

# Due Diligence Report & Anti-Money Laundering Questionnaire

## Part I General Information

<b>Institution Name</b>	Ahli United Bank B.S.C.	
<b>Date and Country of Incorporation</b>	12/07/2000 Kingdom of Bahrain	
<b>Commercial Registration No</b>	46348	
<b>Banking License No.</b>	RB/022	
<b>Company Type</b>	Public Joint Stock Company	
<b>Listed in Stock Exchange</b>	Bahrain Bourse Bourse Kuwait	<a href="http://www.bahrainbourse.com.bh">www.bahrainbourse.com.bh</a> <a href="http://www.boursakuwait.com.kw">www.boursakuwait.com.kw</a>
<b>Name/Website of the Regulator</b>	The Central Bank of Bahrain	<a href="http://www.cbb.gov.bh">www.cbb.gov.bh</a>
<b>Names of the Major Shareholders of the Company's outstanding shares (5% and above)</b>	<ul style="list-style-type: none"> <li>▪ Public Institution For Social Security ( Kuwait ) 18.50%</li> <li>▪ Social Insurance Organization ( Bahrain ) 10.02%</li> <li>▪ Tamdeen Investment Co. 8.00%</li> <li>▪ Sh. Salem Sabah Al Naser Al Sabah 5.33%</li> </ul> <p>(as of 31/03/2018)</p>	
<b>Declaration of Beneficial Ownership</b>	No Individual ultimately owns 10% or above of the shares	
<b>Registered Address</b>	Bldg. 2495, Road 2832, Al Seef District 428, Kingdom of Bahrain	
<b>Mailing Address</b>	P. O. Box 2424, Manama, Kingdom of Bahrain	
<b>Contact Details</b>	Phone: +973 17 585858 Fax.: +973 17 580569 E-mail <a href="mailto:info@ahliunited.com">info@ahliunited.com</a>	
<b>Website</b>	<a href="http://www.ahliunited.com">www.ahliunited.com</a>	
<b>FATCA Status</b>	Status: Reporting Model 1 FFI GIIN: XNHD3J.00000.LE.048 <b>Completed and Signed W-8BEN-E is enclosed</b>	
<b>CRS Status</b>	Entity Type: Financial Institution – Depository Institution Country of Tax Residency: Kingdom of Bahrain Tax Identification Number (TIN): Not Applicable, Kingdom of Bahrain does not issue TIN for its residents	
<b>Name of the External Auditor</b>	Ernst & Young	
<b>SWIFT BIC (11 digits)</b>	AUBBBHBMXXX	

## Due Diligence Report & Anti-Money Laundering Questionnaire

### Part I General Information (cont....)

Board of Directors	Hamad Mishari Al-Humaidhi	Chairman	Kuwaiti
	Mohammed Jassim Al Khalid Al Dawood Al-Marzouk	Deputy Chairman	Kuwaiti
	Rashed Ismail Khalil Al-Meer	Deputy Chairman	Bahraini
	Mohammed Fouad Mohammed Al-Ghanim	Director	Kuwaiti
	Jamal Al-Naif	Director	British
	Adnan Abdul Mohsen Al-Marzouq	Director	Kuwaiti
	Abdullah Al Mudhaf	Director	Kuwaiti
	Abdulghani Behbehani	Director	Kuwaiti
	Ahmed Ghazi Al-Abduljaleel	Director	Kuwaiti
	Mahmoud Difrawy	Director	British
	Adel Mohammed AbdulShafi El-Labban	Group Chief Executive Officer and Managing Director - Executive Director	Egyptian

Senior Management	Adel Mohammed AbdulShafi El-Labban	Group Chief Executive Officer and Managing Director	Egyptian
	Keith Gale	Deputy Group Chief Executive Officer Risk, Legal and Compliance	British
	Sanjeev Baijal	Deputy Group Chief Executive Officer Finance & Strategic Development	Antiguan & Barbudan
	Mustafa Shafqat Anwar	Deputy Group Chief Executive Officer Operations & Technology	Bangladeshi
	Abdulla Al-Raeesi	Deputy Group Chief Executive Officer Retail Banking	Bahraini
	Derek Lunt	Deputy Group Chief Executive Officer Corporate Banking	British
	Mark Hirst	Deputy Group CEO, Private Banking & Wealth Management, Private Banking	British
	Robert Jones	Group Head- Audit	British
	Iman Wajeeh Al-Madani	Group Head-Human Resources & Development	Kuwaiti
	David O' Loan	Deputy Group Chief Executive Officer Treasury & Investments	Irish


