

CRS Self Certification Form - Controlling Person (Form CRS-CP)

Instructions - Please read these instructions before completing this form

Why are we asking you to complete this form?

To help protect the integrity of tax systems, governments around the world are introducing a new information gathering and reporting requirement for Financial Institutions. This is known as the Common Reporting Standard (“CRS”).

To align with the foregoing global requirement, the Ministry of Finance (“MOF”) issued the ‘Regulations Governing the Implementation of the Common Standard on Reporting and Due Diligence for Financial Institutions’ and the relevant local rules (collectively, the “Regulations”). According to the Regulations, Financial Institutions are required to determine where a Controlling Person is “tax resident” (this will usually be where you are liable to pay income taxes). If you are tax resident outside the country/jurisdiction where your account is held, we may need to give the tax authority this information, along with information relating to your accounts. That may then be shared between tax authorities in different countries/jurisdictions.

Completing this form will ensure that we hold accurate and up to date information about your tax residency. If your circumstances change and any of the information provided in this form becomes incorrect, please let us know immediately and provide an updated self-certification.

Who should complete the CRS Controlling Persons Self-Certification Form?

When an account is held with us on behalf of a Passive Entity (for example certain trusts or investment vehicles) we need those individuals identified as having ultimate control of the entity to complete a form. These individuals are termed “controlling persons”.

If you need to self-certify on behalf of an entity (which includes businesses, trusts and partnerships), please complete a ‘CRS Self-Certification Form – Entity (Form CRS-E)’. Similarly, if you are an individual customer, please complete a ‘CRS Self-Certification Form – Individual (Form CRS-I)’. You can find these forms at <https://www.assetmanagement.hsbc.com.tw/>.

For joint or multiple controlling persons, each individual will need to complete a copy of the form.

Even if you have already provided information in relation to the United States Government’s Foreign Account Tax Compliance Act (“FATCA”), you may still need to provide additional information for the CRS as this is a separate regulation.

If you are completing this form on behalf of a controlling person, please ensure that you let them know that you have done so and tell us in what capacity you are signing in Part 5. For example you may be a representative of the entity, or completing the form under a power of attorney.

Where to go for further information

If you have any questions about this form or these instructions, please contact your Relationship Manager or visit: <https://www.assetmanagement.hsbc.com.tw/>.

The Organisation for Economic Co-operation and Development (“OECD”) has developed the rules to be used by all governments participating in the CRS and these can be found on the OECD’s Automatic Exchange of Information (“AEOI”) website (<http://www.oecd.org/tax/automatic-exchange/>).

You could also visit MOF’s website for further information on local regulation requirement (<https://www.mof.gov.tw/>). The definition of the terms used in this form can be found in the Appendix for your reference. In the case of inconsistency between the Appendix and the Regulations, the Regulations shall prevail.

If you have any questions on how to define your tax residency status, please visit the foregoing OECD website or speak to your tax advisor as we are not allowed to give tax advice.

Controlling Person Tax Residency Self-Certification Form (please complete parts 1-5 in BLOCK CAPITALS)
Part 1 – Identification of a Controlling Person

1. Name of Controlling Person	Family Name or Surname(s)		First or Given Name		Middle Name(s) (if any)		
2. Current Residence Address							
	Country/Jurisdiction				Post Code/ZIP Code		
3. Mailing Address (please only complete if different to the address shown in Section 2)							
	Country/Jurisdiction				Post Code/ZIP Code		
4. Date of Birth	<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> (dd/mm/yyyy)						
5. Place of Birth	Country/ Jurisdiction of Birth				Town or City of Birth (Optional)		

Part 2 – As a Controlling Person of the Entity Account Holder

Please enter the legal name and the Taxpayer Identification Number (“TIN”) of the relevant Entity Account Holder(s) of which you are a Controlling Person.

Legal name and TIN of Entity 1	
Legal name and TIN of Entity 2	
Legal name and TIN of Entity 3	

Part 3 – Country/Jurisdiction of Tax Residence (JoTR) and related Taxpayer Identification Number (“TIN”) or functional equivalent

Please complete the following table indicating:

- (i) where the Controlling Person is tax resident; and
- (ii) the Controlling Person’s TIN for each country/jurisdiction indicated.

If the Controlling Person is a tax resident in more than one country/jurisdiction at the same time, please indicate all countries/jurisdictions of tax residence. Please use a separate sheet if the Controlling Person is tax resident in more than three countries/jurisdictions.

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

Reason A - The country/jurisdiction where I am liable to pay tax does not issue TINs to its residents

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

Reason C - No TIN is required. (Note. Only select this reason if the authorities of the country/jurisdiction of tax residence entered below do not require the TIN to be disclosed)

Country/Jurisdiction of tax residence	Tax Identification Number (“TIN”)	If no TIN available, please enter Reason A, B or C	Please explain in the following boxes why you are unable to obtain a TIN if you selected Reason B above.
(1)			
(2)			
(3)			

Part 3 (a) – If the country of Current Residence Address (Part 1, Line 2) is different from the Country/Jurisdictions of Tax Resident (Part 3), please complete the following options

1. The Controlling Person is a student studying in the country in Part 1, Line 2 and has not yet lived there long enough to become tax resident.	
2. The Controlling Person is working in the country in Part 1, Line 2 and has not yet lived there long enough to become tax resident.	
3. The Controlling Person is a diplomat or a member of the armed forces posted to the country in Part 1, Line 2.	
4. The Controlling Person has recently moved to the country that they are opening a financial account in and they are not yet tax resident in this country. The Controlling Person is still tax resident in the country in Part 3.	

