ARAB BANK EUROPE

Taxation compliance

CRS and FATCA self-certification form for controlling persons

Please read these instructions before completing the form.

Why are we asking you to complete this form?

This form must be completed by any account holder who wishes to establish a customer relationship with Arab Bank Europe SA ("Arab Bank Europe SA").

Tax Regulations[1] require the Bank to collect and report certain information about the account holder's tax residency. In certain circumstances, there may be a requirement to share this information with the relevant tax authorities.

If you are a tax resident outside of the country where your account is held or you are a U.S. person, we may need to share information about you and your accounts with our national tax authority, and this information may then be shared between the tax authorities of different countries.

Completing this form will ensure that we have up to date and accurate information about your tax status and residency.

Who should complete the FATCA and CRS self-certification form for controlling persons?

When an account is held by Arab Bank Europe SA on behalf of a Passive Entity (for example some trusts and certain investment vehicles) we need to identify the tax status and residence of those individuals who ultimately control the entity. These individuals are termed "controlling persons".

Where there are multiple controlling persons, they each need to complete the "FATCA and CRS Self-Certification Form for Controlling Persons".

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 V. For example you may be a representative of the entity, or completing the form under a power of attorney.

Please complete this form even if you have previously completed tax related forms or forms related to the United States Foreign Account Tax Compliance Act (FATCA).

Where can I obtain further information?

If you have any questions about how to determine your tax status or residency you should refer to your tax advisor or local tax authority. Arab Bank Europe SA is unable to provide guidance on this or give tax advice.

The Organisation for Economic Co-operation and Development (OECD) has developed the rules to be used by all government participating in the CRS and these can be found on the OECD Automatic Exchange of Information portal: www.oecd.org/tax/automatic-exchange/

Furthermore, for additional information in regards of the FATCA regulations, please refer to the following link: www.irs.gov/businesses/corporations/foreign-account-tax-compliance-act-fatca

More information and definitions of the terms used in the form can be found in the Appendix.

[1] The term 'Tax Regulations' refers to regulations created to enable exchange of information and includes Foreign Account Tax Compliance Act (FATCA) and the Common Reporting Standard (CRS) for automatic exchange of information (AEOI), as implemented in the relevant jurisdictions and as amended, varied or replaced from time to time.

ARAB BANK EUROPE

Part I: Identification of a controlling person

Surname or family name of controlling person:

First name:

Middle name(s):

Permanent residence address

(Do not use a P.O. box (unless this is your registered address) or an 'in care of address')

Permanent residence address:

Country:

Postcode:

Mailing address

(If different from permanent residence address)

Mailing address:

Country:

Postcode:

Date of birth:

Place of birth (town or city of birth):

Country of birth:

Please enter the legal name of the entity Account Holder(s) for which you are a Controlling Person:

Legal name of entity 1:

Legal name of entity 2:

Legal name of entity 3:

Legal name of entity 4:

Part II: Country of residence for tax purposes and related taxpayer identification number of equivalent (TIN)

Please complete the following table indicating:

i. Where the Controlling Person is tax resident; and
ii. The Controlling Persons Holders TIN for each country indicated

If a TIN is unavailable provide the appropriate reason A, B or C

Reason A	The country where the Controlling Person is tax resident does not issue TINs
Reason B	The Controlling Person is otherwise unable to obtain a TIN or equivalent number If you select this please explain why you are unable to obtain a TIN in the below table.
Reason C	No TIN is required Only select this reason if the authorities of the country of tax residence do not require the TIN to be disclosed.

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

* If you have entered the U.S.A as one of the countries of tax residence and you have a personal account with Arab Bank Europe SA, please complete your U.S tax details on the W-9 Form as required by the FATCA regulations.

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

1	
2	
3	

Please complete the below questions if the country of tax residence is one of the following countries[2]:
Antigua and Barbuda, Bahrain, UAE, Barbados, Cyprus, Dominica, Grenada, Sain Kitts and Nevis, Saint Lucia, Seychelles, Turks andCaicos Islands, Vanuatu.

Q1 Did you obtain residence rights under a citizenship by investment/residency by investment scheme?

☐ No. Please proceed to next part. ☐ Yes. Please complete Q2, 3 and 4 then proceed to next part.

Q2 Do you hold residence rights in any other jurisdiction(s)?

☐ No. ☐ Yes. Please specify the country:

Q3 Have you spent more than 90 days in any other jurisdiction(s) during the previous year?

☐ No. ☐ Yes. Please specify the country:

Q4 In which jurisdiction(s) have you filed personal income tax returns during the previous year?

[2] As identified by the OECD, these countries offer citizenship / residence by investment schemes that potentially pose a high-risk to the integrity of CRS and will be updated on ongoing basis.

Part III: Controlling Person reasonable explanation related to the country(ies) of tax residence mentioned under Part II of this form

Please complete this part only if the country of permanent residence address or mailing address under Part I is different than country of tax residence under Part II. Documentary Evidence* which supports the explanation must be provided.

The country of permanent residence address or mailing address was not mentioned as a country of tax residence because:

- ☐ Controlling Person is a student at an educational institution
- ☐ Controlling Person is a teacher, trainee, or intern at an educational institution
- ☐ Controlling Person is a diplomat holding a post or a position in a consulate or in an embassy
- ☐ Other. Please specify below:

* Documentary Evidence is any valid identification issued by an authorized government body (for example, a government or agency thereof, or a municipality), that includes the individual's name and is typically used for identification purposes (e.g. identity card, driving license, certificate of residence, utility bill, valid lease contract).

