

FATCA & CRS SELF DECLARATION FORM



Use this form to make a self declaration regarding your tax liability under both the Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standards (CRS).

Account name

Account number

Account Type:

Individual/Joint account

→ complete Sections 1 & 4

Entity (Trust or Company/Partnership)

→ complete Sections 2, 3 & 4

Section 1 - Individual & Joint Investors

FATCA

1. Are you a US citizen or resident of the US for tax purposes?

No, skip to question 2

Yes, provide your Taxpayer Identification Number (TIN) below. Continue to question 2.

	Full Name	TIN or equivalent
Investor 1		
Investor 2		

CRS

2. Are you a tax resident of any other country outside of Australia?

No, skip to Section 4

Yes, provide the details below and continue to Section 4.

		Country of tax residence	TIN	Reason Code if no TIN
Investor 1	1			
	2			
Investor 2	1			
	2			

If resident in more than one jurisdiction, please include details for all jurisdictions.

If TIN or equivalent is not provided, please provide reason from the following options:

Reason A: The country of tax residency does not issue TINs to tax residents

Reason B: The individual has not been issued with a TIN

Reason C: The country of tax residency does not require the TIN to be disclosed (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)

If **Reason B** has been selected above, explain why you are not required to obtain a TIN

	Reason B
Investor 1	
Investor 2	

Secton 2 - Superannuation Fund

3. Are you an Australian complying Superannuation Fund?

No, skip to Section 3

Yes, complete ABN and name of Superannuation fund, then skip to Section 4

Full legal name of the Superannuation Fund:	
ABN:	

Secton 3 - Entities (Company, Trust, Partnership, Association etc)

Please complete this section if you are an entity.

Full legal name of the Entity:	

FATCA

4. Is the entity a US person?

No, skip to question 6

Yes, continue to question 5

5. Are you a Specified US person?

No, please indicate exemption type and skip to question 7

Yes, provide your Taxpayer Identification Number (TIN) below and skip to question 7

TIN:	
Type:	

6. Are you a Financial Institution for the purpose of FATCA

Yes, specify the type and provide your GIIN below and continue to question 7

	Reporting IGA FFI or Participating FFI	
	GIIN:	
	Sponsored FFI	
	Name of Sponsoring entity:	
	GIIN of Sponsoring entity:	
	Non-Reporting IGA FFI	
	FATCA status:	
	GIIN:	
	Non-Participating FFI	
	Exempt Beneficial Owner	

No, select one of the options below to confirm which type of NFFE you are and continue to question 7

	Active NFFE
	Passive NFFE with no controlling US persons
	Passive NFFE with controlling persons who are US citizens or US resident for tax purposes, please provide details of each controlling US person below. If there are more than two controlling US persons please provide their details on a separate page, continue to question 7

CRS

7. Are you a tax resident of any country outside of Australia and the US?

No - skip to Question 8

Yes - provide the details below and continue to question 8. If resident in more than one jurisdiction, please include details for all jurisdictions.

Country of Tax Residence Tax Identification Number (TIN) or equivalent Reason Code if no TIN provided.

	Country of tax residence	TIN	Reason Code if no TIN
1			
2			

If TIN or equivalent is not provided, please provide reason from the following options:

Reason A: The country of tax residency does not issue TINs to tax residents

Reason B: The individual has not been issued with a TIN

Reason C: The country of tax residency does not require the TIN to be disclosed (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)

If **Reason B** has been selected above, explain why you are not required to obtain a TIN

	Reason B
1	
2	

8. Are you a Financial Institution for the purpose of CRS?

No, skip to question 10

Yes, continue to question 9

9. Are you an Investment Entity resident in a Non-Participating Jurisdiction for CRS purposes and managed by another Financial Institution?

No, skip to Section 4

Yes, skip to question 11

10. Are you an Active Non-Financial Entity (Active NFE)?

No, you are a Passive Non-Financial Entity (Passive NFE). Continue to question 11

Yes, specify the type of Active NFE below and continue to Section 4

Less than 50% of the Active NFE's gross income from the preceding calendar year is passive income (e.g. dividends, distribution, interests, royalties and rental income) and less than 50% of its assets during the preceding calendar year are assets held for the production of passive income.

Corporation that is regularly traded or a related entity of a regularly traded corporation

Governmental entity, International Organisation or Central Bank

Investor 1	Full Name	
	Residential Address	
	US TIN	
Investor 2	Full Name	
	Residential Address	
	US TIN	

11. Controlling Persons - Does one or more of the following apply to you:

- Is any natural person that exercises control over you (for corporations, this would include directors or beneficial owners who ultimately own 25% or more of the share capital) a tax resident of any country outside of Australia?
- If you are a trust is any natural person including trustee, protector, beneficiary, settlor or any other natural person exercising ultimate effective control over the trust a tax resident of any country outside of Australia?