# Due Diligence Report & Anti-Money Laundering Questionnaire

## Part II AML Questionnaire

1 General AML Law, Policies, Practices and Procedures		
1.1	Is money laundering a criminal offence in Kingdom of Bahrain?	Yes
1.2	Are there specific laws and/or regulations in place covering Anti-Money Laundering? "Decree Law No. 4 of 2001: with respect to the Prevention and Prohibition of the Laundering of Money".	Yes
1.3	Does the AML policy program require Board or senior management approval?	Yes
1.4	Does the Bank have a legal and regulatory compliance program that includes a designated Compliance officer who is responsible for coordinating and overseeing the AML program on a day-to-day basis, which has been approved by senior management of the FI?	Yes
1.5	Has the Bank developed written policies documenting the processes that they have in place to prevent, detect and report suspicious transactions that has been approved by senior management?	Yes
1.6	Does the Bank have a policy prohibiting accounts/relationships with shell banks (A shell bank is defined as a bank incorporated in a jurisdiction in which it has no physical presence and which is unaffiliated with a regulated financial group.)?	Yes
1.7	Does the Bank have policies covering relationships with politically exposed persons consistent with industry best practices?	Yes
1.8	Does the Bank have appropriate retention procedures pursuant to applicable law?	Yes
1.9	Does the Bank require that its AML policies and practices be applied to all branches and subsidiaries of the FI both in the home country and in locations outside of the home country?	Yes
2 Risk Assessment		
2.1	Does the Bank have a risk focused assessment of its customer base and transactions of its customers?	Yes
2.2	Does the Bank determine the appropriate level of enhanced due diligence necessary for those categories of customers and transactions that the Bank has reason to believe pose a heightened risk of illicit activities at or through the Bank ?	Yes
3 Know Your Customer, Due Diligence and Enhanced Due Diligence		
3.1	Has the Bank implemented systems for the identification of any third party entities that will have direct access to the correspondent banks services without reference to the respondent bank (in case of payable "through" accounts)?	Yes
3.2	Does the Bank have a requirement to collect information regarding its customers' business activities?	Yes
3.3	Does the Bank have procedures to establish a record for each customer noting their respective identification documents and Know Your Customer Information collected at account opening?	Yes
4 Reportable Transactions and Prevention and Detection of Transactions with Illegally Obtained Funds		
4.1	Does the Bank have policies or practices for the identification and reporting of transactions that are required to be reported to the authorities?	Yes

# Due Diligence Report & Anti-Money Laundering Questionnaire

## Part II AML Questionnaire

5 Sanctions Screening		
5.1	Does the bank required to comply with economic sanctions administrated by the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC"), Her Majesty's Treasury ("HMT"), the Council of Commission of the European Union (the "EU"), or the United Nations Security Council ("UNSC") or a Sanctions Committee acting for UNSC (collectively, "sanction List")?	Yes
6 Transaction Monitoring		
6.1	Does the Bank have a monitoring program for suspicious or unusual activity that covers funds transfers and monetary instruments (such as traveler's checks, money orders, etc.)?	Yes
7 AML Training		
7.1	Does the Bank provide AML training to relevant employees and agents (to carry out some of the functions of the Bank) that include identification and reporting of transactions that must be reported to government authorities, examples of different forms of money laundering involving the Bank's products and services and internal policies to prevent money laundering?	Yes
8 Correspondent Banks		
8.1	Does the Bank have a policy prohibiting accounts/relationships with shell banks (A shell bank is defined as a bank incorporated in a jurisdiction in which it has no physical presence and which is unaffiliated with a regulated financial group.)?	Yes
8.2	Does the Bank have policies to reasonably ensure that it only operates with correspondent banks that possess licenses to operate in their countries of origin?	Yes
8.3	Does the Bank collect information and assess its FI customers' AML policies or practices?	Yes
9 Contact Details		
<p>Ravi Mehra Group Head of Compliance Direct: +973 17 585 910 Fax: +973 17 564 233 E-Mail: <a href="mailto:compliance@ahliunited.com">compliance@ahliunited.com</a></p> <div style="text-align: right;">   <b>Ravi Mehra</b>  <b>C 11119</b> </div>		

## Due Diligence Report & Anti-Money Laundering Questionnaire

### Part III Anti-Money Laundering Statement

Ahli United Bank B.S.C. (AUB) is a joint stock company which is licensed and regulated by the Central Bank of Bahrain (CBB) and listed on the Bahrain and Kuwait Stock Exchanges.

