Appendix to CRS and FATCA Individual and Entity Self-Certification Form

Key Definitions

"ACCOUNT HOLDER" excludes a person holding a Financial Account for the benefit of another person as an agent, a custodian, a nominee, a signatory, an investment advisor, an intermediary, or as a legal guardian. With respect to a jointly held account, each joint holder is treated as an Account Holder.

"CONTROLLING PERSON" means the natural persons who exercise control over an entity or any shareholder with interest of 25% or more shares or threshold set by the local authority. In the case of a trust, such term means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, and any other natural person(s) exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The term "Controlling Persons" must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

"FINANCIAL ACCOUNT" means 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.

"FINANCIAL INSTITUTION" means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company.

"INVESTMENT ENTITY" includes 2 types of entities:

a. an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
   - Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.), foreign exchange, exchange, interest rate and index instruments; transferable securities; or commodity futures trading;
   - Individual and collective portfolio management; or
   - Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.

b. an Entity where the gross income of which 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.

"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% of the vote and value in an Entity.

"REPORTABLE ACCOUNT" means an account held by one or more Reportable Persons.

"REPORTABLE JURISDICTION" means a jurisdiction which an agreement is in place to which there is an obligation to provide relevant information with respect to each Reportable Account.

"REPORTABLE PERSON" means an individual who is tax resident in a Reportable Jurisdiction under the tax laws of that jurisdiction.

"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 and used to identify the individual for the purposes of administering the tax laws of each jurisdiction. Further details of acceptable TINs can be found at: https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/.

"US PERSON" means:

i. A US Citizen or resident individual.
ii. A partnership or corporation organized in the US or under the laws of the US or any state of the US.
iii. A trust if (1) a court within the US would have authority under applicable law to render orders or judgements concerning substantially all issues regarding administration of trust, and (2) one or more US 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 US.

WARNING:
It is an offence under section 113A of the Income Tax Act 1967 if any person, in making a self-certification, makes or gives any incorrect information in a material particular on behalf of himself or another person. A person who commits the offence is liable on conviction to a fine not less than RM20,000 and not more than RM100,000 or to imprisonment for a term not exceeding 6 months or to both.

If you would like more information on the other terms used in this form, you may visit the following website:

i. FATCA: https://www.irs.gov/businesses/corporations/foreign-account-tax-compliance-act-fatca
ii. CRS: https://www.oecd.org/en/topics/sub-issues/international-standards-on-tax-transparency/tax-transparency-resource-centre.html