No, continue to Section 4

Yes, complete the below and continue to Section 4

	Name	Date of Birth	Residential Address	Country of Tax Residence	TIN or equivalent	Reason Code if no TIN provided
1						
2						
3						

If there are more than 3 controlling persons, please list them on a separate page.

If TIN or equivalent is not provided, please indicate which one of the following reasons applies.

Reason A: The country of tax residency does not issue TINs to tax residents

Reason B: The individual has not been issued with a TIN

Reason C: The country of tax residency does not require the TIN to be disclosed (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)

If **Reason B** has been selected above, explain why you are not required to obtain a TIN:

1	
2	
3	

Section 4 - Declaration

I undertake to provide a suitable updated self-certification within 30 days of any change in circumstances which causes the information contained herein to become incorrect. I declare the information above to be true and correct.

Signature of account holder 1

Date

Name

Signature of account holder 2

Date

Name

Capacity (tick):

Individual Investor

Trustee 1

Sole Director and Company Secretary

Director 1

Capacity (tick):

Joint Investor

Trustee 2

Director 2

Secretary

Joint investors must both sign;
 Company investors must be signed by two Directors, a Director and Secretary or the Sole Director and Secretary;
 Trusts / Superannuation fund investors with individual trustee(s) all must sign.

Section 5 - Explanatory Notes

What is FATCA?

Pursuant to the United States of America, Foreign Account Tax Compliance Act (FATCA), institutions defined as 'foreign financial institutions' (which includes us) are required to comply with certain requirements including the provision of information to the United States of America Internal Revenue Service (IRS). The information only relates to investors who we identify as US residents or those whose residency we cannot identify due to insufficient information being provided ('non-compliant account holders'). The Australian Government has an intergovernmental agreement (IGA) with the US Government to minimise the impact of FATCA on Australian stakeholders. Under the terms of the IGA, we will provide the ATO with any required FATCA information which would otherwise be submitted to the IRS, and there will be no obligations for us to withhold tax for FATCA purposes from any payments.

What is CRS?

Similarly, the OECD has developed a Common Reporting Standard (CRS) regime for the reporting and exchange of information in respect of foreign tax residents, which has been adopted in Australia. Under the CRS regime, we report certain financial information to the ATO in respect of investors identified as foreign residents and the ATO exchanges that information with overseas revenue authorities, where that country has become a party to the CRS regime.

Foreign Financial Institution (FFI)

Any foreign entity that accepts deposits in the ordinary course of banking or a similar business such as banks and credit unions. Such entities have reporting obligations under FATCA.

- a Custodial Institution
- a Depository Institution
- an Investment Entity
- a Specified Insurance Company.

Non-Financial Foreign Entity (NFFE)

Any non-US entity that is not a Financial Institution. NFFE can be either Active NFFE or Passive NFFE

Active NFFEs are engaged in an active trade or business (production, industry, non-financial serviced, etc) where less than 50% of their gross income for the preceding calendar year is passive.

Passive NFFEs have gross income that derives for more than 50% from passive income (dividends, interests, rents, royalties, annuities).

Controlling Persons

A controlling person is any individual/natural person who directly or indirectly exercises ultimate effective control over the entity. For a company, this includes beneficial owners controlling more than 25% of the shares in the company. For a Trust, this includes Trustees, Settlers, Protectors or Beneficiaries. For a partnership this includes any partners.

US Person

US citizen or US resident for tax purposes

Global Intermediary Identification Number (GIIN)

A GIIN is issued by the Internal Revenue Service. The majority of GIINs will be issued to financial institutions as part of their FATCA registration and compliance process. An FFI will use its GIIN to establish itself for reporting purposes. For further information on GIINs see the glossary

Taxpayer Identification Number (TIN)

Identifying number used by the Internal Revenue Service (IRS) for tax purposes in the United States.

It is issued either by the Social Security Administration or by the IRS.

Inter-Governmental Agreement (IGA)

An IGA means an agreement between the US or the Treasury Department and a foreign government to implement FATCA through reporting by Financial Institutions to such foreign government (Model 1) or to the IRS (Model 2).

Participating FFI

A participating FFI is an FFI (including a Reporting Model 2 FFI) that has agreed to comply with the terms of an FFI agreement. The term participating FFI also includes a qualified intermediary (QI) branch of a U.S. financial institution, unless such branch is a reporting Model 1 FFI.

It is the responsibility of investors to inform themselves as to the tax consequences to them of buying, holding, selling (or otherwise transferring) or redeeming investments under the laws of the country(ies) in which they are or may be taxable. These definitions are provided for your information only and you are encouraged to seek the assistance of an independent financial professional or tax adviser to facilitate the completion of this form.

Return this completed form to your Financial Adviser. Alternatively, return to us by post: Powerwrap Client Services, PO Box 16071, Collins St West VIC 8007

This form to be used in respect of the Powerwrap Scheme ARSN 137 053 073 issued by Powerwrap Limited ("Responsible Entity", "Powerwrap") ABN 67 129 756 850 AFSL 329829.