, please explain below why you do not have a TIN:

For the rest of this form NFFE will be referred to as NFE (Non-Financial Entity), the term used in the OECD Common Reporting Standard (CRS) (see section 5 on page 5).

4 Owner-documented FIs with Rathbones

Please note that the concept of Owner-Documented FIs is only applicable to FATCA and not the CRS.

This section must be completed by entities that declare in section 3.1.3.2 to be an FI and intend to be an Owner-Documented FI with Rathbones.

UK legislation based on international information exchange agreements provides that an entity which qualifies as an Owner-Documented FI will not have to register with the IRS nor obtain a GIIN.

4.1 Qualification for owner-documented FI status

In order to qualify as an Owner-Documented FI, the entity must meet ALL of the conditions below. To confirm that the entity meets the requirements to qualify as an Owner-Documented FI please answer the following questions and indicate True or False.

4.1.1 The entity does not maintain a financial account for any Non-Participating Financial Institution, i.e. a Non-Participating FI does not hold an equity interest or debt interest in the entity.

☐ True ☐ False

4.1.2 The entity is not owned by, nor a member of, a group of related entities with any FI that is a depository, custodial or specified insurance company as defined in UK legislation.

☐ True ☐ False

4.1.3 The entity provides Rathbones (i.e. the reporting entity) information regarding all persons – both natural and legal persons – that hold direct or indirect equity or debt interest in the entity.

☐ True ☐ False

4.1.4 The entity does not have a Corporate Trustee.

☐ True ☐ False

4.1.5 The entity does not have a bank account in its own name.

☐ True ☐ False

Information regarding equity and debt holders of the entity is required in order to enable Rathbones to determine whether it is obliged to submit certain information regarding the entity account to UK tax authorities. The information required to be provided to Rathbones applies to:

- all persons that hold a direct or indirect equity interest in the entity (including direct or indirect equity interests in an equity holder of the entity);
- all beneficial owners of all or a portion in the trust;
- all beneficiaries that are entitled to receive directly or indirectly a mandatory distribution from the trust;
- all beneficiaries that received a discretionary distribution from the trust in the calendar year;
- all settlors, trustees and all persons exercising ultimate effective control over the trust; and
- all persons that hold a direct or indirect debt interest in the entity (including direct or indirect equity interests in a debt holder of the entity).

Only where ALL responses to the questions in section 4.1 are True will the entity qualify for Owner-Documented FI status and you may proceed to section 7. Otherwise please refer to the FATCA helpline as provided on page 1 of this document.

5 Entity classification for the purposes of the Common Reporting Standard (CRS)

Please tick ONE of the boxes below.

- 5.1 If the entity is a Managed Investment Entity, i.e. more than 50% of the entity's gross income is attributable to investment activities AND the entity has appointed a Financial Institution, e.g. Rathbones, to manage its assets, in part or in whole, on a discretionary basis, then the entity will either be resident in:

UK

☐

Jersey

☐

Other (please specify)

☐

Please note if you have ticked Other under 5.1, Rathbones is unable to carry out CRS reporting on your behalf and you may be responsible for declaring any reportable persons who are tax resident in a Reportable Jurisdiction to your local tax authority.

- 5.2 If you have ticked UK or Jersey in 5.1 above and have classified the entity as Owner-Documented FI on page 3, the entity authorises Rathbones to undertake any reporting obligations under the CRS regulations.

☐

- 5.3 If the entity is NOT a Managed Investment Entity, then it will be one of the following.

- 5.3.1 A Financial Institution (other than a Managed Investment Entity).

☐

- 5.3.2 A Non-Reporting Financial Institution (i.e. governmental entity).

☐

- 5.3.3 An Active NFE.

☐

- 5.3.4 A Passive NFE (please complete section 6 on page 6).

☐

If you have ticked box 5.3.1 above, you may be responsible for reporting any reportable persons who are tax resident in a Reportable Jurisdiction to your local tax authority.

If you have ticked 5.3.4 above, please proceed to section 6. Otherwise, please go to section 8.

6 Passive NFE controlling persons self-declaration of tax residency

Please complete this section **ONLY** if you have declared the entity to be a Passive NFE in sections 3 or 5, or the entity is a Managed Investment Entity tax resident in a Non-Reportable Jurisdiction.

Please list in the table below **EACH** Controlling Person, confirming **ALL** countries of tax residency and **ALL** Tax Identification Numbers. If a Controlling Person is a US citizen, US Green Card holder, or US resident, you must include United States in this table along with his/her US Tax Identification Number.

