

## Foreign Account Tax Compliance Act (FATCA) and OECD Common Reporting Standard (CRS) Tax Certification Controlling Persons Self-Certification

Application / Policy Number	
Policy Owner	ID Card No

We are obliged under Regulation 123.127 entitled “cooperation with other jurisdiction on tax matters” to collect certain information about each policy owner’s tax arrangements. Please complete the sections below as directed and provided.

Please note that if your citizenship or your tax residence are not Maltese, MAPFRE MSV Life plc (MAPFRE MSV) may be legally obliged to pass on your details and other financial information with respect to all policies held with MAPFRE MSV to the Inland Revenue and they may exchange this information with tax authorities of another jurisdiction(s) pursuant to intergovernmental agreements to exchange financial account information.

If any of the information below about your residence or FATCA/CRS Classification changes in the future, you are obliged to advise of these changes promptly.

**IMPORTANT NOTES** Please complete this form if the Policy Owner is a Passive NFFE (FATCA), or a Passive NFE (CRS), or an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution. If you are completing this form, kindly ensure that the self-certification for the entity has also been completed.

If you are an Individual, or sole trader, or sole proprietor DO NOT complete this form, please use our Individual Self Certification Form. Please complete all sections, you are kindly requested to answer each question and clearly provide additional information where necessary and when you have answered “Yes” to any of the questions. Failure to supply full details will cause unnecessary delays.

Please also refer to the additional notes explaining the classifications and selected summaries to assist in completing this form.

### Section 1 – Identification of Controlling Person

Please use a separate form for joint or multiple persons

<p>Full Name &amp; Surname <input style="width: 80%;" type="text"/></p> <p>Title <input style="width: 20%;" type="text"/> Date of Birth <input style="width: 20%;" type="text"/></p> <p>Place of Birth <input style="width: 20%;" type="text"/> Country of Birth <input style="width: 20%;" type="text"/></p> <p>Nationality <input style="width: 80%;" type="text"/></p> <p>Other Nationality <input style="width: 80%;" type="text"/></p>	<p>Residential Address <input style="width: 95%;" type="text"/></p> <p style="text-align: right; margin-right: 10px;">Postcode <input style="width: 15%;" type="text"/></p> <p>Country <input style="width: 95%;" type="text"/></p> <p>Correspondence Address <input style="width: 95%;" type="text"/></p> <p style="text-align: right; margin-right: 10px;">Postcode <input style="width: 15%;" type="text"/></p> <p>Country <input style="width: 95%;" type="text"/></p>
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### Policy Owner Details

Please provide the legal names of the Entity / Entities of which you are a controlling person

Entity 1  Entity 2  Entity 3

### Section 2 – Country / Jurisdiction of Residence for Tax Purposes

Each jurisdiction has its own rules for defining tax residence. In general, you may find that tax residence is the country/jurisdiction in which you live. Special circumstances may cause you to be resident elsewhere or resident in more than one country/jurisdiction at the same time (dual residency). For more information on FATCA and CRS please refer to Inland Revenue Malta website, the OECD CRS portal or consult your tax adviser.

Please complete the following table indicating (i) where you are tax resident and (ii) your TIN for each country/jurisdiction indicated. If one of your tax residences is Malta, your Maltese TIN is your I.D. Card Number.

If you are 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 you are resident does not issue TINs to its residents
- Reason B – You are unable to obtain a TIN or equivalent number (please explain why if you have selected this reason)
- Reason C – No TIN is required (NB. Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction)

Country/Jurisdiction of tax residence	TIN	If no TIN available, enter reason A, B or C
1		
2		
3		

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

1	
2	
3	

### Section 3 – Type of Controlling Person

Please provide details of the Controlling Person's Status by ticking the appropriate box for each Entity

		Entity 1	Entity 2	Entity 3
1	Controlling Person of a legal person - <b>control by ownership</b>			
2	Controlling Person of a legal person - <b>control by other means</b>			
3	Controlling Person of a legal person - <b>senior managing official</b>			
4	Controlling Person of a trust - <b>settlor</b>			
5	Controlling Person of a trust - <b>trustee</b>			
6	Controlling Person of a trust - <b>protector</b>			
7	Controlling Person of a trust - <b>beneficiary</b>			
8	Controlling Person of a trust - <b>other</b>			
9	Controlling Person of a legal arrangement (non-trust) - <b>settlor equivalent</b>			
10	Controlling Person of a legal arrangement (non-trust) - <b>trustee equivalent</b>			
11	Controlling Person of a legal arrangement (non-trust) - <b>protector equivalent</b>			
12	Controlling Person of a legal arrangement (non-trust) - <b>beneficiary equivalent</b>			
13	Controlling Person of a legal arrangement (non-trust) – <b>other equivalent</b>			

### Section 4 – CRS Declaration of Tax Residency

Please indicate the Entity's country of tax residence for CRS purposes (if resident in more than one country please detail all countries of tax residence and associated tax identification numbers ("TIN").

