

Appendix: Definitions and Glossary of Terms

Common Reporting Standards | CRS



Note: These are selected definitions provided to assist you with the completion of the form. Further details can be found within the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (the “CRS”) and the associated Commentary to the CRS. If you have any questions about these definitions or require further detail, please contact your tax adviser or local tax authority.

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Term/Acronym	Description
G20	The Group of Twenty (G20) forum of finance ministers and central bank governors
OECD	Organisation for Economic Co-operation and Development
AML	Anti-Money-Laundering
KYC	Know Your Client
TIN (including functional equivalent)	<p>Tax Identification Number. 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.</p> <p>Some jurisdictions do not issue a TIN. However, these jurisdictions often use another high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number for entities are business/company registration code/numbers.</p>
FATCA	Foreign Accounts Tax Compliance Act. Which was enacted as part of the Hiring Incentives to Restore Employment (HIRE) Act on 18 March 2010, FATCA creates a new information reporting and withholding regime for payments made to certain foreign financial institutions and other foreign entities.
FI (Financial Institution)	<p>The term financial institution means a custodial institution, a depository institution, an investment entity, or a specified insurance company.</p> <p>Please see the relevant tax regulations and the CRS for further classification definitions that apply to financial institutions.</p>
Participating jurisdiction	<p>A participating jurisdiction means a jurisdiction with which an intergovernmental or competent authority agreement is in place pursuant to which it will provide the information required on the automatic exchange of financial account information as set out in the CRS. Information on Participating Jurisdictions can be found at: http://www.oecd.org/tax/automatic-exchange/</p>
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.
Non-Reporting Financial Institution	<p>A Non-Reporting Financial Institution” means any Financial Institution that is:</p> <ul style="list-style-type: none"> • 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; • 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 countries domestic law as a Non-Reporting Financial Institution.
NFE	Non-Financial-Entity
Passive NFE	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.
Active NFE	<p>Any NFE can be an Active NFE, provided that it meets any of the criteria listed below. In summary, those criteria refer to:</p> <ul style="list-style-type: none"> • 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. <p>An Entity will be classified as an ACTIVE NFE if it meets any of the following criteria:</p> <ol style="list-style-type: none"> 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

	<p>Entity of an Entity the stock of which is regularly traded on an established securities market;</p> <p>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;</p> <p>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;</p> <p>e) 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;</p> <p>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;</p> <p>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</p> <p>h) the NFE meets all of the following requirements:</p> <ul style="list-style-type: none"> ○ 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; ○ it is exempt from income tax in its jurisdiction of residence; ○ it has no shareholders or members who have a proprietary or beneficial interest in its income or assets; ○ 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 ○ 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 thereof.
AEoI	Automatic Exchange of Information
CAA	Competent Authority Agreement
Control	<p>Control over an entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest in the entity.</p> <p>A “control ownership interest” depends on the ownership structure of the legal person and is usually identified on the basis of a threshold applying a risk-based approach (e.g. any person(s) owning more than a certain percentage of the legal person, such as 25%). 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(s) is identified as exercising control of the Entity, the Controlling Person(s) of the Entity will be the natural person(s) who holds the position of senior managing official.</p>
Controlling person(s)	<p>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”) 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 of the Financial Action Task Force Recommendations (as adopted in February 2012).</p> <p>In the case of a trust, the controlling person may be 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</p>

	<p>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.</p> <p>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.</p>
Senior managing official	Where no natural person(s) is identified as exercising control of the entity, the controlling person(s) of the entity will be the natural person(s) who holds the position of senior managing official (<i>e.g. senior managing directors in a company, trustee(s) of a trust</i>).
Entity	The term entity means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person), in addition to any legal arrangement.
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 per cent of the vote and value in an entity.
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. 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 its 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.
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.
Reportable person	<p>A Reportable Person is further defined as an individual (or entity) that is tax resident in a Reportable Jurisdiction under the laws of that jurisdiction.</p> <p>A reportable jurisdiction person other than:</p> <ul style="list-style-type: none"> (i) a corporation the stock of which is regularly traded on one or more established securities markets; (ii) any corporation that is a related entity of a corporation described in clause (i); (iii) a governmental entity; (iv) an international organisation; (v) a central bank; or (vi) A financial institution.
Reportable jurisdiction	A Reportable Jurisdiction is a Participating Jurisdiction with which an obligation to provide financial account information is in place.
Reportable Jurisdiction Person	<p>A reportable jurisdiction Person is an Entity that is tax resident in a Reportable Jurisdiction(s) under the tax laws of such jurisdiction(s) - by reference to local laws in the country where the Entity is established, incorporated or managed. 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. As such if an Entity certifies that it has no residence for tax purposes it should complete the form stating the address of its principal office.</p> <p>Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to determine their residence for tax purposes.</p>
Custodial institution	The term custodial institution refers to any entity that holds, as a substantial portion of its business, financial assets for the account of others. This is where the entity's gross income attributable to the holding of financial assets and related financial services equals or exceeds 20% of the entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the entity has been in existence.
Depository institution	The term depository institution refers to any entity that accepts deposits in the ordinary course of a banking or similar business.
Investment entity	<p>The term investment entity includes two types of entities:</p> <ul style="list-style-type: none"> (i) An entity that primarily conducts itself as a business with one or more of the following activities or operations for or on behalf of a customer: <ul style="list-style-type: none"> a) Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign

