

# TAX INFORMATION EXCHANGE PACK

## SELF-CERTIFICATION FORM FOR ENTITIES

Utmost Wealth Solutions is the brand used by a number of Utmost companies. This item is issued by Utmost Limited and Utmost Ireland dac.

### IMPORTANT NOTES

This pack has been created based on our interpretation of the Foreign Account Tax Compliance Act (FATCA) and the Common Reporting Standards (CRS) as at 1 January 2019 and may change in the future.

#### WHAT IS AN ENTITY UNDER FATCA AND CRS?

An 'entity' will include a legal arrangement such as a company, partnership, trust or foundation. Whilst trusts are not considered as separate entities under general law, they are considered as such under the reporting standards for FATCA and CRS.

#### HOW TO COMPLETE THIS FORM

Please complete this form in full using **blue or black ink** and **BLOCK CAPITALS**. If you make a mistake, cross it out, put in the correct details and sign your initials next to the correction. **Please do not use correction fluid.**

#### WHY HAVE I BEEN ASKED TO COMPLETE THIS FORM?

You have been asked to complete this form in order that we can accurately report your policy under the Isle of Man and Ireland tax information exchange agreements, including FATCA and the CRS. This may be due to a change of circumstances on your policy which potentially changes the status under these agreements, such as a full assignment, or because we do not currently hold sufficient information on your policy to enable us to report your account correctly.

This form should be signed by the appropriate person as detailed below:

- › For a company - A person who has authority to sign, for example an officer or director of a company.
- › For a trust - Any appointed trustee.
- › For a pension scheme - The persons authorised to sign, for example the trustees for a UK registered pension scheme.

#### WHAT HAPPENS IF I DO NOT COMPLETE THIS FORM?

Requesting completion of this form is a regulatory requirement and is therefore **mandatory**. Failure to provide information when requested could lead to your account being reported as undocumented, in the case of a new account, or details being reported incorrectly or without the necessary information for existing accounts. Both these positions may ultimately lead to investigations by tax authorities in other jurisdictions. We will continue to remind anyone who fails to provide a completed self-certification at least annually.

#### WHERE SHOULD I SEND THIS FORM WHEN COMPLETED?

Following completion, please submit this form to the company (product provider) you are dealing with. Please send this form to either:

**Utmost Limited, Royalty House, Walpole Avenue, Douglas, Isle of Man, IM1 2SL, British Isles.**

OR

**Utmost Ireland dac, Ashford House, Tara Street, Dublin 2, D02 VX67, Ireland.**

## A WEALTH *of* DIFFERENCE

Utmost Wealth Solutions is the trading name used by a number of Utmost companies. Utmost Trustee Solutions is the trading name used by Utmost Trustee Solutions Limited. This item has been issued by Utmost Limited and Utmost Ireland dac.

The following companies are registered in the Isle of Man: Utmost Limited (No 056473C), Utmost Administration Limited (No 109218C) and Utmost Trustee Solutions Limited (No 106739C), which are regulated or licenced by the Isle of Man Financial Services Authority. Utmost Services Limited (No 059248C) is not regulated. Each of the above companies has its registered office at: Royalty House, Walpole Avenue, Douglas, Isle of Man, IM1 2SL British Isles.

The following companies are registered in Ireland: Utmost Ireland dac, trading as Utmost Wealth Solutions, is regulated by the Central Bank of Ireland. Its registered number is 303257 and it has its registered office at: Ashford House, Tara Street, Dublin 2, D02 VX67, Ireland. Utmost PanEurope dac, trading as Utmost Wealth Solutions, is regulated by the Central Bank of Ireland. Its registration number is 311420 and it has its registered office at: Navan Business Park, Athlumney, Navan, Co. Meath C15 CCW8, Ireland. Its FCA number is 426350. Both companies are authorised by the Financial Conduct Authority in the UK for Conduct of Business Rules.

### NOTES ON TAX RESIDENCE FOR ALL ENTITIES

Trusts will ordinarily be tax resident where all, or the majority of the trustees, are tax resident but different jurisdictions have their own rules.

Companies will generally be tax resident where they are located. Other factors will include where they are incorporated, where the management and control is and where they are subject to financial supervision.

You can find more information on tax residency at [www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-residency](http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-residency) or speak to your tax adviser.

### NOTES ON TAX RESIDENCY FOR INDIVIDUAL CONTROLLING PERSONS OF AN ENTITY

Your tax residence is generally the country in which you live for more than half a year. Special circumstances (such as studying abroad, working overseas, or extended travel) may cause you to be tax resident elsewhere or tax resident in more than one country at the same time (dual tax residency). The country/countries in which you pay income tax are likely to be your country/countries of tax residence.

If you are a US citizen or hold a US passport or green card, you will also be considered tax resident in the US even if you live outside the US. You can find more information on tax residency at [www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance](http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance) or speak to your tax adviser.