The Kingdom of Bahrain defines money laundering and terrorist financing as criminal offences. The supporting Financial Crime Regulations implemented by the CBB is based on the principles of the Financial Action Task Force (FATF). (The Financial Crime Regulations issued by the Central Bank of Bahrain can be accessed by visiting the website: [www.cbb.gov.bh](http://www.cbb.gov.bh))

In keeping with this regulation, AUB and its Group Banks (the "AUB Group") maintain appropriate customer screening, monitoring and related due diligence procedures that are designed to prevent the AUB Group from doing business with entities which engage in money laundering practices or illegal activity. In relation to incorporated entities, these processes extend to the individuals that control such corporations. Officers and relevant staff of all members of the AUB Group are made aware of policies, procedures and processes and are mandated to adhere to them. Written records documenting compliance with such procedures are maintained. We also require that all correspondent banks with which the AUB Group does business maintain appropriate procedures.

AUB policy requires that all relevant staff of the AUB Group who deal with customers and / or who are managerially responsible for handling customer relationships, must undergo annual training on Anti-Money Laundering and Know Your Customer (KYC) regulation and procedures.

AUB also requires all Respondent banks with which the AUB Group does business, to have appropriate money laundering prevention mechanisms in place. The AUB Group does not maintain accounts with anonymous principals and does not conduct business with any bank which does not maintain a physical presence in jurisdiction in which it is licensed and which is not a regulated affiliate.

Form **W-8BEN-E**

(Rev. July 2017)  
Department of the Treasury  
Internal Revenue Service

**Certificate of Status of Beneficial Owner for  
United States Tax Withholding and Reporting (Entities)**

▶ For use by entities. Individuals must use Form W-8BEN. ▶ Section references are to the Internal Revenue Code.  
▶ Go to [www.irs.gov/FormW8BENE](http://www.irs.gov/FormW8BENE) for instructions and the latest information.  
▶ Give this form to the withholding agent or payer. Do not send to the IRS.

OMB No. 1545-1821

Do NOT use this form for:

- U.S. entity or U.S. citizen or resident . . . . . W-9
- A foreign individual . . . . . W-8BEN (Individual) or Form 8233
- A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the U.S. (unless claiming treaty benefits) . . . . . W-8ECI
- A foreign partnership, a foreign simple trust, or a foreign grantor trust (unless claiming treaty benefits) (see instructions for exceptions) . . . . . W-8IMY
- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming that income is effectively connected U.S. income or that is claiming the applicability of section(s) 115(2), 501(c), 892, 895, or 1443(b) (unless claiming treaty benefits) (see instructions for other exceptions) . . . . . W-8ECI or W-8EXP
- Any person acting as an intermediary (including a qualified intermediary acting as a qualified derivatives dealer) . . . . . W-8IMY

Instead use Form:

**Part I Identification of Beneficial Owner**

1 Name of organization that is the beneficial owner  
**AHLI UNITED BANK B.S.C.**

2 Country of incorporation or organization  
**KINGDOM OF BAHRAIN**

3 Name of disregarded entity receiving the payment (if applicable, see instructions)

4 Chapter 3 Status (entity type) (Must check one box only):

Simple trust     Grantor trust     Corporation     Disregarded entity     Partnership  
 Central Bank of Issue     Tax-exempt organization     Complex trust     Estate     Government  
 Private foundation     International organization

If you entered disregarded entity, partnership, simple trust, or grantor trust above, is the entity a hybrid making a treaty claim? If "Yes" complete Part III.     Yes     No

5 Chapter 4 Status (FATCA status) (See instructions for details and complete the certification below for the entity's applicable status.)

Nonparticipating FFI (including an FFI related to a Reporting IGA FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner).  
 Participating FFI.  
 Reporting Model 1 FFI.  
 Reporting Model 2 FFI.  
 Registered deemed-compliant FFI (other than a reporting Model 1 FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII). See instructions.  
 Sponsored FFI. Complete Part IV.  
 Certified deemed-compliant nonregistering local bank. Complete Part V.  
 Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.  
 Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.  
 Certified deemed-compliant limited life debt investment entity. Complete Part VIII.  
 Certain investment entities that do not maintain financial accounts. Complete Part IX.  
 Owner-documented FFI. Complete Part X.  
 Restricted distributor. Complete Part XI.

Nonreporting IGA FFI. Complete Part XII.  
 Foreign government, government of a U.S. possession, or foreign central bank of issue. Complete Part XIII.  
 International organization. Complete Part XIV.  
 Exempt retirement plans. Complete Part XV.  
 Entity wholly owned by exempt beneficial owners. Complete Part XVI.  
 Territory financial institution. Complete Part XVII.  
 Excepted nonfinancial group entity. Complete Part XVIII.  
 Excepted nonfinancial start-up company. Complete Part XIX.  
 Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.  
 501(c) organization. Complete Part XXI.  
 Nonprofit organization. Complete Part XXII.  
 Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.  
 Excepted territory NFFE. Complete Part XXIV.  
 Active NFFE. Complete Part XXV.  
 Passive NFFE. Complete Part XXVI.  
 Excepted inter-affiliate FFI. Complete Part XXVII.  
 Direct reporting NFFE.  
 Sponsored direct reporting NFFE. Complete Part XXVIII.  
 Account that is not a financial account.