5. None of the above – please provide detail in the space below.

Part 4 – Type of Controlling Person

Tick the appropriate box to indicate the type of Controlling Person for the Entity stated in Part 2.

Entity Type	Type of Controlling Person	Entity 1	Entity 2	Entity 3
Legal Person	Individual who exercises control over an Entity owning directly or indirectly of more than 25% of the Entity's shares, capital, or equities			
	Individual who exercises control over the Entity through other means			
	Individual who holds the position of senior managing official			
Trust	Settlor			
	Trustee			
	Protector			
	Beneficiary			
	Any other individual who exercises ultimate effective control over the trust			
Legal Arrangements other than Trust	Individual in a position equivalent/similar to settlor			
	Individual in a position equivalent/similar to trustee			
	Individual in a position equivalent/similar to protector			
	Individual in a position equivalent/similar to beneficiary			
	Any other individual who exercises ultimate effective control over the arrangements			

Part 5 – Declaration and Signature

1. I acknowledge that according to Tax Collection Act, the Regulations and other relevant laws and regulations, the information contained in this form, information regarding the Controlling Person and any Reportable Account(s) (the “Information”) may be provided by HSBC Global Asset Management (Taiwan) Limited (the “Investment Manager”) to the domestic tax authorities and exchanged with tax authorities of another country/jurisdiction or countries/jurisdictions in which the Controlling Person may be tax resident pursuant to intergovernmental agreements to exchange financial account information for tax purposes.
2. I agree that the Investment Manager may collect, process and utilise the Information and may provide, share or disclose the Information to HSBC Group member (including HSBC Holdings PLC and all its subsidiaries and affiliates) for the purposes under applicable laws and regulations as well as the purposes in the contract, agreement, arrangement, terms and conditions (including supplements) or transaction documents entered with the Investment Manager.
3. I certify that I am the Controlling Person, or am authorised to sign for the Controlling Person, of all the account(s) held by the entity Account Holder to which this form relates.
4. **I declare that all statements made in this declaration are, to the best of my knowledge and belief, correct and complete.**
5. I undertake to advise the Investment Manager within 30 days of any change in circumstances which affects the tax residency status of the individual identified in Part 1 of this form or causes the information contained herein to become incorrect, and to provide the Investment Manager a suitably updated self-certification form (CRS-CP) and Declaration within 90 days of such change in circumstances.

Signature:

Print Name:

Date(dd/mm/yyyy):

Capacity:

Note: If you are not the Controlling Person, please indicate the capacity in which you are signing the form. If signing under a power of attorney please also attach a certified copy of the power of attorney.

Appendix – Definitions

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

MOF Automatic Exchange of Information Website

(<https://www.mof.gov.tw/>)

OECD Automatic Exchange of Information Website

(<http://www.oecd.org/tax/automatic-exchange/>)

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, an intermediary, or as a legal guardian, is not treated as the Account Holder. In these circumstances that other person is the Account Holder. For example in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder.

“Active NFE”

A Non-Financial Entity (‘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 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:

- a) 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) 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) 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) the NFE is not yet operating a business and has no prior operating history, (a “start-up NFE”) 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) 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) 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) the NFE meets all of the following requirements (a “non-profit NFE”) :

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.

"Control"

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 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).

"Controlling Persons of a trust"

It means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, and any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). The settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, must always be 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, such term means persons in equivalent or similar positions.

"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.

"Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution"

It is 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.

"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.

“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 Non-Participating 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 (<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/>).

If the Entity Account Holder is the local tax resident, the TIN for entity/corporate is the Government Uniform Invoice/Business Administration Number (8 digit number issued by Ministry of Economic Affairs or the tax authorities).

If the Controlling Person is a local individual tax resident, his or her TIN is as follows:

1. National ID Card Number (one alphabet code plus 9-digit code issued by the Department of Household Registration, Ministry of the Interior, for example A123456789).
2. Uniform ID Number (two alphabet code plus 8-digit code issued by the National Immigration Agency, Ministry of the Interior, for example AB12345678).
3. The current Taxpayer Code Number for those who have neither National ID Card Number nor Uniform ID Number is assigned as follows: Mainland China citizens are coded as 9+yy+mm+dd (for example, born on 25 October 1985, the code would be 9851025); for other foreigners, yyyy+mm+dd+the first two letters of his or her English name in order printed on his or her passport (for example, the code for Mary Jones born on 25 October 1985, would be 19851025MA).

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, a social security/insurance number, citizen/personal identification/service code/number, and resident registration number. For entities, a business/company registration code/number.