### WHERE CAN I FIND MORE INFORMATION?

Information on FATCA and CRS can be sourced on the links below:

**FATCA** - [www.hmrc.gov.uk/fatca](http://www.hmrc.gov.uk/fatca) and the IRS website [www.irs.gov/Businesses/Corporations/Foreign-Account-Tax-Compliance-Act-FATCA](http://www.irs.gov/Businesses/Corporations/Foreign-Account-Tax-Compliance-Act-FATCA)

**CRS** - [www.oecd.org/tax/automatic-exchange/](http://www.oecd.org/tax/automatic-exchange/)

### HOW WE USE YOUR INFORMATION

Details about how we use your information, your rights over this information and how you can exercise your rights can be found in the applicable Privacy Notice (Isle of Man)/Privacy Statement (Ireland). We publish our Privacy Notice (Isle of Man)/Privacy Statement (Ireland) on our website at [www.utmmostwealth.com](http://www.utmmostwealth.com) or you can ring us on **+44 (0)1624 643 345** and request a copy. All persons whose details are collected in this form should read the Privacy Notice/Privacy Statement to understand how the data provided about them will be used.

ENTITY CLASSIFICATION UNDER APPLICABLE TAX REGULATIONS

The following decision trees are provided for guidance only and should not be considered advice. If you are unsure of your status under any reporting regime you should seek independent tax advice.

CORPORATE DECISION TREE (including partnerships)

CORPORATE APPLICATION

You should speak to your company accountant about the company status and tax residency if you are not sure.

Are you classified as **Passive NFE/NFFE\*** under FATCA or CRS?

No

Yes

- › Complete section **A** and **B**.
- › Authorised signatories should sign section **D**.

- › Complete section **A, B** and **C**.
- › Section **C** (controlling persons) should include details of any **Directors** and any shareholders owning **more than 25%** of the shares in the company. This would follow the usual KYC/AML requirements in line with Financial Action Task Force (FATF) recommendations
- › Authorised signatories should sign section **D**.

TRUST DECISION TREE

TRUST APPLICATION

If you are using a trust that has been created by a solicitor or other legal adviser you should approach your legal/tax adviser for advice on the status and tax residency of the trust if you are not sure.

Is the trust professionally managed by another financial entity that primarily conducts trustee services (for example a corporate trustee taking a fee) and holding only financial assets? Note financial assets will include bonds issued by Utmost and other life companies.

Yes

No

- › Corporate Trustee should complete section **A** and **B**.
- › Authorised signatories for the corporate trustee(s) should sign section **D**.

Is the trust draft one that Utmost Limited (previously AXA Isle of Man Limited) or Utmost Ireland dac (previously AXA Life Europe dac) has supplied and is the bond the only trust asset? For example, an **Evolution Bond in a Discretionary Trust** or the **Estate Planning Bond**?

No

Yes

- › Complete section **A, B** and if the trust is a **Passive NFE/NFFE\*** section **C**.
- › One of the appointed trustees should then sign section **D**.

- › Complete section **A, B** and **C**.
- › Section **C** (controlling persons) should include details of **Settlor, Trustee(s)** and any **Named Beneficiary(ies)** when using an **Absolute (bare) Trust**.
- › One of the appointed trustees should then sign section **D**.

Note your trust will be classified as a **Passive NFE/NFFE\*** for FATCA and CRS. You should therefore make sure you tick both of the check boxes under section B(1) provided on page 5 as your entity classification.

\*Passive Non-Financial Foreign Entity (FATCA) / Passive Non-Financial Entity (CRS)

**A ENTITY SELF-CERTIFICATION**

If known, please indicate the policy number below:

Policy number 

L	L	L	-	N	N	N	N	N	N	N	N
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**1** Name of entity 


**2** Address 


Postcode 

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**3** Please state the jurisdiction in which your entity is resident for tax purposes:

UK

Other (please specify in the box below)

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If your entity has more than one country of tax residency please photocopy this page and complete this page of the self-certification form for each country.

Please provide us with your entity's Tax Identification Number (TIN):

**4** For Financial Institutions, including Investment Entities, Managed Investment Entities and Trustee Documented Trusts, please provide the Global Intermediary Identification Number (GIIN) here.

Provide GIIN below 

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Sponsor Entity GIIN (where applicable) 

							-							-				-				
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**5** For other entities please provide the tax reference number for the entity here 

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If a TIN is not available please provide functional equivalent (such as business or company registration number) or explain below why there is no TIN using the box at the bottom of this page.

If a TIN is not available please provide the reason below. Trusts issued by Utmost Limited or Utmost Ireland dac, where the trustees are individuals and the only trust asset is our bond, will be classified as a Passive NFFE/NFE for FATCA and CRS. However, you will not have a Tax Identification Number unless you have submitted a trustee tax return due to a chargeable event gain.