	<p>exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading;</p> <p>b) Individual and collective portfolio management; or</p> <p>c) Otherwise investing, administering, or managing financial assets or money on behalf of other persons</p> <p>Such activities or operations do not include rendering non-binding investment advice to a customer.</p> <p>(ii) The second type of investment entity (Investment entity managed by another financial institution) is any entity whose gross income 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.</p>
Investment Entity managed by another Financial Institution	<p>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 (a) – (c) above in the definition of ‘Investment Entity’.</p> <p>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.</p>
Specified insurance company	<p>The term specified insurance company refers to 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.</p>
Broad Participation Retirement Fund	<p>Is a fund established to provide retirement, disability, or death benefits, or any combination thereof, to beneficiaries that are current or former employees (or persons designated by such employees) of one or more employers in consideration for services rendered, provided that the fund:</p> <p>a) does not have a single beneficiary with a right to more than five percent of the fund’s assets;</p> <p>b) is subject to regulation and provides information reporting to the tax authorities; and</p> <p>c) Satisfies at least one of the four requirements:</p> <ul style="list-style-type: none"> • the fund is tax-favoured; • most contributions are received from sponsoring employers; • distributions or withdrawals are only allowed upon the occurrence of specified events; • And contributions by employees are limited by amount.
Narrow Participation Retirement Fund	<p>Is defined as a fund established to provide retirement, disability, or death benefits to beneficiaries that are current or former employees (or persons designated by such employees) of one or more employers in consideration for services rendered, provided that:</p> <ul style="list-style-type: none"> • a) the fund has fewer than 50 participants; • b) the fund is sponsored by one or more employers that are not Investment Entities or Passive NFEs; • c) the employee and employer contributions to the fund (other than transfers of assets from retirement and pension accounts are limited by reference to earned income and compensation of the employee, respectively; • d) participants that are not residents of the jurisdiction in which the fund is established are not entitled to more than 20% of the fund’s assets; and • e) the fund is subject to government regulation and provides information reporting to the tax authorities
Exempt Collective Investment Vehicle	<p>an Investment Entity that is regulated as a collective investment vehicle, provided that all of the interests in the collective investment vehicle are held by or through individuals or Entities that are not Reportable Persons, except a Passive NFE with Controlling Persons who are Reportable Persons.</p>
Trustee Documented Trust	<p>A trustee-documented trust is a trust that is a financial institution where the trustee of the trust is itself a reporting financial institution and reports all the information required in respect of the Reportable Accounts of the trust. The trustee in such a case must report the information that the trustee-documented trust would have reported but for its status as a Non-reporting Financial Institution and must identify, when reporting, the trustee-documented trust in respect of which it fulfils the reporting and due diligence obligations.</p>

Qualified Credit Card Issuer	<p>a) the Financial Institution is a Financial Institution solely because it is an issuer of credit cards that accepts deposits only when a customer makes a payment in excess of a balance due with respect to the card and the overpayment is not immediately returned to the customer; and</p> <p>b) beginning on or before 01 June 2014, the Financial Institution implements policies and procedures either to prevent a customer from making an overpayment in excess of USD 50 000, or to ensure that any customer overpayment in excess of USD 50 000 is refunded to the customer within 60 days, in each case applying the rules set forth in paragraph C of Section VII for account aggregation and currency translation. For this purpose, a customer overpayment does not refer to credit balances to the extent of disputed charges but does include credit balances resulting from merchandise returns</p>
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