6 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address (other than a registered address).

**BLDG 2495 ROAD 2832 AL SEEF DISTRICT 428**  
City or town, state or province. Include postal code where appropriate.    **MANAMA**    Country  
**KINGDOM OF BAHRAIN**

7 Mailing address (if different from above)  
**P.O. BOX 2424**  
City or town, state or province. Include postal code where appropriate.    **MANAMA**    Country  
**KINGDOM OF BAHRAIN**

8 U.S. taxpayer identification number (TIN), if required    8a GIIN    b Foreign TIN  
**XNH3J.00000.LE.048**

10 Reference number(s) (see instructions)

Note: Please complete remainder of the form including signing the form in Part XXX.

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 59689N

Form **W-8BEN-E** (Rev. 7-2017)

**Part II Disregarded Entity or Branch Receiving Payment.** (Complete only if a disregarded entity with a GIIN or a branch of an FFI in a country other than the FFI's country of residence. See instructions.)

- 11 Chapter 4 Status (FATCA status) of disregarded entity or branch receiving payment  
 Branch treated as nonparticipating FFI.  Reporting Model 1 FFI.  U.S. Branch.  
 Participating FFI.  Reporting Model 2 FFI.
- 12 Address of disregarded entity or branch (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address (other than a registered address).

City or town, state or province. Include postal code where appropriate.

Country

- 13 GIIN (if any)

**Part III Claim of Tax Treaty Benefits (if applicable).** (For chapter 3 purposes only.)

- 14 I certify that (check all that apply):
- a  The beneficial owner is a resident of \_\_\_\_\_ within the meaning of the income tax treaty between the United States and that country.
- b  The beneficial owner derives the item (or items) of income for which the treaty benefits are claimed, and, if applicable, meets the requirements of the treaty provision dealing with limitation on benefits. The following are types of limitation on benefits provisions that may be included in an applicable tax treaty (check only one; see instructions):
- |  |   |
|--|---|
| <input type="checkbox"/> Government                                  | <input type="checkbox"/> Company that meets the ownership and base erosion test                         |
| <input type="checkbox"/> Tax exempt pension trust or pension fund    | <input type="checkbox"/> Company that meets the derivative benefits test                                |
| <input type="checkbox"/> Other tax exempt organization               | <input type="checkbox"/> Company with an item of income that meets active trade or business test        |
| <input type="checkbox"/> Publicly traded corporation                 | <input type="checkbox"/> Favorable discretionary determination by the U.S. competent authority received |
| <input type="checkbox"/> Subsidiary of a publicly traded corporation | <input type="checkbox"/> Other (specify Article and paragraph): _____                                   |
- c  The beneficial owner is claiming treaty benefits for U.S. source dividends received from a foreign corporation or interest from a U.S. trade or business of a foreign corporation and meets qualified resident status (see instructions).
- 15 Special rates and conditions (if applicable—see instructions):  
 The beneficial owner is claiming the provisions of Article and paragraph \_\_\_\_\_ of the treaty identified on line 14a above to claim a \_\_\_\_\_ % rate of withholding on (specify type of income): \_\_\_\_\_  
 Explain the additional conditions in the Article the beneficial owner meets to be eligible for the rate of withholding: \_\_\_\_\_

**Part IV Sponsored FFI**

- 16 Name of sponsoring entity: \_\_\_\_\_
- 17 Check whichever box applies.
- I certify that the entity identified in Part I:
- Is an investment entity;
  - Is not a QI, WP (except to the extent permitted in the withholding foreign partnership agreement), or WT; and
  - Has agreed with the entity identified above (that is not a nonparticipating FFI) to act as the sponsoring entity for this entity.
- I certify that the entity identified in Part I:
- Is a controlled foreign corporation as defined in section 957(a);
  - Is not a QI, WP, or WT;
  - Is wholly owned, directly or indirectly, by the U.S. financial institution identified above that agrees to act as the sponsoring entity for this entity; and
  - Shares a common electronic account system with the sponsoring entity (identified above) that enables the sponsoring entity to identify all account holders and payees of the entity and to access all account and customer information maintained by the entity including, but not limited to, customer identification information, customer documentation, account balance, and all payments made to account holders or payees.