**NOTE:** Provision of Tax ID number (TIN) is required unless you are tax resident in a jurisdiction that does not issue a TIN.

If the Entity is not a tax resident in any jurisdiction (e.g. because it is fiscally transparent), please indicate that below and provide its place of effective management or country in which its principal office is located.

Please complete the following table indicating (i) where the Policy Owner is tax resident and (ii) the Policy Holder's TIN for each country/jurisdiction indicated. If one of your tax residences is Malta, your Maltese TIN is your I.D. Card Number.

If the Policy Owner 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 Policy Owner is resident does not issue TINs to its residents
- Reason B – The Policy Owner is otherwise unable to obtain a TIN or equivalent number (please explain why if you have selected this reason)
- Reason C – No TIN is required (NB. Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction)

Country/Jurisdiction of tax residence	TIN	If no TIN available, enter reason A, B or C
1		
2		
3		

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

1	
2	
3	

### Section 5 – Declaration

I acknowledge that the information given in this Form shall form part of the Policy Owner's (the Entity's) application for life insurance and I acknowledge that all the information herein provided is subject to the same conditions as shown on the Application Form and Policy Documents.

I acknowledge that the information contained in this form and information regarding me as a Controlling Person and any Reportable Account(s) may be reported to the Inland Revenue and exchanged with tax authorities of other countries/jurisdiction(s) jurisdictions in which [I/the Controlling Person] may be tax resident pursuant to intergovernmental agreements to exchange financial account information.

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. I declare that the information given in this form is true, accurate and complete.

I undertake to advise MAPFRE MSV of any change in circumstances which effect my tax residency status or should there be any changes which causes this the information contained in this form to become incorrect or incomplete and to provide MAPFRE MSV with a suitably updated self-certification promptly.

Signature	Name	Date
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## Notes & Selected Summaries to Assist in Completing the FATCA and CRS Self-Certification Form

For more information on FATCA and CRS please refer to Inland Revenue Malta website, the OECD CRS portal or consult your tax adviser.  
<https://ird.gov.mt/regulations/fatca.aspx> for FATCA or <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/> for CRS only

### FATCA

The Foreign Account Tax Compliance provisions (known as FATCA) contained in the HIRE Act 2010 are US legislation aimed at reducing tax evasion by citizens of United States of America (US). Malta and U.S. signed an agreement to implement FATCA in Malta (Agreement between the Government of United States of America and the Republic of Malta to Improve International Tax Compliance and to Implement FATCA) which was incorporated into Maltese Law.

### U.S. Person

The term U.S. person means a U.S. citizen or resident individual, a partnership or corporation organised in the United States or under the laws of the United States or any state thereof, a trust if (i) 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 (ii) one or more U.S. persons have the authority to control all substantial decisions of the trust, or an estate of a decedent that is a citizen or resident of the United States. The definition of U.S. person must be interpreted in accordance to the US Internal Revenue Code.

### Specified U.S. Person

The term Specified U.S. Person means a U.S. Person, other than: (i) a corporation the stock of which is regularly traded on one or more established securities markets; (ii) any corporation that is a member of the same expanded affiliated group, as defined in section 1471(e)(2) of the U.S. Internal Revenue Code, as a corporation described in clause (i); (iii) the United States or any wholly owned agency or instrumentality thereof; (iv) any State of the United States, any U.S. Territory, any political subdivision of any of the foregoing; (v) any organisation exempt from taxation under section 501(a) of the U.S. Internal Revenue Code or an individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code; (vi) any bank defined in section 581 of the U.S. Internal Revenue Code; (vii) any real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code; (viii) any regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any entity registered with the U.S. Securities and Exchange Commission under the Investment Company Act of 1940; (ix) any common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code; (x) any trust that is exempt from tax under section 664(c) of the U.S. Internal Revenue Code or that is described in section 4947(a)(1) of the U.S. Internal Revenue Code; (xi) 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; (xii) a broker as defined in section 6045(c) of the U.S. Internal Revenue Code; or (xiii) any tax-exempt trust under a plan that is described in section 403(b) or section 457(b) of the U.S. Internal Revenue Code.