For example, if you have taken out a new business application for an Estate Planning Bond, or for a new bond immediately placed into a trust we have provided, you will not have a tax reference number. You should tick the relevant box below to state that you do not yet have a Tax Identification Number for this trust.

I have used a trust provided by Utmost Limited or Utmost Ireland dac and the trustees are all individual persons. I do not have a Tax Identification Number for the trust as it has not yet created any chargeable gains

Other reason - please give details below.


For information on tax reference numbers in different countries please follow the link to the OECD guidance below. If you are not sure whether your trust has a tax reference number you should speak to your tax adviser about this.

[www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/](http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/)

**B ENTITY CLASSIFICATION UNDER APPLICABLE TAX REGULATIONS**

Please populate the entity's status for FATCA **and** CRS by ticking the relevant box against one of the categories 1-10 below. You must make sure that you provide a status for both FATCA and CRS which could be the same but they may be different.

Ref No	Entity Classification	FATCA	CRS
1	Passive Non-Financial Foreign Entity (FATCA) <sup>1</sup> Passive Non-Financial Entity (CRS) - must complete section C if you tick this status	<input type="checkbox"/>	<input type="checkbox"/>
2	Active Non-Financial Foreign Entity (FATCA) Active Non-Financial Entity (CRS) <b>If you have ticked that the entity is an Active NFE please also tick one of the boxes (2.1-2.6) below</b>	<input type="checkbox"/>	<input type="checkbox"/>
	2.1 A corporation, the stock of which is regularly traded on one or more established securities markets	<input type="checkbox"/>	<input type="checkbox"/>
	2.2 Any corporation that is a Related Entity of a corporation described in 2.1	<input type="checkbox"/>	<input type="checkbox"/>
	2.3 A Government Entity	<input type="checkbox"/>	<input type="checkbox"/>
	2.4 A Central Bank	<input type="checkbox"/>	<input type="checkbox"/>
	2.5 An International Organisation	<input type="checkbox"/>	<input type="checkbox"/>
	2.6 Other	<input type="checkbox"/>	<input type="checkbox"/>
3	CRS Financial Institution or a Partner Jurisdiction Financial Institution under FATCA (including an investment entity or a 'managed' investment entity, such as a professionally managed trust)	<input type="checkbox"/>	<input type="checkbox"/>
4	Deemed Compliant Foreign Financial Institution <sup>2</sup>	<input type="checkbox"/>	
5	Exempt Beneficial Owner	<input type="checkbox"/>	
6	Financial Institution resident in the US or in a US Territory	<input type="checkbox"/>	
7	Non-Participating Foreign Financial Institution	<input type="checkbox"/>	
8	Participating Foreign Financial Institution	<input type="checkbox"/>	
9	A Specified US Person	<input type="checkbox"/>	
10	Non-Reporting CRS Financial Institution, which would include Broad and Narrow Participation Retirement funds, Trustee Documented Trust or other entity under domestic law as low risk of being used to evade tax.		<input type="checkbox"/>

<sup>1</sup> If you are a direct reporting Passive NFFE for FATCA you will also need to complete a GIIN in section A4. This status will not apply unless you have registered as such.

<sup>2</sup> If the entity is registered deemed compliant then a GIIN would be expected under section A4. If the entity is certified deemed compliant, or owner documented, then no GIIN is required for FATCA but, dependent on your categorisation for CRS, you may need to still supply a tax reference.

**WHEN DO I NEED TO PROVIDE DETAILS OF THE CONTROLLING PERSONS?**

Any entity declaring themselves as a **Passive Non-Financial Entity** under FATCA or CRS **will need to submit an individual tax residence self-certification for each controlling person and complete section C.**

**C CONTROLLING PERSONS SELF-CERTIFICATION** (only required for Passive NFFEs/NFEs)

**Person 1**

1 Full name

2 Permanent residential address

Postcode

3 Date of birth

Please complete below as appropriate: you may need to complete more than one if you are tax resident in multiple jurisdictions.

4 UK tax resident  Tick here if you are tax resident in the UK

UK National Insurance Number (NI)

5 US tax resident  Tick here if you are tax resident in the US

US Tax Identification Number (TIN)

6 Other tax resident  Tick here if you are tax resident in any other countries and provide details below

Country of Tax Residency	Tax Reference Number
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**Only complete if NI, TIN or other tax reference has not been provided above**

The above person is unable to obtain an NI, TIN or tax reference number due to:

- › **A** - The country where this person pays tax does not issue tax reference numbers to its residents
- › **B** - The person completing this form is unable to obtain a tax reference number (provide explanation below)

For example, a child who is a beneficiary of a trust may not have a tax reference number. You should take reasonable steps to obtain and provide a tax reference to Utmost at the earliest opportunity.