**Part V Certified Deemed-Compliant Nonregistering Local Bank**18  I certify that the FFI identified in Part I:

- Operates and is licensed solely as a bank or credit union (or similar cooperative credit organization operated without profit) in its country of incorporation or organization;
- Engages primarily in the business of receiving deposits from and making loans to, with respect to a bank, retail customers unrelated to such bank and, with respect to a credit union or similar cooperative credit organization, members, provided that no member has a greater than 5% interest in such credit union or cooperative credit organization;
- Does not solicit account holders outside its country of organization;
- Has no fixed place of business outside such country (for this purpose, a fixed place of business does not include a location that is not advertised to the public and from which the FFI performs solely administrative support functions);
- Has no more than \$175 million in assets on its balance sheet and, if it is a member of an expanded affiliated group, the group has no more than \$500 million in total assets on its consolidated or combined balance sheets; and
- Does not have any member of its expanded affiliated group that is a foreign financial institution, other than a foreign financial institution that is incorporated or organized in the same country as the FFI identified in Part I and that meets the requirements set forth in this part.

**Part VI Certified Deemed-Compliant FFI with Only Low-Value Accounts**19  I certify that the FFI identified in Part I:

- Is not engaged primarily in the business of investing, reinvesting, or trading in securities, partnership interests, commodities, notional principal contracts, insurance or annuity contracts, or any interest (including a futures or forward contract or option) in such security, partnership interest, commodity, notional principal contract, insurance contract or annuity contract;
- No financial account maintained by the FFI or any member of its expanded affiliated group, if any, has a balance or value in excess of \$50,000 (as determined after applying applicable account aggregation rules); and
- Neither the FFI nor the entire expanded affiliated group, if any, of the FFI, have more than \$50 million in assets on its consolidated or combined balance sheet as of the end of its most recent accounting year.

**Part VII Certified Deemed-Compliant Sponsored, Closely Held Investment Vehicle**

20 Name of sponsoring entity: \_\_\_\_\_

21  I certify that the entity identified in Part I:

- Is an FFI solely because it is an investment entity described in Regulations section 1.1471-5(e)(4);
- Is not a QI, WP, or WT;
- Will have all of its due diligence, withholding, and reporting responsibilities (determined as if the FFI were a participating FFI) fulfilled by the sponsoring entity identified on line 20; and
- 20 or fewer individuals own all of the debt and equity interests in the entity (disregarding debt interests owned by U.S. financial institutions, participating FFIs, registered deemed-compliant FFIs, and certified deemed-compliant FFIs and equity interests owned by an entity if that entity owns 100% of the equity interests in the FFI and is itself a sponsored FFI).

**Part VIII Certified Deemed-Compliant Limited Life Debt Investment Entity**22  I certify that the entity identified in Part I:

- Was in existence as of January 17, 2013;
- Issued all classes of its debt or equity interests to investors on or before January 17, 2013, pursuant to a trust indenture or similar agreement; and
- Is certified deemed-compliant because it satisfies the requirements to be treated as a limited life debt investment entity (such as the restrictions with respect to its assets and other requirements under Regulations section 1.1471-5(j)(2)(v)).

**Part IX Certain Investment Entities that Do Not Maintain Financial Accounts**23  I certify that the entity identified in Part I:

- Is a financial institution solely because it is an investment entity described in Regulations section 1.1471-5(e)(4)(i)(A), and
- Does not maintain financial accounts.

**Part X Owner-Documented FFI**

Note: This status only applies if the U.S. financial institution, participating FFI, or reporting Model 1 FFI to which this form is given has agreed that it will treat the FFI as an owner-documented FFI (see instructions for eligibility requirements). In addition, the FFI must make the certifications below.

24a  (All owner-documented FFIs check here) I certify that the FFI identified in Part I:

- Does not act as an intermediary;
- Does not accept deposits in the ordinary course of a banking or similar business;
- Does not hold, as a substantial portion of its business, financial assets for the account of others;
- Is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account;
- Is not owned by or in an expanded affiliated group with an entity that accepts deposits in the ordinary course of a banking or similar business, holds, as a substantial portion of its business, financial assets for the account of others, or is an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account;
- Does not maintain a financial account for any nonparticipating FFI; and
- Does not have any specified U.S. persons that own an equity interest or debt interest (other than a debt interest that is not a financial account or that has a balance or value not exceeding \$50,000) in the FFI other than those identified on the FFI owner reporting statement.



**Part X Owner-Documented FFI (continued)**

Check box 24b or 24c, whichever applies.