6.1 Full name	Type of Controlling Person	Country of birth
Permanent residence address	Country of tax residency	Place of birth
	Tax Identification Number or functional equivalent	Date of birth
		<div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
	Individual <input type="checkbox"/>	
Postcode <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>	Entity <input type="checkbox"/>	

6.2 Full name	Type of Controlling Person	Country of birth
Permanent residence address	Country of tax residency	Place of birth
	Tax Identification Number or functional equivalent	Date of birth
		<div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
	Individual <input type="checkbox"/>	
Postcode <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>	Entity <input type="checkbox"/>	

6.3 Full name	Type of Controlling Person	Country of birth
Permanent residence address	Country of tax residency	Place of birth
	Tax Identification Number or functional equivalent	Date of birth
		<div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
	Individual <input type="checkbox"/>	
Postcode <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>	Entity <input type="checkbox"/>	

If you have more than three Controlling Persons, please provide their details in the Client notes section on page 9.

7 Entity owner information

Please provide information regarding the entity interest holders, including all persons – both natural and legal persons – that hold direct or indirect equity or debt interest in the entity as defined on page 10. Indicate all countries of tax residence of each person and where such person is a US citizen, US Green Card holder, or US resident or US entity, you must include United States in this table along with his/her US Tax Identification Number.

We will then check whether we already have appropriate documentation for these persons on file, or whether we are obliged to request further documentation from you which may include documentation already obtained for UK regulatory purposes.

Please complete the below sections 7.1 to 7.3 with information on all direct and indirect equity/debt holders of the entity.

Please provide the following information for each direct or indirect holder of the entity and indicate if they are an individual or an entity.

7.1 Full name

Direct Interest Holder

☐

Indirect Interest Holder

☐

Permanent residence address

Type of Controlling Person

Country of birth

Country of tax residency

Place of birth

Tax Identification Number or functional equivalent

Date of birth

Postcode

7.2 Full name

Direct Interest Holder

☐

Indirect Interest Holder

☐

Permanent residence address

Type of Controlling Person

Country of birth

Country of tax residency

Place of birth

Tax Identification Number or functional equivalent

Date of birth

Postcode

7.3 Full name

Direct Interest Holder

☐

Indirect Interest Holder

☐

Permanent residence address

Type of Controlling Person

Country of birth

Country of tax residency

Place of birth

Tax Identification Number or functional equivalent

Date of birth

Postcode

If you have more than three entity interest holders, please provide their details in the Client notes section on page 9.

8 Declaration section

- 8.1 I confirm that as per UK guidance I am authorised to sign this form and that the information provided is, to the best of my knowledge and belief, accurate and complete.
- 8.2 I undertake to advise Rathbones promptly of any change in circumstances which causes the information contained herein to become incorrect or incomplete and to provide Rathbones with an updated declaration within 30 days of such a change in circumstances. This includes in particular details of beneficiaries who receive discretionary distribution in future and whose details have not yet been included in section 7.
- 8.3 I am aware that in certain circumstances Rathbones will be obliged to share information with UK tax authorities, who may pass it on to the tax authorities of other countries.
- 8.4 I acknowledge that Rathbone Investment Management Limited will process my/our Personal Data (as defined in the Terms of Business) and as set out in Rathbones' Privacy Notice for clients, as may be amended from time to time, which can be found at rathbones.com/privacy
- 8.5 Where the entity is classified as a Passive NFE I have provided information relating to all Controlling Persons in the table on page 6.
- 8.6 I am aware that if I elected Owner-Documented FI (ODFI) the agreement is only applicable to the reporting of US persons under FATCA regulations, and the entity authorises Rathbones to be responsible for meeting any reporting obligations under the CRS regulations.
- 8.7 Where the entity is taking advantage of the ODFI classification under the FATCA Agreement I can confirm that I have provided information relating to all Direct and Indirect Interest Holders in the entity on page 7.

Signed

Print name

Date

Capacity

[illegible]This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

If additional sheets have been used please specify the number.

Glossary

Active NFE an NFE where:

- less than 50% of its gross income for the preceding calendar year comprises of passive income (e.g. rent, royalties, dividends, interest and property income); and
- less than 50% of its assets are used for the production of passive income.

Common Reporting Standard (CRS) a reporting standard approved and developed by the Organisation of Economic Co-operation and Development (OECD), which requires jurisdictions to obtain relevant information from their FIs and automatically exchange that information with other jurisdictions on an annual basis.

Controlling Person those who exercise control over an entity (e.g. settlor, trustee, protector, beneficiaries, directors and shareholders with voting rights).

Corporate Trustee an entity acting as a trustee services provider (e.g. legal or administration services) who receive a fee for work undertaken including that related to FATCA.

DAC the Directive on Administrative Cooperation. It is a European legislative instrument that adopts the CRS within the European framework so information exchange is mandatory between EU states.