Part IV: Type of Controlling Person

Please provide the Controlling Person's status by ticking the appropriate box:

	Type / status	Entity 1	Entity 2	Entity 3	Entity 4
A	Controlling Person of a legal person – control by ownership	☐	☐	☐	☐
B	Controlling Person of a legal person – senior managing official	☐	☐	☐	☐
C	Controlling Person of a legal person – control by other means	☐	☐	☐	☐
D	Controlling Person of a trust – settlor	☐	☐	☐	☐
E	Controlling Person of a trust – trustee	☐	☐	☐	☐
F	Controlling Person of a trust – protector	☐	☐	☐	☐
G	Controlling Person of a trust – settlor	☐	☐	☐	☐
H	Controlling Person of a trust – beneficiary	☐	☐	☐	☐
I	Controlling Person of a trust – other	☐	☐	☐	☐
J	Controlling Person of a legal arrangement (non trust) – settlor equivalent	☐	☐	☐	☐
K	Controlling Person of a legal arrangement (non trust) – trustee equivalent	☐	☐	☐	☐
L	Controlling Person of a legal arrangement (non trust) – protector equivalent	☐	☐	☐	☐
M	Controlling Person of a legal arrangement (non trust) – beneficiary equivalent	☐	☐	☐	☐
N	Controlling Person of a legal arrangement (non trust) – other equivalent	☐	☐	☐	☐

Part V: Declaration and signature

I authorise Arab Bank Europe SA (the "Recipient") to provide, directly or indirectly, to any relevant tax authorities or any party authorised to audit or conduct a similar control of the Recipient for tax purposes, a copy of this form and to disclose to such tax authorities or such party any additional information that the Recipient may have in its possession that is relevant to the entity's qualification for any benefits claimed on the basis of this Declaration.

I acknowledge and agree that information contained in this form and information regarding the Controlling Person and any Reportable Accounts may be reported to the tax authorities of the country in which the accounts are maintained and exchanged with tax authorities of another country or countries in which the Controlling Person may be tax resident, pursuant to intergovernmental agreements to exchange financial account information with the countries in which this accounts is maintained.

I authorise the Recipient to provide, directly or indirectly, a copy of this form and information relating to the account(s) set out above, as required by law, to: (i) any person that has control, receipt, or custody of income to which this form relates; (ii) any person that can disburse or make payments of income to which this form relates; or (iii) any party authorised to audit or conduct a similar control of aforementioned persons for tax purposes.

I certify that where I have provided information regarding any other person (such as Controlling Person or other Reportable Person to which this forms relates) that I will within 30 days of signing this form, notify these persons that I have provided such information to Arab Bank Europe SA and that such information may be provided to the tax authorities of the country in which the accounts are maintained, and exchanged with tax authorities of another country or countries in which the person/s may be tax resident pursuant to intergovernmental agreements to exchange financial account information.

I undertake to notify Arab Bank Europe SA of any change in circumstances that causes any certification on this form to become incorrect and to provide a suitably updated form within 30 days of such change.

I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete.

I certify that I have the capacity to sign for the Controlling Person in respect of all accounts to which this form relates.

Signature:

Print name:

Capacity:

Date:

If you are not the Controlling Person please indicate the capacity in which you are signing this form.
If signing under a power of attorney please 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 OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (the CRS"), the associated Commentary to the CRS, and domestic guidance. This can be found at the following link: www.oecd.org/tax/transparency/automaticexchangeofinformation.htm

If you have any questions then please contact your tax office.

"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. Thus, 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 the trustee or the trust's 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.
"Active NFE"	An 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;

"Active 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"): 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 an 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 a 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 Governmental 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"	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(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.
"Controlling Person(s)"	are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non- Financial Entity ("Passive NFE") then 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). In the case of a trust, the Controlling Person(s) are 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 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. 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, "Controlling Person(s)" 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"	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: www.oecd.org/tax/transparency/automaticexchangeofinformation.htm 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.

ARAB BANK EUROPE

Part VI: Internal use only

Reasonableness assessment checklist

For completion by the account holder relationship manager:

		Yes	No	N/A
1	Have all sections of the form been filled in and completed with appropriate information?	☐	☐	☐
2	If the USA is mentioned as a residence, correspondence address, country of birth, nationality or country of tax residence have W-8BEN or W9 forms also been completed?	☐	☐	☐
3	Is the country associated with the permanent address in Part I mentioned as country of tax residence in Part II?	☐	☐	☐
4	Is the country associated with the mailing address in Part I mentioned as country of tax residence in Part II?	☐	☐	☐

Assessment result

☐	Reasonableness test **PASS**	All above questions are answered as **yes** (for applicable questions)
☐	Reasonableness test **FAIL**	Any of the above questions are answered as **no** (for applicable questions)

If the reasonableness test fail: Amend the FATCA and CRS Self Certification Form by adding the country(ies) associated with the question(s) completed with no as the country of tax residence, or make sure Part III completed by providing a reasonable explanation and documentary evidence.

Employee name:

Employee signature:

Date:

☐☐ ☐☐ ☐☐☐☐

Arab Bank Europe SA is a public limited company with a share capital of 75,000,000 Euros. Registered number: 844 842 278 RCS Paris.
Registered office: 41 avenue de Friedland, 75008 Paris, France. Intra-Community VAT number: FR72844842278.
Arab Bank Europe SA is authorised and regulated by the Prudential Supervision and Resolution Authority (ACPR).