- b  I certify that the FFI identified in Part I:
- Has provided, or will provide, an FFI owner reporting statement that contains:
    - (i) The name, address, TIN (if any), chapter 4 status, and type of documentation provided (if required) of every individual and specified U.S. person that owns a direct or indirect equity interest in the owner-documented FFI (looking through all entities other than specified U.S. persons);
    - (ii) The name, address, TIN (if any), and chapter 4 status of every individual and specified U.S. person that owns a debt interest in the owner-documented FFI (including any indirect debt interest, which includes debt interests in any entity that directly or indirectly owns the payee or any direct or indirect equity interest in a debt holder of the payee) that constitutes a financial account in excess of \$50,000 (disregarding all such debt interests owned by participating FFIs, registered deemed-compliant FFIs, certified deemed-compliant FFIs, excepted NFFEs, exempt beneficial owners, or U.S. persons other than specified U.S. persons); and
    - (iii) Any additional information the withholding agent requests in order to fulfill its obligations with respect to the entity.
  - Has provided, or will provide, valid documentation meeting the requirements of Regulations section 1.1471-3(d)(6)(ii) for each person identified in the FFI owner reporting statement.
- c  I certify that the FFI identified in Part I has provided, or will provide, an auditor's letter, signed within 4 years of the date of payment, from an independent accounting firm or legal representative with a location in the United States stating that the firm or representative has reviewed the FFI's documentation with respect to all of its owners and debt holders identified in Regulations section 1.1471-3(d)(5)(iv)(A)(2), and that the FFI meets all the requirements to be an owner-documented FFI. The FFI identified in Part I has also provided, or will provide, an FFI owner reporting statement of its owners that are specified U.S. persons and Form(s) W-9, with applicable waivers.

Check box 24d if applicable (optional, see instructions).

- d  I certify that the entity identified on line 1 is a trust that does not have any contingent beneficiaries or designated classes with unidentified beneficiaries.

**Part XI Restricted Distributor**

- 25a  (All restricted distributors check here) I certify that the entity identified in Part I:
- Operates as a distributor with respect to debt or equity interests of the restricted fund with respect to which this form is furnished;
  - Provides investment services to at least 30 customers unrelated to each other and less than half of its customers are related to each other;
  - Is required to perform AML due diligence procedures under the anti-money laundering laws of its country of organization (which is an FATF-compliant jurisdiction);
  - Operates solely in its country of incorporation or organization, has no fixed place of business outside of that country, and has the same country of incorporation or organization as all members of its affiliated group, if any;
  - Does not solicit customers outside its country of incorporation or organization;
  - Has no more than \$175 million in total assets under management and no more than \$7 million in gross revenue on its income statement for the most recent accounting year;
  - Is not a member of an expanded affiliated group that has more than \$500 million in total assets under management or more than \$20 million in gross revenue for its most recent accounting year on a combined or consolidated income statement; and
  - Does not distribute any debt or securities of the restricted fund to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.

Check box 25b or 25c, whichever applies.

I further certify that with respect to all sales of debt or equity interests in the restricted fund with respect to which this form is furnished that are made after December 31, 2011, the entity identified in Part I:

- b  Has been bound by a distribution agreement that contained a general prohibition on the sale of debt or securities to U.S. entities and U.S. resident individuals and is currently bound by a distribution agreement that contains a prohibition of the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI.
- c  Is currently bound by a distribution agreement that contains a prohibition on the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI and, for all sales made prior to the time that such a restriction was included in its distribution agreement, has reviewed all accounts related to such sales in accordance with the procedures identified in Regulations section 1.1471-4(c) applicable to preexisting accounts and has redeemed or retired any, or caused the restricted fund to transfer the securities to a distributor that is a participating FFI or reporting Model 1 FFI securities which were sold to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.

**Part XII Nonreporting IGA FFI**26  I certify that the entity identified in Part I:

- Meets the requirements to be considered a nonreporting financial institution pursuant to an applicable IGA between the United States and \_\_\_\_\_ . The applicable IGA is a  Model 1 IGA or a  Model 2 IGA; and is treated as a \_\_\_\_\_ under the provisions of the applicable IGA or Treasury regulations (if applicable, see Instructions);
- If you are a trustee documented trust or a sponsored entity, provide the name of the trustee or sponsor \_\_\_\_\_ . The trustee is:  U.S.  Foreign

**Part XIII Foreign Government, Government of a U.S. Possession, or Foreign Central Bank of Issue**27  I certify that the entity identified in Part I is the beneficial owner of the payment, and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in Regulations section 1.1471-6(h)(2)).**Part XIV International Organization**

Check box 28a or 28b, whichever applies.