### Financial Institution

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

### Deemed-Compliant Financial Institution

- Financial Institution with a Local Client Base
- Local Bank
- Financial Institution with Only Low-Value Accounts
- Qualified Credit Card Issuer

### Exempt Beneficial Owner

- Governmental Entity
- International Organization
- Central Bank
- Certain Funds which qualify as Exempt Beneficial Owners – Treaty- Qualified Retirement Fund, Broad Participation Retirement Fund, Narrow Participation Retirement Fund, Pension Fund of an Exempt Beneficial Owner, Investment Entity Wholly Owned by Exempt Beneficial Owners

### Non-Participating Financial Institution (NRFI)

The Term Non-Participating Financial Institution (NRFI) means a Financial Institution which is not either a Malta Financial Institution, a Financial Institution in another Partner Jurisdiction or a Participating Financial Institution.

### Active Non-Financial Foreign Entity (NFFE)

An Entity will be an Active NFFE for the purpose of Section 3 only if they meet one of the following criteria:-

1. Less than 50% of the NFFE'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 NFFE during the preceding year or other appropriate reporting period are assets that produce or are held for the production of passive income;
2. The stock of the NFFE is regularly traded on an established securities market or the NFFE is a related entity of an entity the stock of which is regularly traded on an established securities market;
3. The NFFE is organised in a US territory and all the owners of the payee are bona fide residents of that US territory;
4. The NFFE is a government (other than the US government), a political sub-division of such government (which, for the avoidance of doubt, includes a state, province, county or municipality), or a public body performing a function of such government or a political subdivision thereof, a government of a US Territory, an international organisation, a non-US central bank of issue, or an Entity wholly owned by one of the foregoing;
5. 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. The entity will not qualify as a Non-Financial Foreign entity if it functions (or holds itself out to be) as an investment fund, such as a private equity fund, venture capital, 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 purpose;
6. The NFFE is not yet operating a business and has no prior operating history, but is investing capital into assets with intent to operate a business other than that of a Financial Institution provided that the NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFFE;
7. The NFFE was not a Financial Institution in the past 5 years, and is in the process of liquidating its assets or reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
8. 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;
9. The NFFE is an "expected NFFE" (excluding direct reporting NFFEs) as described in relevant US treasury regulations;
10. The NFFE 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 purpose; 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 the 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 entity's jurisdiction of residence or the entity's formation documents do not permit any income or assets of the entity to be distributed to, applied for the benefit of, a private person or non-charitable entity other than pursuant to the conduct of the entity's charitable activities, or as a payment of reasonable compensation for services rendered or as payment representing the fair market value of property which the entity has purchased; and
  - v) The applicable laws of the entity's jurisdiction of residence or the entity's formation documents require that, upon the entity'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 entity's jurisdiction of residence or any political subdivision thereof.

### Passive Non-Financial Foreign Entity

For the purpose of section 3 only a Passive NFFE is any NFFE that is not an Active NFFE Investment Entity

The Term "Investment Entity" means any entity that conducts as a business, or is managed by an entity that conducts as a business, one or more of the following activities, for or on behalf of a customer for e.g. an account holder:

Trading in money market instruments (cheques, bills, certificates of deposit, derivatives etc.); Foreign exchange; interest rate and index instrument; transferrable securities or commodity futures trading;

Individual and collective portfolio management;

Otherwise investing, administering or managing funds or money on behalf of other persons;

An entity "conducts as a business" in this context if the entity's gross income attributable to such activities is equal to or exceeds 50% of the entity's gross income during the shorter of:

The three-year period ending on 31 December of the year preceding the year in which the determination is made; or

The period during which the entity has been in existence.

### CRS

Active NFE

The term Active NFE means and NFE that 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;

Star-up NFEs;

NFE's 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 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 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 the following requirements (a "non-profit NFE"):
  - 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 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 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 Government Entity or other non-profit organisation, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision.

*Note: Certain entities (such as U.S. Territory NFFEs) may qualify for Active NFFE status under FATCA but not Active NFE status under the CRS.*

### Control

Control over an Entity is generally exercised by the natural persons(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 persons(s) who exercises control of the Entity through other means. Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, then under the CRS the Reportable Person is deemed to be the natural person who hold the position of senior managing official.

### Entity

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

### NFE

An NFE is an Entity that is not a 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 required on the automatic exchange of financial account information set out in the Common Reporting Standard and that is identified in a published list.

### 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.

### Resident for tax purposes

Each jurisdiction has its own rules for defining tax residence, and jurisdictions have provided information on how to determine whether an entity is tax resident in the jurisdiction on the OECD automatic exchange of information portal. Generally, an Entity will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction (including tax conventions), it pays or should be paying therein by reason of his domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction. Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for determining their residence for tax purposes. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. For additional information on tax residence, please talk to your tax adviser or see the OECD automatic exchange of information portal.

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 OECD automatic exchange of information portal.

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.