Deemed-Compliant FI an FI that does not have to perform FATCA due diligence on the Financial Accounts it maintains. There are two types:

- Registered Deemed-Compliant, which includes certain local banks, qualified collective investment vehicles, restricted funds and FFIs that comply with FATCA requirements; and
- Certified Deemed-Compliant, which includes (but is not restricted to) non-registered local banks, retirement plans and non-profit organisations.

Direct Interest Holder a person (individual or entity) who holds shares in a company is a Direct Interest Holder of such company.

Direct Reporting NFE an NFE that elects to directly report information about its substantial US owners to the IRS. The entity must register and obtain a GIIN and must disclose its GIIN to qualify for exemption from FATCA withholding tax.

Exempt Beneficial Owner includes foreign governments, any political subdivision of a foreign government, any foreign central bank and any international organisation (e.g. IMF).

FATCA the Foreign Account Tax Compliance Act. FATCA was enacted in 2010 by Congress to target non-compliance by US taxpayers using foreign accounts. It requires foreign Financial Institutions (FFIs) to report to the IRS information about financial accounts held by US taxpayers, or by foreign entities in which US taxpayers hold a substantial ownership interest.

Financial Account an account maintained by an FI including depository accounts, custodial accounts, equity and debt

interest in certain Investment Entities, cash value insurance contracts and annuity contracts.

Global Intermediary Identification Number (GIIN) is assigned to an FFI that registers with the IRS. A GIIN is used to establish chapter 4 status for withholding and reporting purposes.

Indirect Interest Holder a natural person who holds shares in a company through another entity or through a chain of entities is an Indirect Interest Holder of such company.

Investment Entity is either an Investment Entity conducting business (e.g. trading, portfolio management, administration) on behalf of customers or a Managed Investment Entity.

Managed Investment Entity an entity will be considered to be managed where either:

- an FI is acting as a Controlling Person of the entity (e.g. Corporate Trustee);
- an FI has been appointed to carry out the daily functions on behalf of the entity (e.g. a third party administrator has been appointed); or
- an FI (e.g. Rathbones) has been engaged to manage the financial assets of the entity on a discretionary basis.

Non-Participating FI an FI that does not comply with FATCA regulations and is deemed not compliant or excepted.

Non-Reportable Jurisdiction a jurisdiction that is not a party to, or a territory covered by the CRS. No agreement will be in place to provide financial account tax information to other jurisdictions.

Non-Reporting FI an FI resident in a Participating Jurisdiction that is not obliged to report under the CRS. Examples include government institutions, UK registered pension schemes and other public bodies.

Owner-Documented FI (ODFI) a classification for FIs that are not part of a financial group and who appoint another FI (referred to as a withholding agent) to perform any FATCA reporting on their behalf. ODFIs do not need to register with the IRS but are responsible for providing all necessary documents to their withholding agent.

Passive NFE an NFE where:

- 50% or more of its gross income for the preceding calendar year comprises of passive income (e.g. rent, royalties, dividends, interest and property income); and
- 50% or more of its assets are used for the production of passive income.

Note: a Passive NFE must certify whether it has any substantial US owners and, where present, provide their details.

Reportable Jurisdiction a jurisdiction that is party to, or a territory covered by, the CRS. An agreement will be in place to provide financial account tax information to other jurisdictions.

Glossary – continued

Sponsored Direct Reporting NFE an NFE who employs another qualifying entity as its sponsor. The sponsor registers the NFE with the IRS in order to report information regarding its substantial US owners.

Sponsored Investment Entity an Investment Entity that has an agreement in place with another entity for them to act as a sponsor and therefore perform all required FATCA tasks on their behalf.

Sponsored Investment Vehicle an Investment Vehicle that has an agreement in place with another entity for them to act as a sponsor and therefore perform all required FATCA tasks on their behalf. The Investment Vehicle must have 20 or fewer individuals owning all the debt and equity interest.

TIN (including functional equivalent) 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. 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 individuals, the social security number.

Trustee Documented the trustee must be a Financial Institution in its own right (i.e. a Corporate Trustee) and is responsible for reporting all information required with respect to all US reportable accounts of the trust to which it provides this service. Please note that the trust itself would not need to register with the IRS.

US Person a US citizen or resident individual, a partnership or a corporation organised in the United States or under the laws of the United States or any states thereof, a trust if (a) a court within the United States would have authority under applicable law to render orders or judgements concerning substantially all issues regarding administration of the trust, and (b) one or more US persons have the authority to control all substantial decisions of the trust, or an estate of a decedent who was a citizen or resident in the United States. This definition shall be interpreted in accordance with the US Internal Revenue Code.

Rathbone Investment Management Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.
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Rathbones
Look forward