28a  I certify that the entity identified in Part I is an international organization described in section 7701(a)(18).b  I certify that the entity identified in Part I:

- Is comprised primarily of foreign governments;
- Is recognized as an intergovernmental or supranational organization under a foreign law similar to the International Organizations Immunities Act or that has in effect a headquarters agreement with a foreign government;
- The benefit of the entity's income does not inure to any private person; and
- Is the beneficial owner of the payment and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in Regulations section 1.1471-6(h)(2)).

**Part XV Exempt Retirement Plans**

Check box 29a, b, c, d, e, or f, whichever applies.

29a  I certify that the entity identified in Part I:

- Is established in a country with which the United States has an income tax treaty in force (see Part III if claiming treaty benefits);
- Is operated principally to administer or provide pension or retirement benefits; and
- Is entitled to treaty benefits on income that the fund derives from U.S. sources (or would be entitled to benefits if it derived any such income) as a resident of the other country which satisfies any applicable limitation on benefits requirement.

b  I certify that the entity identified in Part I:

- Is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered;
- No single beneficiary has a right to more than 5% of the FFI's assets;
- Is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operated; and
  - (i) Is generally exempt from tax on investment income under the laws of the country in which it is established or operates due to its status as a retirement or pension plan;
  - (ii) Receives at least 50% of its total contributions from sponsoring employers (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, other retirement funds described in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A));
  - (iii) Either does not permit or penalizes distributions or withdrawals made before the occurrence of specified events related to retirement, disability, or death (except rollover distributions to accounts described in Regulations section 1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), to retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or to other retirement funds described in this part or in an applicable Model 1 or Model 2 IGA); or
  - (iv) Limits contributions by employees to the fund by reference to earned income of the employee or may not exceed \$50,000 annually.

c  I certify that the entity identified in Part I:

- Is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered;
- Has fewer than 50 participants;
- Is sponsored by one or more employers each of which is not an investment entity or passive NFFE;
- Employee and employer contributions to the fund (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A)) are limited by reference to earned income and compensation of the employee, respectively;
- Participants that are not residents of the country in which the fund is established or operated are not entitled to more than 20% of the fund's assets; and
- Is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operates.

**Part XV Exempt Retirement Plans (continued)**

- d  I certify that the entity identified in Part I is formed pursuant to a pension plan that would meet the requirements of section 401(a), other than the requirement that the plan be funded by a trust created or organized in the United States.
- e  I certify that the entity identified in Part I is established exclusively to earn income for the benefit of one or more retirement funds described in this part or in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), or retirement and pension accounts described in an applicable Model 1 or Model 2 IGA.
- f  I certify that the entity identified in Part I:
- Is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in Regulations section 1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are current or former employees of the sponsor (or persons designated by such employees); or
  - Is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in Regulations section 1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are not current or former employees of such sponsor, but are in consideration of personal services performed for the sponsor.

**Part XVI Entity Wholly Owned by Exempt Beneficial Owners**

- 30  I certify that the entity identified in Part I:
- Is an FFI solely because it is an investment entity;
  - Each direct holder of an equity interest in the investment entity is an exempt beneficial owner described in Regulations section 1.1471-6 or in an applicable Model 1 or Model 2 IGA;
  - Each direct holder of a debt interest in the investment entity is either a depository institution (with respect to a loan made to such entity) or an exempt beneficial owner described in Regulations section 1.1471-6 or an applicable Model 1 or Model 2 IGA;
  - Has provided an owner reporting statement that contains the name, address, TIN (if any), chapter 4 status, and a description of the type of documentation provided to the withholding agent for every person that owns a debt interest constituting a financial account or direct equity interest in the entity; and
  - Has provided documentation establishing that every owner of the entity is an entity described in Regulations section 1.1471-6(b), (c), (d), (e), (f) and/or (g) without regard to whether such owners are beneficial owners.

**Part XVII Territory Financial Institution**

- 31  I certify that the entity identified in Part I is a financial institution (other than an investment entity) that is incorporated or organized under the laws of a possession of the United States.

**Part XVIII Excepted Nonfinancial Group Entity**

- 32  I certify that the entity identified in Part I:
- Is a holding company, treasury center, or captive finance company and substantially all of the entity's activities are functions described in Regulations section 1.1471-5(e)(5)(i)(C) through (E);
  - Is a member of a nonfinancial group described in Regulations section 1.1471-5(e)(5)(i)(B);
  - Is not a depository or custodial institution (other than for members of the entity's expanded affiliated group); and
  - Does not function (or hold 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.