**C** CONTROLLING PERSONS SELF-CERTIFICATION (continued)

**Person 2**

1 Full name

2 Permanent residential address

Postcode

3 Date of birth

Please complete below as appropriate: you may need to complete more than one if you are tax resident in multiple jurisdictions.

4 UK tax resident  Tick here if you are tax resident in the UK

UK National Insurance Number (NI)

5 US tax resident  Tick here if you are tax resident in the US

US Tax Identification Number (TIN)

6 Other tax resident  Tick here if you are tax resident in any other countries and provide details below

Country of Tax Residency	Tax Reference Number
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**Only complete if NI, TIN or other tax reference has not been provided above**

The above person is unable to obtain an NI, TIN or tax reference number due to:

- › **A** - The country where this person pays tax does not issue tax reference numbers to its residents
- › **B** - The person completing this form is unable to obtain a tax reference number (provide explanation below)

For example, a child who is a beneficiary of a trust may not have a tax reference number. You should take reasonable steps to obtain and provide a tax reference to Utmost at the earliest opportunity.

**C** CONTROLLING PERSONS SELF-CERTIFICATION (continued)

**Person 3**

1 Full name

2 Permanent residential address

Postcode

3 Date of birth

Please complete below as appropriate: you may need to complete more than one if you are tax resident in multiple jurisdictions.

4 UK tax resident  Tick here if you are tax resident in the UK

UK National Insurance Number (NI)

5 US tax resident  Tick here if you are tax resident in the US

US Tax Identification Number (TIN)

6 Other tax resident  Tick here if you are tax resident in any other countries and provide details below

Country of Tax Residency	Tax Reference Number
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**Only complete if NI, TIN or other tax reference has not been provided above**

The above person is unable to obtain an NI, TIN or tax reference number due to:

- › **A** - The country where this person pays tax does not issue tax reference numbers to its residents
- › **B** - The person completing this form is unable to obtain a tax reference number (provide explanation below)

For example, a child who is a beneficiary of a trust may not have a tax reference number. You should take reasonable steps to obtain and provide a tax reference to Utmost at the earliest opportunity.



**C** CONTROLLING PERSONS SELF-CERTIFICATION (continued)

**Person 4**

1 Full name

2 Permanent residential address

Postcode

3 Date of birth

Please complete below as appropriate: you may need to complete more than one if you are tax resident in multiple jurisdictions.

4 UK tax resident  Tick here if you are tax resident in the UK

UK National Insurance Number (NI)

5 US tax resident  Tick here if you are tax resident in the US

US Tax Identification Number (TIN)

6 Other tax resident  Tick here if you are tax resident in any other countries and provide details below

Country of Tax Residency	Tax Reference Number
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**Only complete if NI, TIN or other tax reference has not been provided above**

The above person is unable to obtain an NI, TIN or tax reference number due to:

- › **A** - The country where this person pays tax does not issue tax reference numbers to its residents
- › **B** - The person completing this form is unable to obtain a tax reference number (provide explanation below)

For example, a child who is a beneficiary of a trust may not have a tax reference number. You should take reasonable steps to obtain and provide a tax reference to Utmost at the earliest opportunity.

**D DECLARATION**

The self-certification for any entity must be signed by the person(s) with authority to sign on behalf of that entity. For example, Companies - director(s) or authorised signatories, Partnerships - a partner, Trust - a trustee.

**I declare** that the information provided on this form is to the best of my knowledge and belief, accurate and complete.

**I understand and agree** that the information provided to Utmost Limited or Utmost Ireland dac may be shared with the Isle of Man Government or Irish Government in accordance with various exchange agreements, including FATCA and the CRS.

**I agree** to inform Utmost Limited or Utmost Ireland dac immediately should any information provided by me within this pack change, **and understand** that I am obliged to do so.

	Authorised Signatory 1	Authorised Signatory 2	
<b>SIGNATURE</b>	<input type="text"/>	<input type="text"/>	<b>SIGNATURE</b>
Print full name	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
Date	<input type="text" value="d"/> <input type="text" value="d"/> <input type="text" value="m"/> <input type="text" value="m"/> <input type="text" value="y"/> <input type="text" value="y"/> <input type="text" value="y"/> <input type="text" value="y"/>	<input type="text" value="d"/> <input type="text" value="d"/> <input type="text" value="m"/> <input type="text" value="m"/> <input type="text" value="y"/> <input type="text" value="y"/> <input type="text" value="y"/> <input type="text" value="y"/>	

We may need to contact you in relation to the completion of this form. Please provide details of your preferred method of contact below.

Contact details for authorised signatory 1	<input type="text"/>
Contact details for authorised signatory 2	<input type="text"/>

These details will only be used for the administration of the policies held with us. 