**Part XIX Excepted Nonfinancial Start-Up Company**

- 33  I certify that the entity identified in Part I:
- Was formed on (or, in the case of a new line of business, the date of board resolution approving the new line of business) \_\_\_\_\_ (date must be less than 24 months prior to date of payment);
  - Is not yet operating a business and has no prior operating history or is investing capital in assets with the intent to operate a new line of business other than that of a financial institution or passive NFFE;
  - Is investing capital into assets with the intent to operate a business other than that of a financial institution; and
  - Does not function (or hold 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.

**Part XX Excepted Nonfinancial Entity in Liquidation or Bankruptcy**

- 34  I certify that the entity identified in Part I:
- Filed a plan of liquidation, filed a plan of reorganization, or filed for bankruptcy on \_\_\_\_\_;
  - During the past 5 years has not been engaged in business as a financial institution or acted as a passive NFFE;
  - Is either liquidating or emerging from a reorganization or bankruptcy with the intent to continue or recommence operations as a nonfinancial entity; and
  - Has, or will provide, documentary evidence such as a bankruptcy filing or other public documentation that supports its claim if it remains in bankruptcy or liquidation for more than 3 years.

**Part XXI 501(c) Organization**35  I certify that the entity identified in Part I is a 501(c) organization that:

- Has been issued a determination letter from the IRS that is currently in effect concluding that the payee is a section 501(c) organization that is dated \_\_\_\_\_; or
- Has provided a copy of an opinion from U.S. counsel certifying that the payee is a section 501(c) organization (without regard to whether the payee is a foreign private foundation).

**Part XXII Nonprofit Organization**36  I certify that the entity identified in Part I is a nonprofit organization that meets the following requirements.

- The entity is established and maintained in its country of residence exclusively for religious, charitable, scientific, artistic, cultural or educational purposes;
- The entity is exempt from income tax in its country of residence;
- The entity has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- Neither the applicable laws of the entity's country of residence nor the entity's formation documents permit any income or assets of the entity to be distributed to, or applied for the benefit of, a private person or noncharitable entity other than pursuant to the conduct of the entity's charitable activities or as payment of reasonable compensation for services rendered or payment representing the fair market value of property which the entity has purchased; and
- The applicable laws of the entity's country of residence or the entity's formation documents require that, upon the entity's liquidation or dissolution, all of its assets be distributed to an entity that is a foreign government, an integral part of a foreign government, a controlled entity of a foreign government, or another organization that is described in this part or escheats to the government of the entity's country of residence or any political subdivision thereof.

**Part XXIII Publicly Traded NFFE or NFFE Affiliate of a Publicly Traded Corporation**

Check box 37a or 37b, whichever applies.

37a  I certify that:

- The entity identified in Part I is a foreign corporation that is not a financial institution; and
- The stock of such corporation is regularly traded on one or more established securities markets, including \_\_\_\_\_ (name one securities exchange upon which the stock is regularly traded).

b  I certify that:

- The entity identified in Part I is a foreign corporation that is not a financial institution;
- The entity identified in Part I is a member of the same expanded affiliated group as an entity the stock of which is regularly traded on an established securities market;
- The name of the entity, the stock of which is regularly traded on an established securities market, is \_\_\_\_\_; and
- The name of the securities market on which the stock is regularly traded is \_\_\_\_\_.

**Part XXIV Excepted Territory NFFE**38  I certify that:

- The entity identified in Part I is an entity that is organized in a possession of the United States;
- The entity identified in Part I:
  - (i) Does not accept deposits in the ordinary course of a banking or similar business;
  - (ii) Does not hold, as a substantial portion of its business, financial assets for the account of others; or
  - (iii) Is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account; and
- All of the owners of the entity identified in Part I are bona fide residents of the possession in which the NFFE is organized or incorporated.

**Part XXV Active NFFE**39  I certify that:

- The entity identified in Part I is a foreign entity that is not a financial institution;
- Less than 50% of such entity's gross income for the preceding calendar year is passive income; and
- Less than 50% of the assets held by such entity are assets that produce or are held for the production of passive income (calculated as a weighted average of the percentage of passive assets measured quarterly) (see instructions for the definition of passive income).

**Part XXVI Passive NFFE**40a  I certify that the entity identified in Part I is a foreign entity that is not a financial institution (other than an investment entity organized in a possession of the United States) and is not certifying its status as a publicly traded NFFE (or affiliate), excepted territory NFFE, active NFFE, direct reporting NFFE, or sponsored direct reporting NFFE.

Check box 40b or 40c, whichever applies.

- b  I further certify that the entity identified in Part I has no substantial U.S. owners (or, if applicable, no controlling U.S. persons); or
- c  I further certify that the entity identified in Part I has provided the name, address, and TIN of each substantial U.S. owner (or, if applicable, controlling U.S. person) of the NFFE in Part XXIX.

